



**TOWN OF LAUDERDALE-BY-THE-SEA  
TOWN COMMISSION  
Jarvis Hall  
4505 N. Ocean Drive  
Tuesday, August 25, 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, Commissioner Theo Pouloupoulos, Commissioner John A. Graziano, Town Manager Ken Rubach, Town Attorney Susan Trevarthen, Public Works Director Chris Lips, Finance Director Lucila Lang, 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**

Pauline Brooks McGuinness gave the Invocation.

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

Mayor Malkoon advised that Item 13.a would be heard immediately following Public Comments.

Commissioner DeNapoli recommended that Item 18.a be deferred until after the results of the November 2026 election are known, specifically with regard to Amendment 3 on the ballot. He noted that the Item had not been previously discussed by the Commission. Town Manager Ken Rubach explained that the purpose of Resolution 2026-28 is not to expend any funds, but to establish a process for reimbursement in the event the Town chooses to issue a bond for a new public safety complex. He emphasized that the Resolution does not authorize any issuance of debt.

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Town Attorney Susan Trevarthen further clarified that the process referred to in Resolution 2026-28 is required under the Internal Revenue Code. In order to allow the Town to reimburse itself in the future, its language is based on the premise of issuing a bond. It does not mean a bond will ultimately be issued. She concluded that passing the Resolution in advance of a decision allows the Town to reimburse itself for any expenses incurred.

Mayor Malkoon observed that the Resolution creates a path toward potential action and expressed concern with the idea of authorizing up to \$35 million in debt when no decision has been made regarding the creation of a public safety campus. He pointed out that the Town does not yet know what would be included in this campus or the costs associated with its buildings.

Commissioner Graziano stated that he did not see a reason to propose borrowing money until the Commission knows what it would be getting with those funds. He agreed with Commissioner DeNapoli that the Resolution seems premature, and concluded that if the Commission discusses Item 18.a, he recommends moving it to an earlier position on the Agenda.

Commissioner Pouloupoulos also concurred, asserting that \$35 million was an extremely large number for a Town of Lauderdale-By-The-Sea's size. He also noted that the costs associated with the public safety campus or building have increased significantly over time, as is the nature of construction projects. He concluded that he was also in favor of deferral until the scope of the project has been determined.

Town Attorney Trevarthen further clarified that the \$35 million referenced in the Resolution establishes a maximum amount; it does not tie the Town to that amount if they proceed with a public safety building or campus.

Vice Mayor Strauss requested clarification that the proposed Resolution is a requisite item under tax law if the Town chooses to proceed in the future with a bond. Town Attorney Trevarthen advised that the Resolution is not a requirement; it establishes a process by which the Town may reimburse itself for preliminary expenses incurred before a bond is voted into existence. It does not bind the Town to any action.

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Vice Mayor Strauss also asked if there were any negatives to moving forward with Resolution 2026-28. Town Attorney Trevarthen replied that there is no harm from a legal perspective. There is also no harm associated with waiting to approve the Resolution.

Vice Mayor Strauss concluded that the Resolution is non-binding and there were no negatives associated with its approval.

Commissioner Pouloupoulos reiterated that he would rather know the estimated costs of whatever project the Commission chooses to proceed with instead of creating a \$35 million ceiling. He wanted more information in order to establish a realistic cap.

Vice Mayor Strauss stated that he saw the Resolution as a way for the Town to protect itself through reimbursement up to a maximum amount. He also cautioned that prices will continue to increase if the public safety project is not begun soon.

Mayor Malkoon noted again that he was not comfortable proceeding with this Item until there is greater clarity regarding costs and financing as well as consensus on how to proceed.

Commissioner Graziano suggested that if the Resolution is approved in the future, he was interested in potentially including an income-producing component in the proposed facility.

Commissioner DeNapoli asked if reimbursing expenditures meant including the amount of those expenditures in the amount of the bond. Town Attorney Trevarthen confirmed this, adding that this would not be an option unless the Resolution is adopted before the issuance of bonds. She also noted that attachment of a maximum number is required in order for the Resolution to be valid. The language of the Resolution is standard to ensure it is appropriate under the Internal Revenue Code.

