

LDDA BOARD OF DIRECTORS MEETING AGENDA
Thursday, June 26, 2025 • 8:00am
City Commission Conference Room (3rd floor)

CALL TO ORDER

Landon Beck

New Business

FY2024 Audit Review - CLA Staff

Landon Beck

Approval of Meeting Minutes: April 2025

Landon Beck

Approval of Monthly Financials: April 2025

Landon Beck

New Business, continued

Conditional Use - 125 S. Kentucky Ave; Velvet Swan

Julie Townsend

Legal Letter Discussion

Landon Beck

AUDIENCE

Landon Beck

ADJOURN

Landon Beck

MISSION: To Improve and Stimulate the Environment for Economic Development in a People-Oriented Downtown Community

Vision Statement: An exceptional Downtown partnering with others to provide a business and residential environment featuring economic opportunity, quality public spaces, and cultural and educational enrichment, all in a diverse, safe and attractive setting.

MINUTES: LDDA BOARD OF DIRECTORS MEETING
Thursday, April 17, 2025, 8:00 AM
City Commission Conference Room

BOARD/STAFF PRESENT: Donna DeStefano; Mike Musick; Michael Kincart; Eric Belvin; Jeff Donalson; Bretta Christakos; Julie Townsend, staff

BOARD ABSENT: Landon Beck

GUESTS: Karen Thompson, CRA; Heath Frederick, Eric Pope, Mike Slaton; Public Works

CALL TO ORDER: 8:02 a.m. Donna DeStefano, Vice-Chair, called the meeting to order.

Approval of the March 2025 Meeting Minutes: Bretta Christakos moved to approve. Mike Musick seconded the motion. Motion passed 4-0. *Jeff Donalson had not yet arrived.*

Approval of the March 2025 Financial Report: Mike Musick moved to approve. Michael Kincart seconded the motion. Motion passed 4-0. *Jeff Donalson had not yet arrived.*

New Business:

CRA – Downtown Redevelopment Plan Status Update – Karen Thompson, CRA Project Manager, updated the LDDA Board of Directors on the Downtown Redevelopment Plan. A consulting firm has been selected. Contracts and agreements will be worked through in the next few months. CRA will rely on LDDA for input.

Bollards, resurfacing Discussion – Heath Frederick, Public Works Director and his team participated in a discussion with the LDDA Board of Directors about traffic bollards and other mechanisms to protect pedestrians during street closures. Cost, storage, aesthetics, deployment, and functionality were all concerns. The group also discussed the feasibility of returning the historic district streets to brick. No actions were taken.

Employee Handbook Update: Julie asked that the Board reverse the change made to the employee handbook from last month regarding the QSERHA plan. The plan does not allow for employees to keep their tax credits. The board discussed other options. Julie will come back to the board with pay comparisons and pay scales. Bretta Christakos moved to approve the change back to the previous handbook language minus the high-deductible language. Michael Kincart seconded the motion. Motion passed 5-0.

With no more business, the meeting was adjourned at 9:44am. *LDDA Board of Directors' meetings are recorded for transcript purposes. Minutes do not reflect discussions but provide the record of actionable items. Audio files of the meetings are stored at the LDDA office and are available upon request.* **The next LDDA Board of Directors meeting will be on Thursday, May 15, 2025, at 8:00am in the city hall city commission conference room.**

