



MINUTES

TOWN OF HILLSBORO BEACH REGULAR COMMISSION MEETING JANUARY 7, 2020

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Deborah L. Tarrant called the meeting to order at 10:00 a.m. Roll was called with the Town Commission members and staff present as listed below.

Town Commission:

Mayor Deborah L. Tarrant
Commissioner Andrew R. Brown
Commissioner Barbara Baldassarre

Vice Mayor Irene Kirdahy
Commissioner Vicky Feaman

Town Staff:

Town Manager Mac Serda
DJ Doody, Town Attorney
Town Clerk Sherry D. Henderson, CMC

APPROVAL OF AGENDA

Town Clerk Sherry D. Henderson asked that the November 2019 Inframark invoice be removed from the Consent Agenda, noting a discrepancy was identified.

Motion made by Commissioner Baldassarre, seconded by Commissioner Brown, to approve the amendment to the agenda. In a roll call vote, the **motion** passed unanimously. (5-0)

I. APPROVAL OF MINUTES

A. Minutes of the December 3, 2019 Planning & Zoning Meeting

Mayor Tarrant made minor corrections to the names of speakers.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Baldassarre, to approve the minutes from the December 3, 2019 Planning & Zoning Meeting as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Minutes of the December 3, 2019 Regular Commission Meeting

Commissioner Baldasarre made a correction to when she returned to the dais after stepping away briefly during the meeting.

Mayor Tarrant clarified a public comment, and made minor corrections.

Motion made by Commissioner Feaman, seconded by Commissioner Baldasarre, to approve the minutes from the December 3, 2019 Commission Meeting as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

II. RESOLUTIONS AND CONTRACTS

A. Resolution No. 2020-02 Consideration to Approve and Authorize the Award of a 2.2% Cost of Living Adjustment (COLA) to the Chief of Police as Recommended by the Town Manager

Town Attorney DJ Doody read Resolution 2020-02 by title only.

Town Manager Mac Serda explained the provisions of the Chief's contract, including an annual performance review and COLA adjustment. Mr. Serda noted his recommendation was in line with the status of other employees.

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to approve Resolution 2020-02, Consideration to Approve and Authorize the Award of a 2.2% Cost of Living Adjustment (COLA) to the Chief of Police as Recommended by the Town Manager, as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2020-03 Consideration to Approve Administrative Fees Relative to the Costs Associated with Plan Review and Fire Inspections.

Mr. Doody read Resolution 2020-03 by title only.

Mr. Serda provided background, noting State legislation had required a change in the fee structure during the previous year, pending review. He explained staff had reviewed the hard costs related to plan reviews and recommend a new fee structure to try to recover the expenses.

Steve Mitchell, Building Official for the Town, explained the fee was previously a surcharge based across all permits, but was now collected only from people utilizing zoning and fire services.

Motion made by Commissioner Feaman, seconded by Vice Mayor Kirdahy, to approve Resolution 2020-03, Fees for Plan Review, as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2020-04 Consideration to Approve and Authorize the Proper Town Officials to Execute an Engagement Letter from Mark E. Raymond, Esq. as Bond Counsel to the Town.

Mr. Doody asked that Mr. Raymond provide background on the engagement letter, as well as the Resolutions addressed in items D and E on the agenda.

Mark Raymond stated at the last meeting, the Commissioners had decided to proceed with a special assessment to purchase the property at 1205 and 1206 Hillsboro Mile. He explained if the Commissioners choose to proceed, the next steps to put that process in motion would be to approve an engagement letter for his services as municipal advisor as well as for a consultant who would prepare the special assessment methodology report.

Mr. Raymond noted the plan would be to attempt to achieve a result in which a judge will have validated that everything the Town had done was in compliance with law so it could not be challenged at any subsequent time. He stated counsel would like to have that hearing before the contract date of April 1, and noted the timeline was tight.

Continuing, Mr. Raymond stated the process would include a public hearing on February 25, 2020, which will allow for a validation hearing before April 1. He explained the Town will not have control over a hearing date, as it will be determined by a judge.

Mr. Raymond stated a preliminary report would be prepared in time for the January 21 Regular Commission Meeting. He explained his role as bond counsel, leading the team to prepare all necessary documents, provide guidance, and answer questions. He provided details on his background with the Town and the qualifications of the recommended consultant.

Mayor Tarrant pointed to Mr. Raymond's fee of \$75,000, and asked staff whether that amount was considered reasonable.

Mr. Serda stated in his experience and research, as well as the advice of other staff members, he believed the contract was reasonable.

Mr. Doody read Resolution 2020-04 by title only.

Motion made by Commissioner Feaman, seconded by Commissioner Brown, to approve Resolution 2020-04, Approval of Engagement Letter for Mark E. Raymond as Special Bond Counsel, as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2020-05 Consideration to Approve and Authorize the Proper Town Officials to Execute Financial Advisory Agreement Between the Town and PFM Advisors, LLC to Facilitate Potential Acquisition of Real Property to Support Beach Nourishment Projects.