Town Manager Rubach recalled that there are two options under the unsolicited proposal: a complex including public safety, Development Services, and Jarvis Hall, and an option for an entire campus. The interim agreement with the entity which offered the unsolicited proposal refers to both options. He pointed out that at least one entire building would have to be redone in order to accommodate existing standards for a Fire Station. He emphasized that the design presented to the Commission would not represent the final design, but a starting point for the Commission to determine what is needed.

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Commissioner Graziano pointed out that the Town does not yet have a contract with a Fire/Rescue service provider, which means they do not yet know what that provider will require. Town Manager Rubach explained that the requirements of the National Fire Protection Association (NFPA) are standard and will be accepted by any provider with which the Town contracts. He recalled that the Commission had directed Staff to proceed with plans for a reasonably affordable building which met these standards.

Town Manager Rubach concluded that the Resolution can be brought back at a later date.

Commissioner Pouloupoulos asked when a Resolution must be passed in order to establish reimbursement for the Town's design costs. Lori Smith-Lalla, associate of the Town Attorney and partner at Weiss Serota Helfman Cole & Bierman, explained that while some "soft costs" have no time limit associated with them, other costs require the Commission to pass its intent to issue bonds and reimburse the Town for bond proceeds. Reimbursable costs must have been incurred no more than 90 days before the passage of the Resolution.

Attorney Smith-Lalla recommended that the Resolution be passed 90 days prior to consideration of the issuance of bonds. Town Manager Rubach clarified that expenses eligible for reimbursement include engineering and architectural costs. He concluded that while the project team had felt tonight's meeting was a good time to bring the Resolution forward, there was no urgency requiring it to be passed at this time.

**Commissioner Graziano made a motion, seconded by Commissioner DeNapoli, to defer the Item until after the Commission has had an opportunity to hold a workshop and determine the scope of the project. Motion carried 4-1 (Vice Mayor Strauss dissenting).**

**5. PRESENTATIONS**

**a. Broward County Public Schools Informational Presentation  
Regarding the Next Generation Referendum**

Sarah Leonardi, Chair of the Broward County School Board, advised that tonight's presentation is intended for informational purposes only regarding an upcoming School Board-related referendum on the November 2026 ballot. She briefly reviewed recent

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successes by Broward County public schools, including ratings as well as the highest graduation rate in the history of these schools.

Broward County School Board Chief of Staff John Sullivan showed an informational presentation on the upcoming referendum, noting that State Statutes require voter approval to continue an existing tax. Passage or failure of the tax would impact Broward County schools in fiscal year (FY) 2027-2028. It generates approximately \$358 million across all Broward County schools, including charter schools.

The referendum funds three components:

- Teacher and Staff allocation supplements
- School safety personnel
- Mental health personnel

At present, \$173 million goes toward teacher and eligible staff compensation each year. There are similar referenda in place in Miami-Dade and Palm Beach Counties, which means if the Broward County referendum does not pass, Broward County would be put at a disadvantage in competition for employees.

The funds also pay for 393 school safety personnel as well as \$1.7 million in software, such as the panic buttons currently worn by staff. There are also 224 mental health personnel funded by the referendum.

Mr. Sullivan noted that while there is some negative press associated with the bond program, this is primarily directed at bonds for facilities rather than the operational uses covered by the referendum. The School Board voted on how the allocation would be spent if the referendum is successful:

- 90% toward teacher and staff compensation
- 10% for safety, including School Resource Officers (SROs) and mental health professionals

The referendum is the only mechanism through which the School Board generates revenue in addition to what is received from the state. As enrollment has decreased, the School Board has taken action to reduce expenditure. 1,000 positions were reduced in the current school year, including reductions in district-level staff. This resulted in annual savings of roughly \$54 million. They have also restructured health care to realize savings of \$46 million. Seven schools which were under-enrolled have been closed, and

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an additional 10 are being considered for closure in the 2027-2028 school year. There will be community outreach to discuss those closures.

Mr. Sullivan noted that while the savings cited above totaled approximately \$100 million, this has only addressed the shortfall incurred over the last two years. He pointed out that roughly half of Florida's school districts have similar referenda and are experiencing similar funding shortfalls.

Residents' costs will vary depending upon their properties' assessed value. The current investment for the average homeowner is approximately \$418/year or \$35/month, while for the average condominium owner it is \$230/year or \$19/month. This investment generates an annual \$350 million for the life of the referendum.