Landon Beck, Chair

Date

Julie Townsend, Executive Director

Date

LAKELAND DOWNTOWN DEVELOPMENT AUTHORITY

Budget vs. Actuals: Budget_FY25_P&L - FY25 P&L

October 2024 - September 2025

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
6000 Primary Income				
6100 Tax Receipts	649,145.09	688,598.00	-39,452.91	94.27 %
Total 6000 Primary Income	649,145.09	688,598.00	-39,452.91	94.27 %
6200 Program & Other Income				
6150 Misc Marketing Income	990.00	3,000.00	-2,010.00	33.00 %
6151 Friday Night Live	300.00	1,000.00	-700.00	30.00 %
6152 Night Markets	27,405.00	15,000.00	12,405.00	182.70 %
6153 Tasty Tuesday	9,005.00	30,000.00	-20,995.00	30.02 %
6154 Downtown Champions	9,500.00	6,000.00	3,500.00	158.33 %
6155 Banner Income	2,910.00	3,000.00	-90.00	97.00 %
6300 Investment Income (Money Mkt.)	27,374.76	25,000.00	2,374.76	109.50 %
6450.18 FAB Grant	13,355.00	10,000.00	3,355.00	133.55 %
6450.19 EBT Electronic Transfer	17,118.00	10,000.00	7,118.00	171.18 %
6460.40 Other sponsorships	1,000.00	500.00	500.00	200.00 %
6460.50 Other event sponsorships		2,500.00	-2,500.00	
Total 6200 Program & Other Income	108,957.76	106,000.00	2,957.76	102.79 %
6450 Income-Farmers Curb Market				
6450.11 Shared Marketing Costs	109,517.50	146,000.00	-36,482.50	75.01 %
6450.13 Fundraiser/Sales Gross	504.00	1,000.00	-496.00	50.40 %
6450.15 Special Event Income-DFCM	2,507.46	3,000.00	-492.54	83.58 %
Total 6450 Income-Farmers Curb Market	112,528.96	150,000.00	-37,471.04	75.02 %
6460 Event Income - FF				
6460.10 First Friday Shared Event Costs	50,552.24	95,500.00	-44,947.76	52.93 %
Total 6460 Event Income - FF	50,552.24	95,500.00	-44,947.76	52.93 %
Total Income	\$921,184.05	\$1,040,098.00	\$ -118,913.95	88.57 %
GROSS PROFIT	\$921,184.05	\$1,040,098.00	\$ -118,913.95	88.57 %
Expenses				
7000 Event Expenses - FF				
7040 Event Insurance - FF	1,300.00	1,500.00	-200.00	86.67 %
7050 Contract event staff	10,455.40	22,000.00	-11,544.60	47.52 %
7060 Workers Comp Ins - FF	381.25	3,000.00	-2,618.75	12.71 %
7065 Event Square Fees	2,274.77	4,500.00	-2,225.23	50.55 %
7070 Entertainment	2,488.02	7,500.00	-5,011.98	33.17 %
7080 FF Graphics & Printing	1,218.02	4,500.00	-3,281.98	27.07 %
7090 Event Sanitation	5,985.00	3,500.00	2,485.00	171.00 %
7100 City of Lakeland Fees - FF	10,642.50	20,000.00	-9,357.50	53.21 %
8010.15 Marketing Coordinator	8,686.37	20,000.00	-11,313.63	43.43 %
8010.17 Salaries Event Admin	4,438.04	9,000.00	-4,561.96	49.31 %
Total 7000 Event Expenses - FF	47,869.37	95,500.00	-47,630.63	50.12 %
8000 Administration & Salaries				
8010 Salaries & Payroll Expenses				

LAKELAND DOWNTOWN DEVELOPMENT AUTHORITY

Budget vs. Actuals: Budget_FY25_P&L - FY25 P&L

October 2024 - September 2025

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
8010.11 Executive Director Salary	74,984.62	94,757.00	-19,772.38	79.13 %
8010.12 LDDA Admn (pka Coordinator)	7,130.94	13,233.00	-6,102.06	53.89 %
8010.13 Payroll Taxes	15,909.93	33,100.00	-17,190.07	48.07 %
8010.19 Other Staff	23,289.03	47,440.00	-24,150.97	49.09 %
8010.20 Other Benefits	250.00	6,000.00	-5,750.00	4.17 %
8012 Marketing Staff	3,090.46	25,000.00	-21,909.54	12.36 %
8040 Retirement Expense	7,040.40	6,500.00	540.40	108.31 %
8510 Workers Comp	762.50	6,500.00	-5,737.50	11.73 %
Total 8010 Salaries & Payroll Expenses	132,457.88	232,530.00	-100,072.12	56.96 %
8100 General Administration				
8200 Lease	14,023.00	25,000.00	-10,977.00	56.09 %
8210 Utilities	1,401.87	2,800.00	-1,398.13	50.07 %
8350 Telephone	4,763.35	4,500.00	263.35	105.85 %
8360 Computer Services	10,095.75	8,500.00	1,595.75	118.77 %
8370 Supplies	1,079.73	4,000.00	-2,920.27	26.99 %
8400 Travel, Meals, Meetings	1,542.99	2,000.00	-457.01	77.15 %
8500 Insurance - Liability	1,000.00	1,000.00	0.00	100.00 %
8750 Legal Advertising	1,297.75	2,500.00	-1,202.25	51.91 %
8760 Miscellaneous	4,093.50	11,708.00	-7,614.50	34.96 %
8800 Audit & Reporting		23,000.00	-23,000.00	
8850 Accounting	1,380.00	1,500.00	-120.00	92.00 %
8980 Property Appraiser	7,620.00	9,000.00	-1,380.00	84.67 %
9000 Tax Collector	13,383.73	15,000.00	-1,616.27	89.22 %
9050 Memberships & Subscriptions	3,415.93	4,500.00	-1,084.07	75.91 %
9055 TIF Payments	274.12	4,500.00	-4,225.88	6.09 %
9751 Squeeze/Valet Parking	28,087.00	58,000.00	-29,913.00	48.43 %
9752 Fleet	4,259.81	10,500.00	-6,240.19	40.57 %
Total 8100 General Administration	97,718.53	188,008.00	-90,289.47	51.98 %
8920 Marketing & Development				
7095 Sponsorships Mktg	1,431.75	6,500.00	-5,068.25	22.03 %
8920.15 Downtown Marketing	41,652.88	68,220.00	-26,567.12	61.06 %
Total 8920 Marketing & Development	43,084.63	74,720.00	-31,635.37	57.66 %
Total 8000 Administration & Salaries	273,261.04	495,258.00	-221,996.96	55.18 %
8761 Program & Other Expense				
7500 Repairs & Maintenance	2,394.51	5,000.00	-2,605.49	47.89 %
8765 Banner Installation	1,150.00	3,000.00	-1,850.00	38.33 %
8920.16 Development Grants & Incentives	299.39	50,000.00	-49,700.61	0.60 %
8920.22 Friday Night Live	2,154.56	6,000.00	-3,845.44	35.91 %
8920.23 Night Markets	26,149.89	15,000.00	11,149.89	174.33 %
8920.24 Tasty Tuesday	8,727.78	40,340.00	-31,612.22	21.64 %
9410 Maintenance & Security	105,453.34	145,000.00	-39,546.66	72.73 %
9745.18 EBT Payout	16,428.99	10,000.00	6,428.99	164.29 %
9745.19 FAB payout	13,161.01	10,000.00	3,161.01	131.61 %