Sergio Masvidal with PFM Financial Advisors introduced himself and provided a brief outline of his role and his team. He explained his firm advises municipalities throughout the State and Country.

Mr. Doody asked if Mr. Masvidal agreed with the schedule as it had been presented.

Mr. Masvidal stated the schedule had been reviewed and the assessment methodology would be provided by the January 21, 2020 meeting.

Mayor Tarrant asked why the contract was for a period of three (3) years.

Mr. Masvidal explained the term was standard but could be terminated upon completion with 30 days' notice and included no ongoing retainer.

Mr. Serda stated the procurement code did not require bids, as the contracts were for professional services, thus exempt.

Mr. Doody read Resolution 2020-05 by title only.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve Resolution 2020-05, Financial Advisory Agreement with PFM Advisors, LLC, as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

E. Resolution No. 2020-06 Consideration to Approve and Authorize Proper Town Officials to Execute an Assessment Methodology Agreement Between the Town and PFM Financial Advisors, LLC to Facilitate Acquisition of Real Property to Support Beach Nourishment Projects.

Mr. Doody read Resolution 2020-06 by title only.

Motion made by Commissioner Feaman, seconded by Commissioner Brown, to approve Resolution 2020-06, Assessment Methodology Agreement with PFM Financial Advisors, LLC, as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

IV. CONSENT AGENDA

A. INVOICES FOR APPROVAL

1. **Ortel, Fernandez, Bryant & Atkinson:** Invoice # 19063 Oct 2019 \$29,266.25
2. **Ortel, Fernandez, Bryant & Atkinson P.A.:** Invoice # 18945 Services Rendered Aug 2019 \$8,510.72
3. **RMA:** Invoice #4446 Services Rendered Oct-Dec 2019 \$3,475.00
4. **Goren, Cherof, Doody & Ezrol:** Invoice #29130 Nov-Dec 2019 \$15,276.55 (General Matters)
5. **Goren, Cherof, Doody & Ezrol:** Invoice #29131 Nov-Dec 2019 \$3,082.05 (Deerfield Beach)
6. **Goren, Cherof, Doody & Ezrol:** Invoice #29132 Dec 2019 \$4,096.83 (Purchase from Winter Sun Investments LLC 1205 and 1206 Hillsboro Mile)
7. **Inframark:** Invoice #47301 Nov. 2019 \$7,345.27
8. **Inframark:** Invoice #47300 Oct 2019 \$7,340.12
9. **Inframark:** Invoice #47437 Dec 2019 \$7,345.52
10. **CG&A:** Invoice #73881 services thru 12/31/2019 \$13,860.06

Mayor Tarrant noted item seven (7), the Inframark November invoice, was removed previously.

Mayor Tarrant asked that item one (1), Ortel, Fernandez, Bryant, and Atkinson, also be pulled for discussion.

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to approve the Consent Agenda with items one (1) and seven (7), removed. In a roll call vote, the **motion** passed unanimously. (5-0)

Mayor Tarrant stated she had pulled the Ortel invoice because the wrong total was listed on the agenda. She noted the amount was a combination of total amount due, rather than the month's charges.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve item one (1) of the Consent Agenda for the corrected amount of \$20,752.73. In a roll call vote, the **motion** passed unanimously. (5-0)

B. PROCLAMATIONS

1. **National School Choice Week** (Jan 26 – Feb 1, 2020)
2. **Eating Disorders Awareness Week** (Feb 23-29, 2020)

Motion made by Commissioner Baldasarre, seconded by Vice Mayor Kirdahy, to approve the proclamations. In a roll call vote, the **motion** passed unanimously. (5-0)

VI. STAFF UPDATES

A. Broward County Water & Wastewater (BCWWS) Project

The Commissioners and staff discussed water issues in the Fort Lauderdale area which were on the front page of the newspaper.

Mayor Tarrant made note the Town of Hillsboro Beach's sewers were the same age as those in Fort Lauderdale prior to the recently completed project.

Mr. MacGregor provided an update on finalization of the wastewater project. He stated as of the previous day, a "final punch list" walkthrough is being completed by his staff, consultants, and the contractor. He noted those items which were resident concerns brought up will now be a part of the list for restoration.

Continuing, Mr. MacGregor stated temporary lines are completed on the center of the road and should be on the edge of the road soon. He noted items on private property should be completed within a few weeks and the project should be finalized in February.

Mr. MacGregor stated pedestrian crossings on A1A would be put back exactly where they were before.

B. Police Department

Major Rob O' Neil stated the resident concerns have been heard, and the Police Department has redoubled its efforts for traffic safety related to bicycle and pedestrian interactions with vehicles. He noted groups of three (3) or more bicyclists are being monitored more closely for safety.

Continuing, Major O'Neil addressed loud music related to boating. He stated he had brought the issue up the chain to Fish & Wildlife Conservation (FWC) and found there is no item in place for enforcement. He noted nothing precludes the Police from intervention attempts, and action will be taken when and if issues are observed.

Major O'Neil stated ongoing training with FWC related to the latest waterway regulations has been integrated into the Police training program. Additionally, he said January was a busy month for training.