Should the referendum not be renewed, the School Board does not have sufficient fund balance to cover the shortfall. Their fund balance is at 3%, which is required by State Statute; if the balance falls below this level, the state may carry out intervention in the district.

Additional information is available on the School Board's website.

Commissioner Graziano asked how many students from Lauderdale-By-The-Sea are enrolled in the Broward County public school system. Mr. Sullivan advised that he would have to follow up with this information.

Commissioner Graziano continued that while most residents were unlikely to be opposed to the referendum funding professional staff, he was less certain they were in favor of more funding for facilities.

**6. PUBLIC COMMENTS**

At this time, Mayor Malkoon opened public comment.

John Boutin, resident, advised that an economic downturn which began approximately three years ago is negatively affecting his business, the Windjammer Resort. He felt this was due in part to the increase of sargassum on the beach and advised that his research indicated burying this material on the beach is not a proper means of disposal. He encouraged the Town to seek a more permanent solution to this problem.

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Commissioner DeNapoli noted that South Florida is currently experiencing a record-breaking level of sargassum and asked if Broward County has made any additional efforts to address this. Town Manager Rubach advised that most communities have traditionally buried this material, as it can present a cost issue. The only community that hauls sargassum away is Fort Lauderdale, as hauling can incur significant expense. The Town pays roughly \$235,000 annually to bury the material, while removal is estimated to cost \$400,000 or more.

Bill Ciani, resident, addressed the Resolution proposed under Item 18.a, which addressed reimbursement through bond funds. He felt a parking garage would provide the Town with a return on its investment and attract more visitors to the Town. He added that he would also recommend allowing the construction of a large hotel at the Holiday Inn site, as well as reestablishing Anglin's Pier, which has been closed for several years.

Kimberly Bertsch, resident, stated that she wished to correct false statements made at the previous Town Commission meeting regarding an individual who spoke during public comment. She advised that the individual had not been able to speak for her allotted three minutes, had not claimed that her positions are non-partisan, and had provided context for her comments rather than promoting or campaigning for any candidate. She concluded that residents should have the opportunity to bring forward their concerns to the Commission without interruption.

Howard Goldberg, resident, commended the Commission on its decision not to proceed with Resolution 2026-28 at this time, pointing out that the Town has always operated with zero municipal debt. He felt the proposal authorizing a \$35 million bond would represent a major shift in the Town's conservative financial strategy.

Cristie Furth, resident, stated that she shared Mr. Boutin's concerns regarding sargassum, which has impacted summer tourism in the Town. She expressed concern with rising prices at all types of businesses. She concluded that she was not in favor of construction of a large and expensive public safety campus.

James Espada, owner of Open Air Art Studio, provided the Commissioners with printed materials and explained that his business offers guided dinner painting classes on the beach. He thanked supporters of his business for their patience while he seeks a way to offer these classes in Lauderdale-By-The-Sea, concluding that they are currently being held at Broward County parks and private homes.

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

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

**13. NEW BUSINESS**

**a. Special Event Application: Howard Alan Art Fair November 2026**

Events and Marketing Manager Katie Anderson advised that resident Ellen Zavell, representing the Lauderdale-By-The-Sea Lodging Association, submitted a special event application for the Howard Alan Craft Fair to be hosted in the Town on Saturday, November 7 and Sunday, November 8, 2026. Setup would begin on Saturday at approximately 2 a.m., and the event would be live from 10 a.m. to 5 p.m. on both days, with cleanup following the Sunday event.

Howard Alan is a professional festival organization that produces art shows nationwide and throughout the state of Florida. Participating vendors will include artists, jewelers, home décor craftsmen, and other artisans. The Town previously hosted art shows by this organization in 2015 and 2016.

Setup for the event would take over Commercial Boulevard from A1A to El Mar Drive, as well as the west lane of El Mar Drive from the alleyway south of Commercial Boulevard to the Driftwood Resort parking lot. Northbound lanes on El Mar Drive would remain open to vehicular traffic. The closed roadways would serve as the event site for approximately 80 to 90 vendor tents, for which setup would be completed by the Howard Alan team.

Closing the west side of El Mar Drive would eliminate 16 Town parking spaces. Reimbursement for these spaces would be compensated by the Applicant at \$672.