LAKELAND DOWNTOWN DEVELOPMENT AUTHORITY

Budget vs. Actuals: Budget_FY25_P&L - FY25 P&L

October 2024 - September 2025

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
9750 Containers & Beautification	9,791.14	15,000.00	-5,208.86	65.27 %
Total 8761 Program & Other Expense	185,710.61	299,340.00	-113,629.39	62.04 %
9745 Expense-Farmers Curb Market				
8010.14 Salaries DFCM Manager	14,517.83	20,000.00	-5,482.17	72.59 %
8010.16 Salaries DFCM Admin	11,187.94	37,000.00	-25,812.06	30.24 %
9745.10 Management Contracts	9,139.03	13,000.00	-3,860.97	70.30 %
9745.11 Operating Expenses	3,632.04	3,500.00	132.04	103.77 %
9745.12 Workers Comp (DFCM)	381.25	3,000.00	-2,618.75	12.71 %
9745.13 Music/Entertainment	4,450.00	16,800.00	-12,350.00	26.49 %
9745.16 Square Fees	4,187.69	6,000.00	-1,812.31	69.79 %
9745.20 EFUNDS Fees	270.90	600.00	-329.10	45.15 %
9745.21 DFCM marketing	3,651.50	20,900.00	-17,248.50	17.47 %
9745.22 Special Event Expenses	782.64	4,000.00	-3,217.36	19.57 %
9745.23 DFCM SNAP Expenses	104.40	1,500.00	-1,395.60	6.96 %
9745.24 Sales Tax	49.14	200.00	-150.86	24.57 %
9745.25 SNAP Booth Admin	2,937.13	7,500.00	-4,562.87	39.16 %
9745.26 Other Miscellaneous Service Cost	7,747.22	16,000.00	-8,252.78	48.42 %
Total 9745 Expense-Farmers Curb Market	63,038.71	150,000.00	-86,961.29	42.03 %
Total Expenses	\$569,879.73	\$1,040,098.00	\$ -470,218.27	54.79 %
NET OPERATING INCOME	\$351,304.32	\$0.00	\$351,304.32	0.00%
NET INCOME	\$351,304.32	\$0.00	\$351,304.32	0.00%

(Information is provided in writing by the applicant)

Applicant Name **Jeremiah Joaquin**

Proposed CU Address **125 S Kentucky Ave Lakeland FL 33803**

ABOUT THE APPLICANT

1. Previous/current industry experience with management and/or ownership and number of years
2. Locations (with address) of current establishments if any, number of years there
3. History of calls for service of those locations, hours of operation, atmosphere (sports bar, music hall, etc.)
4. Food service, license type (4cop, 2cop), square footage, number of employees, outdoor seating, live music/amped music
5. Externalities info: How do you currently handle security (i.e. controls leaving the bar), trash outside the establishment?
6. How is the current establishment managed? (Owner operated? Management staff that can fluctuate?)
7. Who is your target customer?
8. Drink specials, etc.?
9. How do you manage underage drinking?
10. How do you address complaints from neighbors?

Answers attached

PROPOSED LOCATION INFORMATION

1. *Building and Business data*
Own or lease; Address; sq. ft.; occupancy load; # of employees; hours of operation; floor plan; license type
2. *Management*
How will the proposed establishment be managed? (Owner operated? Management staff that can fluctuate?)
3. *Atmosphere*
amped music; live music; food service; outdoor seating; TVs; Trivia machines
4. *Externalities*
How do you plan to handle security (i.e. controls leaving the bar), trash outside the establishment?
5. Who is your target audience?
6. What is the personality of your establishment?
7. How will you address complaints from neighbors?
8. Please provide a letter of recommendation from your lessor if applicable.