C. Finance Department

Stephen Bloom, Finance Director with Inframark gave a brief overview of the November financial report. He stated property tax revenue does not start coming in until December, so the report shows a deficit in revenue. He noted other revenue is as expected.

Mr. Bloom explained spending was at 14.7 percent, which was under budget for the period. He provided an outline by department and noted all general funds were at or below budget.

Continuing, Mr. Bloom gave an overview of special revenue funds, and pointed out changes to the debt service in the water improvement project. He noted water revenue was slightly above expectation and gave a brief explanation of the trend. Mr. Bloom shared a chart showing fuel costs and noted he will continue to monitor.

D. Building Services Report

Steve Mitchell, Building Official with CG&A, provided his November report. He stated overall volume is slow and steady, and most of the big problem issues have been dealt with. He noted staff is spending time working to adjust fee schedules and internal policies and will be before the Commission with changes a few more times before summer.

Mr. Mitchell gave an update on recent work which will impact the tax rolls.

Mr. Serda read a line from the report which stated plan review times were reduced to less than three (3) days and about 10 percent were completed the day they were submitted. He pointed out he would put the metrics up against any other department and thought the work of the Building Department should be celebrated for delivering top notch service to the community.

E. Code Compliance Report

Mario Sotolongo, Code Supervisor with CG&A, provided an update on Code Compliance. He stated two (2) new cases were opened in December. He explained the first case was for tree removal and dock disrepair, and the second was for work without permits.

Continuing, Mr. Sotolongo noted outstanding fines would be going down to about \$32,000 once the fines negated by the Commission in relation to the property purchase of 1205 & 1206 Hillsboro Mile were removed from the record.

Mr. Sotolongo stated he was sitting down with the Chief of Police to review high tide issues next week and was going to be working on landscaping issues during January.

Mayor Tarrant referenced the photos of 963 Hillsboro Mile for a previous discussion and asked that code enforcement be explored.

Robert Burns, 1160 Hillsboro Mile asked if alleviation of the fines for the building being purchased by the Town was setting a precedent.

Mayor Tarrant stated it would be handled on a case-by-case basis.

Mr. Mitchell shared that he had left out from his report the news that Nicole Spradlin had received a promotion to the Area Manager level and is responsible for training activities throughout the area.

VII. TOWN MANAGER REPORT

A. Hounds of Hillsboro Beach

Mr. Serda stated the annual Hounds of Hillsboro Beach event was scheduled for Saturday, February 22, 2020 and asked the Commissioners to add it to their calendars. He said plans continue, but a doggie fashion show and photographer are tentatively included.

B. Town Hall Paint Colors

Mr. Serda updated on the painting of Town Hall. He noted the colors are displayed outside for review and shared the vision of the consultants.

Mayor Tarrant asked for an update on the buoy relocation project.

Mr. Serda stated the project was on hold until the location is less covered in sand, likely in June when waters are calmer.

Mayor Tarrant called staff's attention to an article in the Observer regarding the Lighthouse Point Commission meeting about undergrounding utilities.

Vice Mayor Kirdahy stated the plan with the MPO on raising the road also included the underground utilities and asked if engineering plans had begun.

Mr. Serda explained the engineers were waiting for the asphalt to be completed.

VII. TOWN ATTORNEY REPORT

None.

VIII. TOWN COMMISSION COMMENTS/REPORTS

A. Commissioner Andrew R. Brown

Commissioner Brown confirmed Coffee with a Cop would be happening the following day (Wed, Jan. 8, 2020)

B. Commissioner Barbara Baldassarre

None.

C. Commissioner Vicky Feaman

None.

D. Vice Mayor Irene Kirdahy

Vice Mayor Kirdahy stated she would be attending an all-day planning session with the Metropolitan Planning Organization (MPO) on Thursday. She noted the County Commission would be voting regarding the penny sales tax later today (Tue, Jan. 7, 2020)

E. Mayor Deborah L. Tarrant

Mayor Tarrant thanked staff for the lovely holiday event in December. She read a message from a resident regarding the event and the beautiful decorations.

IX. PUBLIC COMMENTS

Nicole Geisser, 1203 Hillsboro Mile, asked for clarification on Commission Meeting dates related to the purchase of 1205 and 1206 Hillsboro Mile.

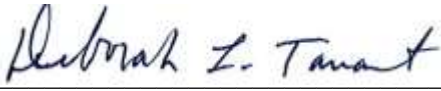
Mr. Serda stated all meetings will be publicly noticed and also included on the website.

The Commissioners and staff discussed email and text alerts which come from the Town, and how to get on the list.

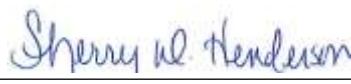
X. ADJOURNMENT

Motion made by Commissioner Feaman, seconded by Commissioner Brown, to adjourn the meeting at 11:34 a.m. In a roll call vote, the **motion** passed unanimously.

ADOPTED THIS 3RD DAY OF MARCH, 2020

By: 
Deborah L. Tarrant, Mayor

ATTEST:


Sherry D. Henderson, CMC
Town Clerk