Per Resolution 2024-29, any road closure fees for events with more than 200 guests are set by the Commission based on purpose, number of attendees, and impact. The El Mar Drive parking lot is also incorporated into the site map and would remain closed on both Saturday and Sunday over the course of the event. The buyout of this parking lot totals \$1,050 for 25 spaces.

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Broward Sheriff's Office (BSO) participation would be required to ensure a secure event throughout the weekend. The Applicant is responsible for direct coordination with BSO to determine the appropriate number of detail Officers necessary for the event. The Applicant must also secure that detail and its associated financial costs.

Setup will begin at 2 a.m. on Saturday, November 7. The Applicant must coordinate necessary road closures with BSO and has requested that Town barricades be used to assist with the closure. After internal discussions with the Town's BSO team, Staff recommends that the installation of public safety bollards also be required to ensure safety and security at the event site. This would require Town Staff to have personnel on-site before setup. It has been determined that two Public Works employees would be required from 1:30 a.m. to 5:30 a.m. until regularly scheduled Town Staff is available.

Town Staff will also be required for breakdown of the event, which is listed on the event application at 7 p.m. Based on historical experience with breakdown of smaller events, the Town anticipates that a longer time will be required, estimating cleanup and breakdown to conclude by 9 p.m. to 10 p.m.

Load-in and -out for the vendors would take place along the inside lanes of El Mar Drive from the Driftwood Resort parking lot to El Prado Park. Vendors will be asked to pull up along the median, find their designated spaces, unload their items, and then park their vehicles before returning to the site to complete setup. Vendor parking would be permitted along the El Mar Drive median south of the event site, beginning just south of the Downtown public restrooms and continuing as far south as necessary.

The number of vendors using Town parking has not been determined. A pay-by-phone code would be enacted for those vendors to submit payment at the \$21 daily event parking rate. Overnight parking would not be permitted, and payment would be required for each day the vendors park along the median. The existing parking lot would remain open for attendees and other Town patrons and visitors.

A special outdoor event permit application is required by Pompano Beach Fire Rescue (PBFR) and must be completed independently by the Applicant and submitted directly to PBFR. Any application fees must be paid directly to PBFR by the Applicant. The \$125 Town special event application fee has been paid by the Applicant.

Staff recommends approval of the Application based on the conditions outlined in the

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permit and requests Commission direction on any road closure fees the Commission wishes to include as well as permit requirements.

Applicants Ellen Zavell, president of the Lauderdale-By-The-Sea Lodging Association, and Howard Alan, president of Howard Alan Events, provided additional information about the proposed event, emphasizing that the craft show will bring foot traffic to the Town during the off-season when it is needed most.

Mayor Malkoon asked if any of the businesses that will be directly affected by the event have reached out to Staff. Events and Marketing Manager Anderson replied that she has not had any direct contact from Town businesses regarding the event.

With regard to the road closure, Mayor Malkoon requested clarification of the typical fee that would be charged. Events and Marketing Manager Anderson stated that at this time, Staff has recommended fees that are directly outlined in Resolution 2024-29 and the costs of parking spaces that will mean a loss of revenue for the Town. Because the proposed event is larger than most Town events, she concluded that the fees are left to the Commission's discretion.

Commissioner DeNapoli noted that the Commissioners' backup information for the event lists fees at \$3,327.63. Events and Marketing Manager Anderson confirmed that this is Staff's recommendation based on the Resolution and Town standards. This amount covers overtime for Staff and loss of parking spaces for the weekend. Commissioner DeNapoli emphasized the need for more off-season events in order to help Town businesses.

Commissioner Graziano stated that he was in favor of the event as long as it does not negatively impact businesses.

Vice Mayor Strauss commented that the event will benefit the Town and bring in visitors. He encouraged similar events for the Town in the future.

Ms. Zavell stated that the cost of the El Mar Drive parking spaces is estimated at \$672 and the El Mar Drive parking lot at \$1,050. She requested that the Commission consider waiving these costs, as the Town will receive increased parking revenue from attendees of the event.

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Ms. Zavell also suggested placing more tents on the east side of El Mar Drive, leaving the alley turnaround open for waste removal vehicles. Town Manager Rubach advised that this is a new request that has not been previously reviewed, and he would need to see the layout before speaking to this change.