- Process:
- Applicant returns the LDDA application to LDDA staff by the last day of the month for inclusion on the LDDA Board Meeting the following month. (For example, applications are due at the end of March to be on the April LDDA Board meeting agenda.) Staff conducts research and distributes to the board for review prior to meeting (and/or staff can review and make a recommendation).
 - Applicant attends the LDDA Board Meeting to answer clarifying questions of the information submitted.
 - Board votes on the recommendation and letter is sent to planning staff with the result of the vote.

Please contact Julie Townsend, Executive Director of the LDDA if you have any questions about the contents of this application: jtownsend@ldda.org; 863.687.8910

Application for LDDA Recommendation for Conditional Use

General Information:

The LDDA's recommendation is one of 6 criteria used to determine the issuance of a conditional use permit for a bar in Downtown Lakeland (C-6,C-7 zoning).

LAND DEVELOPMENT CODE:

5.4.5 STANDARDS FOR AREAS ZONED C-6 AND C-7

a. Intent to Limit Potential Impacts

The number and or concentration of alcoholic beverage establishments may be limited by the City Commission if it determines that any such establishment or concentration of establishments will be detrimental to the city's downtown redevelopment plan or to the general effort of the city to eliminate slum and blight within such area.

In making this determination, the City Commission shall consider:

1. Whether the proposed use will result in a concentration of such uses within a particular block or part of a block so as to be detrimental to the growth and revitalization of downtown.
 2. Whether the proposed use is in close proximity to other land uses that may be particularly sensitive or unduly harmed by the negative impacts of the proposed use, such as facilities for children or for the elderly.
 3. Whether the size or scale of the proposed use is appropriate at the specific location.
 4. Whether the owners and operators of the establishment are unlikely to manage and control negative impacts as evidenced by prior criminal records, code enforcement citations or police service calls concerning other properties owned or operated by them, citizen complaints, or similar indicators.
 5. Whether the Board of Directors of the Lakeland Downtown Development Authority supports the proposed use.
 6. Other criteria which the City Commission shall consider appropriate in the particular case.
-

LDDA Recommendation Goal: Responsible Bars owners/operators; minimal externalities; establishment is consistent with the Downtown Redevelopment Plan

LDDA MISSION: To Improve and Stimulate the Environment for Economic Development in a People-Oriented Downtown Community

Downtown Lakeland: A regional center with a vibrant mix of high quality residential, retail, professional, civic and entertainment activities within a continuously enhanced urban and historic setting.

To ensure objectivity and high standards, the LDDA has an application process by which to receive a positive recommendation. LDDA staff will also interview existing/past neighbors, request calls for service reports from LPD, and request AB&T complaint reports from the State of Florida to provide LDDA Board with as much information possible to make a recommendation. Applicant provides all required information prior to being placed on the LDDA agenda to allow board members to review before the LDDA board vote.

LDDA Conditional Use Application – Business Profile

ABOUT THE APPLICANT

1. Previous/current industry experience with management and/or ownership and number of years?

I have delivered three years of hands-on experience in the ownership and management in the Industry. My background includes overseeing all aspects of operations, from staffing and vendor coordination to marketing, customer relations, and compliance with regulatory requirements.

2. Locations (with address) of current establishments if any, number of years there?

I currently own and operate an active venue located at 5181 US Highway 98 North, Lakeland, FL 33809. This location has been under my ownership and management for the past three years.

3. History of calls for service of those locations, hours of operation, atmosphere (sports bar, music hall, etc.)?

The establishment operates Monday through Saturday from 9:00 AM to 2:00 AM and Sundays from 9:00 AM to 1:00 AM. It offers a vibrant yet balanced environment that transitions from a relaxed daytime setting into a lively, entertainment-focused space in the evenings. The ambiance is designed to accommodate a variety of guest preferences, from casual socializing to high-energy events. We work closely with local authorities and maintain a positive standing in the community with minimal calls for service.

4. Food service, license type (4COP, 2COP), square footage, number of employees, outdoor seating, live music/amped music?

The venue is licensed under a 4COP license, allowing the sale of beer, wine, and spirits for consumption on premises. It spans 5,000 square feet and currently employs eight team members across management, bar service, and security roles. While the location does not feature outdoor seating, we offer live entertainment in the form of karaoke and DJ-led events on Thursday, Friday, and occasionally Saturday nights, which enhance the customer experience while respecting noise ordinances and community expectations.

5. Externalities info: How do you currently handle security (i.e., controls leaving the bar), trash outside the establishment?

