



**MINUTES
TOWN OF HILLSBORO BEACH
REGULAR COMMISSION MEETING
DECEMBER 7, 2021**

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Deborah L. Tarrant called the meeting to order at 1:28 p.m. Roll was called with the Commission members and staff present as listed below.

Town Commission:

Mayor Deborah L. Tarrant
Vice Mayor Irene Kirdahy
Commissioner Jane Reiser

Commissioner Barbara Baldassarre
Commissioner Vicky Feaman

Town Staff:

Town Manager Mac Serda, ICMA-CM
DJ Doody, Town Attorney, Esq.
Town Clerk Sherry D. Henderson, CMC

Mayor Tarrant recognized the attack on Pearl Harbor 80 years ago on this date – December 7, 1941. She noted an evening bulletin from the Honolulu Star was present at the front of the room. Those in attendance honored a moment of silence in memory of those who lost their lives or were injured in the attack.

APPROVAL OF AGENDA

Town Manager Mac Serda requested the Code Report, item 9C, be deferred to the January 11 meeting, and that item 6D, Resolution 2021-58, be moved to follow Ordinances to accommodate the consultant.

Mayor Tarrant stated she would like to defer item 4A, Ordinance No. 2021-09, to the January 11 meeting. She explained she would like staff to adjust the specifications.

Motion made by Commissioner Feaman, seconded by Vice Mayor Kirdahy, to amend the agenda as requested by Mr. Serda and Mayor Tarrant. In a roll call vote, the **motion** passed unanimously. (5-0)

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

I. APPROVAL OF MINUTES

A. Minutes of the November 9, 2021 Board of Zoning & Appeals Public Hearing

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to approve the minutes from the November 9, 2021 Board of Zoning & Appeals Public Hearing as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Minutes of the November 9, 2021 Regular Commission Meeting

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Baldasarre, to approve the minutes from the November 9, 2021 Regular Commission Meeting as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

II. PRESENTATIONS

A. Proclamation of Election – March 8, 2022

Mayor Tarrant read the Proclamation announcing an election on March 8, 2022 to elect two (2) Commissioners to the Town Commission.

III. SITE PLAN APPROVAL

A. Quasi-Judicial Public Hearing – Paul S. Catania II, with Parker Yannette Design Group, Inc., authorized agent for property owner, is seeking Site Plan Approval for property located at 1009 Hillsboro Mile, Hillsboro Beach, FL 33062.

Town Attorney DJ Doody swore in all those giving testimony at the hearing.

Joe Arenal, Development Planner with RMA, presented the item. He explained the plan was for improvement of an existing one (1) story single-family residence, with no improvements on the west side of A1A. He stated the improvements included a pool, spa, reduction in pool deck, pool fence, pool equipment enclosure in rear, replacement of pavers on existing driveway and walkway, and relocation of the generator.

Mr. Arenal stated the site plan application submitted on November 15, 2021, along with plans submitted in response to comments, are consistent with the Town's Land Development Regulations. He explained the following comments still need to be addressed:

1. Provide Florida Department of Environmental Protection (EPA) approval for construction beyond the Coastal Construction Control Line (CCCL). Approval will be required as part of the zoning approval for the building permit application.
2. Compliance with Section 3-9, Requirements for Marine Turtle Protection, for any site lighting.
3. Broward County Tree Removal Permit (if necessary).
4. Construction Site Management Plan per 12-50.

Mr. Arenal stated staff recommended approval with the comments as conditions of approval.

Paul Catania, Parker Yannette Design Group, stated he agreed with Mr. Arenal's summary of the project and was present to answer any questions.

Mayor Tarrant opened public hearing, however there being none to speak, closed the public hearing.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve the site plan for 1009 Hillsboro Mile with conditions as outlined by staff. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Quasi-Judicial Public Hearing – Eric Fordin, with Related Group, authorized agent for property owner, is seeking Site Plan Approval for property located at 1174-1185 Hillsboro Mile, Hillsboro Beach, FL 33062.

Mr. Doody noted the applicant's counsel wished to make a request.