Commissioner Graziano requested clarification of the event costs. Town Manager Rubach noted that the Town is not charging a road closure fee, the cost of barricades, or other additional costs. He was not supportive of 100% mitigation of all costs for the event, which total \$3,300. Commissioner Graziano suggested waiving half of this cost.

Ms. Zavell noted that \$9,839 includes the cost of two BSO Officers, Public Works setup and breakdown, the El Mar Drive parking lot spaces, and the 16 spaces on El Mar Drive. Town Manager Rubach further clarified that BSO costs are separate; the Applicant would pay the cost of the lost parking spaces at the daily rate of \$21. Events and Marketing Manager Anderson added that the parking lot would be used for placement of portable restrooms and will be closed for the entirety of the weekend. The lot will be inaccessible to vehicles.

Mayor Malkoon observed that discussion of this event included changes to the Site Plan which have not previously been reviewed or discussed.

It was clarified that half of the \$3,327.63 would be \$1,663.82.

Commissioner Pouloupoulos indicated his agreement with the proposal to halve the fees but was not in favor of changing the Site Plan at this time.

**Commissioner Graziano made a motion, seconded by Vice Mayor Strauss, to recommend approval of the Special Event Application based on conditions outlined in the permit, with fees to the Town of \$3,327.63 to be reduced to 50%, with no road closure fees. Motion carried 5-0.**

**7. PUBLIC SAFETY DISCUSSION**

**a. BSO July 2026 Public Safety Report**

Broward Sheriff's Office (BSO) Captain Christopher Sutter reported that Deputy Jeffrey Bickel is the Employee of the Month for July 2026 in recognition of his efforts in locating a subject. BSO is currently awaiting an arrest warrant for this individual.

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Captain Sutter recalled the success of the World Cup Watch Party and July 4<sup>th</sup> events in the Town. He added that from July 24 and 27, 2026, BSO provided training for Town Staff on critical events with active assailants, including emergency care for injuries.

There were two auto thefts in July.

**8. TOWN MANAGER REPORT**

**a. Town Manager Report**

Town Manager Rubach reviewed recent events in the Town, including the filming of scenes for a television show. He characterized this as a good way to highlight the community and noted that filming for other series may be done in the Town in the future.

The Town is working with Circuit to provide free rides for residents on the upcoming Election Day. Circuit will take residents from their homes to Jarvis Hall to vote. This location is currently the only polling place in Lauderdale-By-The-Sea. Signage will be placed at previous polling places to ensure all are aware of this change.

Dine Out Lauderdale runs from August 1-September 30, 2026. Several Town restaurants are participating in this event.

The following meetings are scheduled:

- Code Compliance hearing: Thursday, August 27, 2026, at 5 p.m.
- First budget hearing: Wednesday, September 9, 2026, at 5:01 p.m.
- Regular Town Commission meeting: Wednesday, September 9, 2026, at 6:30 p.m.

Mayor Malkoon requested an update on informational campaigns. Town Manager Rubach confirmed that Staff is working with Conceptual Communications to make election information available. This will be shared through social media as well as the Town's weekly posts.

Mayor Malkoon noted that there are also plans to share information on the upcoming referendum on the November 2026 ballot. Town Clerk Melissa Vasami advised that the Broward County Supervisor of Elections anticipates a sample ballot will be available

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before September 14. When it is provided, she will post this ballot on the Broward County Legal Notices website as well as the Town's election page.

Mayor Malkoon requested an update on the status of Mr. Espada's beach business, which was raised during Public Comments. Development Services Director Jhanelle Campbell advised that she has polled surrounding communities and has not yet identified a community that allows business to be conducted on the beach. She will present her research on this issue at an upcoming meeting along with her recommendations.

Commissioner DeNapoli recalled that before the previous general election, the Town issued a postcard with voter information. Town Manager Rubach confirmed that this can be done again. The postcard will list items that will be included on the November 2026 ballot. Election information will also be available in *Town Topics*. Town Attorney Trevarthen advised that she will evaluate the information to be included on the postcard to ensure the Town complies with State Statutes.