Security protocols are implemented through trained personnel who manage entry points and monitor patron activity throughout operational hours. We maintain strict control over glassware

and trash, ensuring all materials remain within the premises. Our staff performs regular cleanups to maintain cleanliness and curb appeal both inside and outside the venue.

6. How is the current establishment managed?

The business is run with a management team that works side-by-side with the owner for consistent operations.

7. Who is your target customer?

Our target demographic includes adults aged 25 to 50 who are looking for a setting that offers both energetic nightlife and the option to unwind in a comfortable, sociable environment. We cater to Your common working class individual as well as creatives, and community members who appreciate quality service, tasteful entertainment, and a safe, inclusive space.

8. Drink specials, etc.?

We offer thoughtfully curated drink specials, including a daily happy hour from 6:00 PM to 8:00 PM featuring \$5 well drinks. These specials are designed to provide value while encouraging early evening patronage and creating a welcoming social environment.

9. How do you manage underage drinking?

We enforce a strict ID verification process at all entry points, supported by trained staff who are educated in state compliance requirements. Our commitment to preventing underage access is non-negotiable and consistently upheld.

10. How do you address complaints from neighbors?

We initiate respectful, solution-oriented conversations with neighbors to resolve issues quickly and maintain peace.

PROPOSED LOCATION INFORMATION

1. Building and Business Data

The proposed business will operate under a lease agreement at 125 S Kentucky Avenue, Lakeland, FL 33803. The space encompasses approximately 2,200 square feet. While the official occupancy load is yet to be confirmed, we are working closely with city planning officials to establish it in compliance with safety and zoning regulations.

Anticipated hours of operation will be Monday through Saturday from 11:00 AM to 2:00 AM, and Sunday from 12:00 PM to 1:00 AM. We intend to secure a 4COP license, which permits the sale and on-premises consumption of beer, wine, and spirits.

The interior layout will be open and inviting, anchored by a central bar approximately 20 feet in length. Seating will include a combination of upholstered bench seating and club-style chairs arranged

for both comfort and social interaction. The design prioritizes fluid movement throughout the space while fostering a warm, sophisticated ambiance.

2. Management

The day-to-day operations will be overseen through a collaborative management structure involving both the owner and a carefully selected management team. This approach ensures hands-on leadership, continuity of service standards, and the flexibility to respond promptly to customer and operational needs.

3. Atmosphere

The venue will present an upscale, refined atmosphere catering to patrons seeking a blend of comfort and culture. Entertainment offerings will include occasional live performances from solo musicians and DJs, curated to complement the overall ambiance without overpowering the setting. At present, there are no plans to offer food service, outdoor seating, or television screens. Instead, entertainment will be tastefully understated, with classic tabletop games such as chess and checkers provided to encourage casual engagement and conversation in a relaxed setting.

4. Externalities

Security and maintenance will be managed by trained in-house personnel. These individuals will be responsible for monitoring access points, maintaining order, and ensuring that all waste and glassware remain within the premises. Our team is committed to preserving a clean, orderly, and safe environment for both guests and the surrounding community, with frequent inspections and prompt response to any issues.

5. Target Audience

Our ideal clientele consists of adults between the ages of 30 and 60 who appreciate tasteful design, refined service, and a mellow yet engaging nightlife environment. We aim to attract professionals, entrepreneurs, creatives, and other individuals who value quality, ambiance, and mature social interaction.