Pedro Gassant, legal counsel for the applicant, requested the item be tabled to the January 11, 2022 Commission meeting.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to table the site plan for 1009 Hillsboro Mile to the January 11 Commission meeting. In a roll call vote, the **motion** passed unanimously. (5-0)

IV. ORDINANCES

A. Ordinance No. 2021-09 Amendment to the Town's Code of Ordinance, Chapter 12 Land Development Code, Amending Sec. 12-396 to Provide for the Use of Artificial Synthetic Turf. (Second Reading)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED "LAND DEVELOPMENT CODE,"; BY SPECIFICALLY AMENDING SECTION 12-396 ENTITLED "APPROPRIATE LANT SELECTION, LOCATION, AND ARRANGEMENT" TO

PROVIDE FOR THE USE OF ARTIFICIAL TURF; PROVIDING FOR AN AMENDMENT TO PROCEDURE, REVIEW CRITERIA, AND DESIGN STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Item previously tabled for 1/11/2022 Meeting

VI. RESOLUTIONS & CONTRACTS

D. Resolution No. 2021-58

CONSIDERATION TO APPROVE AND AUTHORIZE THE PROPER TOWN OFFICIALS TO EXECUTE A RENEWAL AGREEMENT WITH UNITED HEALTHCARE FOR 2022 EMPLOYEE HEALTH INSURANCE BENEFITS.

Item addressed out of order.

Mr. Doody read the Resolution by title only.

Graeme Pentland, Benefits Consultant with EBS Advisors, explained the annual process of bidding for the best value on health plans for the employees of Hillsboro Beach. He stated the recommendation was to remain with United Healthcare 5.23 percent increase as their network was much more robust than the only competitive bid, in addition to having less exposure to the employee.

Mr. Serda noted for perspective that the Town had budgeted for a 15 percent increase.

Mr. Pentland explained other benefits briefly. He stated dental had a 2 percent increase and vision had no change. He stated following a significant change in the bid for life insurance, they had taken the plan to market and upon moving carriers had received a decrease of 1.4 percent over last year.

Motion made by Commissioner Baldassarre, seconded by Commissioner Reiser, to adopt Resolution 2021-58 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

Mr. Serda pointed out due to changes made by employees and in the budget process, the renewal represented a decrease in overall actual costs.

V. DISCUSSION & POSSIBLE ACTION

A. Discussion on Addition of Elevator Equipment as an Exception to Height Restrictions Within the Single-Family Residential District

Mayor Tarrant stated an example of this issue had come up as a variance request during the Board of Zoning and Appeals hearing earlier in the day.

Mr. Serda further explained chimneys and antennas are indicated in the Code as exclusions, but elevator mechanical rooms are not. He asked the Commission for feedback on whether they would like staff to review that addition.

Mayor Tarrant stated if the Commissioners were to opt not to add the exemption, she thought some mention of elevators in the Code was still necessary. Discussion ensued on the enhancement of elevators and the lack of hardship related to the upgrade.

Vice Mayor Kirdahy explained the elements can be on the side, but it is probably triple the cost. She noted a lot of elevators in Town are hydraulic lifts, especially in older buildings. She provided additional background on the options.

Discussion continued regarding allowances for elevators in single-family homes and exceptions for condominiums.

Vice Mayor Kirdahy stated there were a number of Code sections which needed to be reviewed.

Mr. Serda stated he had looked into having a consultant review the Code and outlined some of the pros and cons of the review, as well as the process.

Commissioner Reiser asked if it was possible to find out if any of the other municipalities in Broward County had recently done a Code review.

Mr. Doody stated most Codes are too expansive to undertake a total read of, so reviews are done incrementally. Discussion continued regarding items in need of review.

B. Discussion on Weekend Landscape Work

Mayor Tarrant noted the item was on the agenda because she had thought a neighbor was doing demolition on a Saturday. She stated it turned out to be trees being cut.

Mr. Serda stated he had reviewed the Code and found that depending which section of Code you read, landscape work on Saturdays is both allowed and restricted. He asked for direction from the Commission on which corrections should be made.

Mayor Tarrant stated she would like to see buzz saws and similar noise be restricted from use on Saturday.

Vice Mayor asked that an exception for emergency cleanup be included. Mr. Serda responded that he would review the Code to be sure emergencies were addressed. Discussion continued regarding the difference between maintenance and life/safety issues.

Commissioner Feaman expressed concern landscapers are so busy, they are working six (6) days a week to fit everyone in. She asserted she did not think the restriction was fair.

Vice Mayor Kirdahy stated she had a point and noted during the rainy season there are additional restraints.

Mayor Tarrant asserted it was not worth losing that day of her weekend, not being able to go outside. Discussion continued regarding noise concerns.

Mr. Serda stated he would bring back amended language for review.

VI. RESOLUTIONS & CONTRACTS

A. Resolution No. 2021-55

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO AMEND RESOLUTION NO. 2017-874 TO PROVIDE FOR A PROCEDURE BY THE TOWN COMMISSION RELATIVE TO THE ISSUANCE OF PROCLAMATIONS.