**b. May 2026 Finance Report**

**c. June 2026 Finance Report**

Howard Goldberg, resident, addressed the Town's millage rate, noting that Staff has proposed several budget cuts to make up for an estimated shortfall of \$958,048 which would result from proposed tax reform. He cautioned that these cuts would affect marine safety, community engagement, nonprofit assistance, and elimination of a position focused on business opportunities. He suggested that the Town look more closely at cuts that will maintain the Town's community and culture while reducing unnecessary spending, such as leases, insurance costs, and sale of Town properties.

Mr. Goldberg concluded that the Town should review the full budget line-by-line to ensure there are no unnecessary costs.

Finance Director Lucila Lang reviewed the May and June 2026 Finance Reports, noting that most funds remain within budget for those months. She recommended reviewing Fire and Emergency Medical Services (EMS) costs before the end of the current fiscal year, as these expenses will require a budget amendment. She will bring the amendment before the Commission in September.

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Finance Director Lang also noted that building permit revenues have been significantly lower in the current fiscal year.

At the July 28, 2026, Commission meeting, Commissioner DeNapoli requested that Staff look at the possible investment of approximately \$3 million from the Parking Fund. Finance Director Lang advised that if these dollars will be used toward the public-private partnership (P3) currently under consideration, the Town will need to keep the term of the investment in mind. She has spoken with Truist Bank regarding earnings credits and service charges. If the \$3 million were invested in a Certificate of Deposit (CD), current rates are 3.25% for a three-month CD and 3.40% for a six-month CD. This investment would keep the funds within the Town's banking services so they would continue to receive earnings credit for them, with no service charges.

Finance Director Lang continued that she also looked into investment with Florida Prime. The 30-day average yield for that institution is between 3.83% and 3.84%. The Town may also consider additional investment with South State.

Commissioner DeNapoli requested clarification of the rate at which the Town's money is currently invested. Finance Director Lang replied that this rate is 2.75%. Commissioner DeNapoli estimated that investing the \$3 million from the Parking Fund with Florida Prime would yield \$114,900, which is an increase of \$32,400 annually. He recommended that the Commission make this change and there was consensus.

Commissioner Pouloupoulos addressed public comments on this Item, stating that he was not certain why any Town property would be considered for liquidation at this time. He noted that the only Town-owned properties that might be sold would be Town parking lots. The Parking Fund has generated \$2 million in revenue thus far in the current year and remains one of the Town's biggest revenue drivers. He concluded that he was not in favor of liquidating any assets that are driving revenue.

Commissioner Graziano noted that the Town may need money from the Parking Fund within the next few months if it is to be used toward the P3. Commissioner DeNapoli replied that moving these funds for investment would only require minor administrative work. Commissioner Graziano concluded that he was in favor of the proposed investment of Parking Fund dollars.

Mayor Malkoon requested more information on the upcoming budget amendment to which Finance Director Lang had referred. Finance Director Lang explained that the

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Town budgeted \$1.4 million toward EMS services and has spent \$1.36 million as of June 2026. The expense for PBFR is roughly \$300,000 to \$350,000 per month. July, August, and September remain to be paid in the current fiscal year.

The Fire Fund was budgeted at \$2.16 million for FY 2026. Roughly \$107,000 remains in this fund after June 2026. The Town will need to take money for both EMS and Fire services from its unencumbered funds for payment.

Mayor Malkoon asked if a higher amount is anticipated in the FY 2027 budget. Finance Director Lang replied that the coming year was budgeted using the proposed \$6.5 million cost provided by Fort Lauderdale Fire Rescue.

It was confirmed that Commission direction was sufficient to make changes to the Town's investments as discussed.

**9. TOWN ATTORNEY REPORT**

None.

**10. APPROVAL OF MINUTES**

**a. Approval of the Minutes of the July 14, 2026, and July 28, 2026 Regular Town Commission Meetings**

Commissioner DeNapoli noted a correction to p.20, paragraphs 6 and 7 of the July 28, 2026, meeting minutes: the word "maximum" should precede "millage rate" in both of his motions.

**Vice Mayor Strauss made a motion, seconded by Commissioner DeNapoli, to approve [as amended]. Motion carried 5-0.**

The Commission took a brief recess at this time.