6. Personality of the Establishment

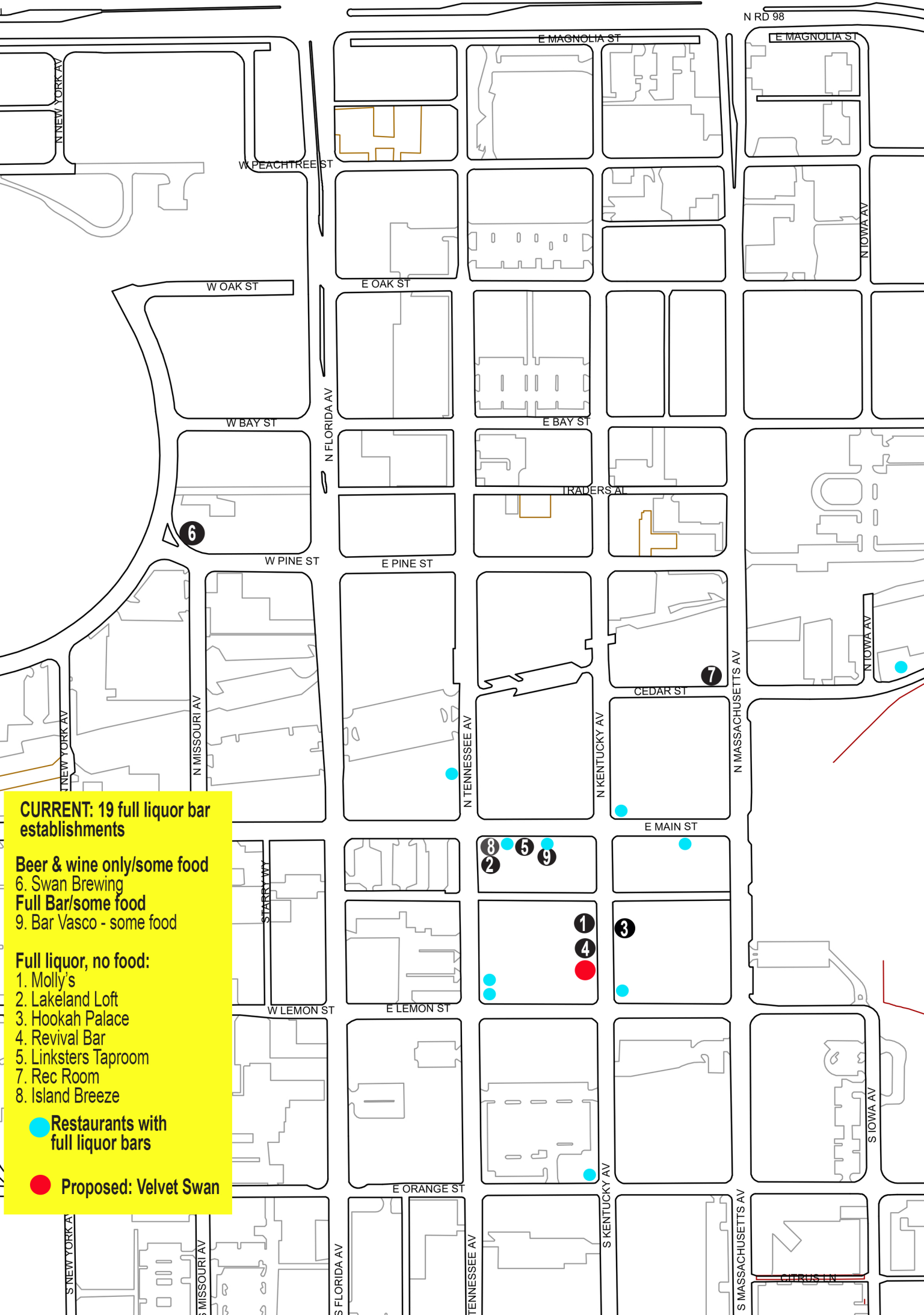
The establishment will reflect a sophisticated yet welcoming personality — a space where elegance meets ease. With thoughtfully curated design, attentive service, and an emphasis on comfort, it will provide a peaceful retreat from the everyday, while still offering vibrant energy through occasional live entertainment and social engagement.

7. How will you address complaints from neighbors?

We are committed to fostering positive relationships with nearby residents and businesses. Any concerns brought to our attention will be addressed proactively through direct communication and collaborative problem-solving. Our goal is to resolve issues efficiently and respectfully, preserving the harmony of the surrounding community.

8. Letter of Recommendation from Lessor

A letter of recommendation from the property lessor will be submitted alongside this application, reflecting their full support of our proposed use of the space and confidence in our ability to operate responsibly and successfully within the district.



CURRENT: 19 full liquor bar establishments

Beer & wine only/some food

- 6. Swan Brewing
- Full Bar/some food
- 9. Bar Vasco - some food

Full liquor, no food:

- 1. Molly's
- 2. Lakeland Loft
- 3. Hookah Palace
- 4. Revival Bar
- 5. Linksters Taproom
- 7. Rec Room
- 8. Island Breeze

● Restaurants with full liquor bars

● Proposed: Velvet Swan

Conditional Use Application

Staff Report: Julie Townsend; Tony Davila

Applicant: Jeremiah Joaquim

Proposed Location: 125 S. Kentucky Ave

Application Summary:

Current experience: 3 years

Proposed square footage: 2200 (indoor only; no outdoor space)

Proposed venue name: Velvet Swan

Proposed concept: no particular theme

Current Downtown Conditions:

Downtown Lakeland is currently home to nine (9) bars and ten (10) restaurants offering a full-service liquor bar. Other restaurants offer some alcohol, but alcohol is a secondary purchase with food (Palace Pizza, Bay Street Bistro, Garden Bistro)

According to Placer.ai:

The Joinery and Swan Brewing each have less than 2% shared customers with other Downtown establishments. Lakeland Loft is 3%.

Revival and Nineteen61 share some customers 5-7%.

Rec Room, Linksters, and Molly's have the most customers in common ranging from 6-15%.

The core Downtown Bar area (excluding Swan Brewing and The Joinery) hosts 1.8 million visitors annual. That number has remained steady for the past three years, with no significant growth in foot traffic.

Current Conditions Surrounding Proposed Location:

The proposed location for Velvet Swan is 125 S. Kentucky Ave. The previous use of this location was Dissent Craft Brewing Company, service beer and wine.

Three (3) other full liquor bar establishments and one restaurant with a full liquor bar currently operate in the S. Kentucky block face.

LDDA Considerations:

What are the current bar conditions in the proposed city block?

What other business types are desirable in that block and/or Downtown in general?

Is proposed location currently developed for the proposed use?

Is there demand for retail space/restaurant space?

What are the impacts of dark storefronts that accompany a bar use?

What is the Proximity to residential?

Each existing bar in Downtown has a unique offering that distinguishes itself from other establishments.

Hookah Palace – Hookah Lounge

Lakeland Loft – Cigar and Jazz Bar

Revival – Prohibition Whiskey Bar

Linksters – Sports Pub

Molly's – Irish Pub

Rec Room – Adult Arcade

Swan Brewing – Local Craft Beer/Outdoor space

Island Breeze – Jimmy Buffet/Tiki Bar (opening winter 2025)

Current Applicant Findings:

ABT Complaints: None found

LPD Calls for Service: Report not yet received by agenda date

LDDA Safety Director, Tony Davila, visited the applicant's current business location.

Adjacent Business Interviews: Loud music throughout the day. No other major issues or concerns were observed. No loiterers or excessive amount of trash thrown around in the parking lot.

LDDA Staff observations: No security staff at the door checking IDs. They do plan to host events weekly, which will draw large crowds. They currently do Karaoke night on Thursdays and have a DJ every Friday and Saturday night at current location.

LDDA Staff recommendations:

If LDDA Board votes to recommend approval, LDDA staff recommends the following be included as conditions.

Always Allow only 21 and over patrons.

Require security staff check IDs Thursday, Friday and Saturday nights.

Back door be alarmed and only used for emergencies, not customer entry.

Encourage applicant to differentiate this establishment from others in Downtown.



5900 Balcones Drive, # 20675, Austin, TX 78731 | Tel.: (512) 720-6218 | Fax: (512) 200-4616

May 23, 2025

Lakeland Downtown Development Authority (LDDA) Board of Directors
Transmitted Via Electronic Mail

Re: First Amendment Violations at Lakeland Downtown Farmers Market - Demand for Immediate Cessation of Unconstitutional Speech Restrictions

Dear LDDA Board Members:

Remnant Law is a 501(c)(3) public interest law firm dedicated to advancing and protecting the public interest in representing matters of fundamental civil and constitutional rights. Remnant Law pursues matters broadly affecting the public, including religious liberty and constitutional rights, where representation is made available and the public benefits from having these important issues presented to and resolved by the courts. In association with Florida counsel pursuant to Florida Bar Rule 4-5.5(c)(1), we write today on behalf of our client, Kaitlin Bennett, whose constitutional rights were violated at the Lakeland Downtown Farmers Market.

This letter serves as formal notice that your restrictions on protected speech activities at the Lakeland Downtown Farmers Market constitute violations of the First Amendment to the United States Constitution. We demand immediate cessation of all unconstitutional speech restrictions and policies.

FACTUAL BACKGROUND

On Saturday, May 17, 2025, our client and other individuals engaged in constitutionally protected activities at the Lakeland Downtown Farmers Market. During this protected speech activity, Lakeland Police Officers responded and restricted these individuals to sidewalk areas, ostensibly to avoid "disrupting market vendors." This action represents an unconstitutional restriction on protected speech in a traditional public forum.

The Lakeland Downtown Development Authority is unquestionably a state actor subject to First Amendment constraints. The LDDA is an independent special district established under Florida law (Chapter 2004-415, Laws of Florida), governed by a seven-member board, six of whom are elected by downtown property owners and registered voters, and includes a City Commissioner appointed by the Mayor as a board member. The LDDA exercises governmental authority over public areas in downtown Lakeland.

Recent public records reveal that the LDDA merely obtains permission from the City of Lakeland to close Kentucky Avenue from Lemon to Oak Street for the farmers market, with sidewalks explicitly remaining outside the market's jurisdiction. This arrangement confirms that the market operates within a traditional public forum while the surrounding sidewalks remain fully public spaces subject to the highest level of First Amendment protection.

I. UNCONSTITUTIONAL ACTIONS ON A TRADITIONAL PUBLIC FORUM

The farmers market operates in what is clearly a traditional public forum. Traditional public forums are places which by long tradition or by government fiat have been devoted to assembly and debate, including public streets, sidewalks, and parks. Downtown streets and sidewalks where the farmers market operates have been traditionally open to the public for expressive activity and used for communicating thoughts between citizens and discussing public questions.