**11. CONSENT AGENDA**

**a. RESOLUTION NO. 2026-26: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A FIRST AMENDMENT TO A PIGGYBACK AGREEMENT WITH**

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CIRCUIT TRANSIT INC. FOR POINT-TO-POINT MICRO-TRANSIT TRANSPORTATION SERVICES, UTILIZING THE TERMS AND CONDITIONS OF THE CITY OF POMPANO BEACH CONTRACT AWARDED PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 25-015; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FIRST AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

**b. Special Event Application: Fall Beach Baptism 10.03.26**

**c. Special Event Application: Music By The Sea October-December 2026**

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

**12. OLD BUSINESS**

None.

**13. NEW BUSINESS**

**b. RESOLUTION NO. 2026-27: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A LICENSE AGREEMENT BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND PLANTATION FARMERS MARKET CO-OP LLC D/B/A COMMUNITY FARMERS MARKETS OF SOUTH FLORIDA FOR THE OPERATION OF THE TOWN'S FARMERS' MARKET AT EL PRADO PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Events and Marketing Manager Anderson stated that the Town's annual Farmers Market is scheduled to resume activity on the first weekend of December 2026. In 2002, the Town conducted a request for proposal (RFP) process for its Farmers Market program. Community Markets of South Florida has successfully operated this market in the years since.

In recent years, Staff has worked closely with the market team to implement growth and new ideas. The current agreement with the provider expires in September 2026, and a

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new contract is required to continue operations. The proposed agreement includes the following:

- An initial three-year term with two optional one-year renewals
- The Town retains the right to terminate the agreement at any time if performance standards or other contractual obligations are not met

Staff recommends approval of Resolution 2026-27.

Mayor Malkoon noted that the fee is \$200 per market and asked if the Town has reviewed this against what is provided by the Town, including utilities and promotion. Events and Marketing Manager Anderson confirmed that this was done.

Commissioner Graziano advised that he wished to ensure the Town's businesses have the right of first refusal, as the Farmers Market may include potential competitors. Events and Marketing Manager Anderson explained that she was not certain that it would be appropriate for Staff to tell the contractor when certain vendors may or may not participate without additional information. Staff may suggest the inclusion of certain vendors as long as they have been a good partner in the past and meet all required parameters. She requested that any businesses that feel they were excluded from participation reach out to Town Staff, who can address it with the contractor.

Commissioner Graziano proposed that businesses be encouraged in this manner via *Town Topics*. Events and Marketing Manager Anderson added that Staff's Business Outreach Team also sends regular emails to Town businesses and can include the opportunity to seek participation there as well.

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

**14. COMMISSIONER PRESENTATIONS**

None.

**15. COMMISSIONER COMMENTS**

Commissioner Pouloupoulos addressed the Public Safety Report from earlier in the meeting, pointing out that crime is down by 27% year-over-year as of July 2026. He emphasized the importance of determining the proper design for the Town's proposed

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new public safety building before making a decision to commit to any type of bond. He asserted that he was not in favor of a bond for \$35 million and advised that the Town will provide its next contractor with what is necessary to ensure public safety without going above and beyond those needs.

Commissioner Pouloupoulos continued that the goal for upcoming budget discussions is to keep taxes as low as possible by cutting unnecessary line items while maintaining income-producing properties such as Town parking lots.

Commissioner Graziano stated that there have been no changes to his ongoing communications with Florida Power and Light (FPL), and the Town remains excluded from the state's Storm Secure Underground Program (SSUP) at present. He also reported that it may be possible to reproduce the Town's mural on retail items, which can help provide some of the funds needed to illuminate the mural. He is awaiting approval from the building owner who commissioned the artwork. He felt Lauderdale-By-The-Sea should be marketed as a boutique community between Pompano Beach and Fort Lauderdale.

Commissioner Graziano continued that the Town welcomes its visitors and part-time residents from Canada and hoped that the federal government will find a good solution to current tariff issues so they do not impact the community.

Commissioner DeNapoli stated that he was also not in favor of a \$35 million bond, emphasizing the Commission's fiscal responsibility to keep the Town's essential services strong while keeping taxes low. He added that he will continue to correct any false statements made at meetings in order to ensure the accuracy of the public record.

Commissioner DeNapoli encouraged residents to review their emergency plans and supplies related to hurricane season. He also referred residents to the most recent *Town Topics*, which includes information from Broward County Animal Care on how to keep pets safe in the summer heat.