Of particular concern is the conduct of Julie Townsend, Executive Director of the Lakeland Downtown Development Authority. As the LDDA's chief executive officer, Ms. Townsend is unquestionably a government actor whose unconstitutional conduct directly exposes the LDDA to liability for civil rights violations under 42 U.S.C. § 1983.

As alleged, Ms. Townsend's actions as LDDA Executive Director included utilizing surveillance cameras in an intimidating manner against individuals exercising their First Amendment rights, coordinating with law enforcement to restrict protected speech activities, and engaging in systematic efforts with vendors to discourage and suppress lawful journalistic and expressive activities on the traditional public forum where the farmers market occurs.

Ms. Townsend's conduct, undertaken in her official capacity as LDDA Executive Director, represents the LDDA's official policy and practice of suppressing constitutionally protected speech. Her actions create both individual liability for herself and institutional liability for the LDDA as a government entity. This conduct represents a clear pattern of using governmental authority to suppress constitutionally protected speech, creating a chilling effect on the exercise of fundamental rights in traditional public forums.

II. APPLICABLE CONSTITUTIONAL STANDARDS

A. Strict Scrutiny for Content-Based Restrictions

Any content-based regulation of First Amendment activity in a traditional public forum is subject to strict scrutiny and will be upheld only if the government can demonstrate that its regulation is necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end.

B. Intermediate Scrutiny for Time, Place, and Manner Restrictions

While the government may regulate the time, place, and manner of expressive activities in a traditional public forum if those regulations are content-neutral, are narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication.

III. YOUR RESTRICTIONS ARE UNCONSTITUTIONAL

The restriction of protected speech activities to sidewalk areas, while allowing the farmers market to occupy the same public forum, fails constitutional scrutiny under either standard.

Content-Based Discrimination

Restricting news gathering, interviews, and video recording while permitting commercial vendors constitutes impermissible content-based discrimination in a traditional public forum. The government cannot favor commercial speech over political, journalistic, or other protected expression without satisfying strict scrutiny.

Failure of Time, Place, Manner Analysis

Even if characterized as content-neutral, your restrictions fail the required constitutional analysis on multiple grounds. The restrictions are not narrowly tailored, as blanket restrictions on protected speech activities are not narrowly tailored to address any specific operational concerns. The restrictions fail to provide adequate alternative channels of communication, as restricting speakers to sidewalks while commercial vendors occupy the prime public forum space does not provide adequate alternative channels for communication. Finally, the restrictions are not justified by a sufficient government interest, as protecting commercial vendors from lawful speech activities does not constitute a significant government interest sufficient to justify restrictions on fundamental constitutional rights.

IV. CONTROLLING LEGAL AUTHORITY

Federal courts have consistently held that similar restrictions violate First Amendment protections. Farmers Markets controlled by state actors in traditional public forums cannot impose content-based restrictions or unreasonable time, place, and manner restrictions on protected speech.

The First Amendment does not permit government entities to create "speech-free zones" in traditional public forums to protect commercial interests. As established in numerous federal court decisions, the mere fact that a market obtains permits or pays fees to use public space does not transform that forum into a nonpublic one, as long as the market remains free and open to the public.

DEMAND FOR IMMEDIATE ACTION

We hereby demand that the Lakeland Downtown Development Authority immediately cease all attempts to place, intimidate, or use positions of authority to place unconstitutional restrictions on protected speech activities at the Lakeland Downtown Farmers Market.

The LDDA should train all personnel, including any law enforcement officers working at the market, on the constitutional rights of individuals engaging in protected speech in traditional public forums. We further demand that the LDDA provide written assurance that individuals may engage in constitutionally protected activities, including news gathering, interviews, and video recording, throughout the public areas where the farmers market operates, subject only to reasonable, content-neutral time, place, and manner restrictions.

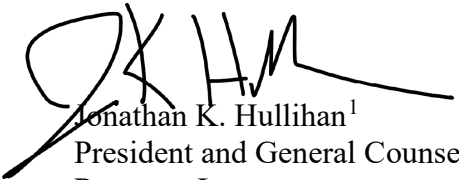
We specifically demand that the LDDA investigate the conduct of Julie Townsend for her unconstitutional activities in attempting to chill protected speech through intimidation and coordinated suppression efforts in her official capacity as a government actor. The LDDA had a

duty and responsibility to the general public to ensure intimidation tactics are not deployed against individuals exercising their First Amendment rights.

Please be advised that if you fail to comply, we will pursue all available legal remedies on behalf of our client through our local counsel, including but not limited to federal civil rights litigation under 42 U.S.C. § 1983 against the LDDA and individual defendants for violation of clearly established constitutional rights, injunctive relief to prevent future violations, damages for past violations, and attorney's fees and costs.

Govern yourselves accordingly.

Sincerely,



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