A Full Moon Party will be hosted by the Plunge Beach Resort on Friday, August 28, 2026, from 7 p.m. until 10 p.m. Free parking is available for local residents after 4 p.m.

Commissioner DeNapoli also congratulated all candidates who were successful in the previous week's Primary Election. He reminded all present that the next scheduled

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Commission meeting will be Wednesday, September 9, 2026, following the first public budget hearing at 5:01 p.m.

Vice Mayor Strauss addressed Resolution 2026-28, clarifying that while he was not prepared to support an expense of \$35 million for a new public safety building at this time, he felt it would be irresponsible not to preserve every opportunity for the Town to receive reimbursement, particularly when that preservation would come at no financial risk or commitment on the Town's part. The Town has not yet seen an estimated figure for the cost of this building, which will be constructed to meet accepted requirements for Fire, EMS, and Police personnel. When that figure is available, the Commission will review it thoroughly to ensure they proceed with the best possible product.

Vice Mayor Strauss encouraged individuals interested in sargassum to reach out to Dr. Brian LaPointe at Florida Atlantic University, who is a global expert on oceanic sargassum.

Vice Mayor Strauss congratulated Aruba Beach Cafe and Pier 14 for the recent music event held in the Downtown square, and commended local businesses for providing entertainment in the Town. He also recognized the 34<sup>th</sup> anniversary of Hurricane Andrew, which struck South Florida on August 24, 1992, and reminded all residents to update their hurricane preparedness plans for the remainder of the season.

Dredging continues in the Hillsboro Inlet to allow vessels to safely enter and exit that waterway.

Vice Mayor Strauss concluded by reminding all present that the final deadline for voter registration is October 5, 2026. Residents are encouraged to contact the Town Clerk's Office for more information on how to register.

Mayor Malkoon thanked all who attended tonight's meeting and encouraged their ongoing participation throughout budget season. The maximum millage rate has been established at 3.9000, which is the same as the current rate. This will require roughly \$1 million in budget cuts. The Commission has identified approximately half of this amount and will continue to discuss ways to trim the budget further and keep taxes low.

Mayor Malkoon continued that he was also opposed to taking on \$35 million in debt for a full public safety campus and felt that while Resolution 2026-28 would not have committed the Town to that debt, it would have created a path forward for that project before it has been determined whether or not the project is needed.

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**16. ORDINANCES 1ST READING**

a. ORDINANCE 2026-05: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN EXTENSION OF THE 2021 RESTATED SOLID WASTE, BULK WASTE, AND RECYCLING COLLECTION FRANCHISE AGREEMENT WITH WASTE PRO USA, INC., FOR A ONE (1) YEAR PERIOD FROM OCTOBER 31, 2026, TO OCTOBER 31, 2027; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

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

It was clarified that the Town's current contract with Waste Pro is scheduled to expire in October 2026.

Town Manager Rubach advised that this Ordinance would keep the Town's rates the same for an additional year. The contract will be evaluated in 2027 in advance of the expiration of this one-year extension. The Ordinance freezes the contract at its current rates.

Commissioner DeNapoli asked when the Commission typically places this contract out for bid. Town Manager Rubach replied that the Town has authorized extensions of the contract for some time. If the Commission wishes to proceed with the RFP process, it will be done in advance of the extension's expiration.

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

**17. ORDINANCES 2ND READING**

None.

**18. RESOLUTIONS – PUBLIC COMMENTS**

a. RESOLUTION NO. 2026-28: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, INDICATING THE OFFICIAL INTENT OF THE TOWN TO ISSUE TAX-EXEMPT

Lauderdale-By-The-Sea  
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BONDS OR NOTES IN THE AMOUNT OF UP TO \$35,000,000 TO FINANCE THE COSTS OF THE DESIGN AND CONSTRUCTION OF A COMBINED GOVERNMENT CENTER PROJECT AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS OR NOTES TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF.

This Item was discussed earlier in the meeting under Additions, Deletions, and Deferrals of Agenda Items.

**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 9:06 p.m.



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Mayor Edmund Malkoon

ATTEST:



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Melissa Vasami, Town Clerk

9/24/2026 | 11:12 AM EDT

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Date