Mr. Doody read the Resolution by title only.

Mr. Serda summarized the change, which allowed for handling proclamations with time sensitivity that does not allow for waiting until the next agenda. He noted the revision allows for three (3) days for Commission review, with any objections resulting in the proclamation being deferred to the next meeting.

Mayor Tarrant asked for clarification regarding the language. Upon further discussion, Mr. Serda requested time to take the Resolution back and make additional changes.

Motion made by Commissioner Baldasarre, seconded by Commissioner Reiser, to table Resolution 2021-55 to the January 11 meeting. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2021-56

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO A REGIONAL INTERLOCAL AGREEMENT FOR COOPERATIVE FIRE, RESCUE, EMERGENCY MEDICAL SERVICES, AND SPECIAL OPERATIONS RESPONSE THROUGH AUTOMATIC AID AND CLOSEST UNIT RESPONSE BETWEEN THE MUNICIPALITIES EXECUTING THE AGREEMENT, THE BROWARD COUNTY SHERIFF'S OFFICE, AND BROWARD COUNTY GOVERNMENT.

Mr. Doody read the Resolution by title only.

Mr. Serda explained the impact of the agreement was not significant as the Town does not have a Fire Department, but at the County's request, the agreement had gone to the Town Attorney's office for discussion and clarification and was now before the Commission. He noted in the spirit of the agreement, it was a benefit for the Town to participate.

Mr. Doody stated he had called the County Attorney's office and advised an addendum in addition to signing the agreement, because it was not applicable. He asserted because the Town does not have a Fire Department, they cannot comply with the agreement as written.

Motion made by Commissioner Feaman, seconded by Vice Mayor Kirdahy, to adopt Resolution 2021-56 in conjunction with the addendum. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2021-57

A RESOLUTION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, EXPRESSING SUPPORT OF THE BEAGLE FREEDOM PROJECT CALLING ON DR. ANTHONY FAUCI'S ORGANIZATION, THE NATIONAL INSTITUTE OF HEALTH (NIH), TO IMMEDIATELY STOP FUNDING ANY RESEARCH THAT USES ANIMALS.

Mr. Doody read the Resolution by title only.

Mayor Tarrant stated the item was on the agenda at her request, and explained it was brought to her attention by the City of Hallandale Beach, who passed a similar Resolution. She provided additional background on the NIH using animals in research.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to adopt Resolution 2021-57 with "animals" changed to "felines, canines, and primates." In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2021-58

CONSIDERATION TO APPROVE AND AUTHORIZE THE PROPER TOWN OFFICIALS TO EXECUTE A RENEWAL AGREEMENT WITH UNITED HEALTHCARE FOR 2022 EMPLOYEE HEALTH INSURANCE BENEFITS.

Item previously addressed.

VI. CONSENT AGENDA

A. Invoices for Approval

1. **Inframark:** Invoice #70332 services November 2021 **\$7,402.41**
2. **GCDE** Invoice #38308 10/27/2021 through 11/29/21 **\$5,374.80** (General Matters)
3. **GCDE** Invoice #38310 November 2021 **\$3,848.90** (Development)
4. **GCDE** Invoice #38310 November 9-10 2021 **\$90** (Writ of Garnishment)
5. **CG&A:** Invoice #90783 services November 2021 **\$52,969.61**
6. **RMA:** Invoice #4642 services October 2021 **\$5,575.00**
7. **LSF Shuttle:** Invoice #21-1130-26 Services rendered November 2021 **\$5,615.88**

Motion made by Commissioner Baldassarre, seconded by Commissioner Feaman, to approve the Consent Agenda as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

VII. BEACH REPORT

A. Coastal and Waterway Consultant

Mr. Serda stated the job description for the consultant was in the backup materials and invited the Commissioners to provide input. He noted they would begin advertising for a part-time employee or consultant to support beach efforts.

Mayor Tarrant noted she would like to see “resiliency” added to the title and made additional language recommendations.

Commissioner Feaman noted the specialty should be in coastal engineering rather than just engineering.

Mayor Tarrant asked whether Town could stipulate flexibility in the position based on need, as opposed to a specific timeframe.

Mr. Serda stated they could if it was part-time.

B. Update on Beach Renourishment Project with City of Deerfield Beach

Mr. Serda stated his plan had been for Moffat & Nichol to come to the January meeting to give a status update because they had made significant progress on the beach management and mitigation report, and in February would be a presentation from Coastal Protection Engineering on the joint project with Deerfield Beach. Consensus was to push the presentations back a month based on the full agenda for January.

C. Hillsboro Inlet District

Mr. Serda explained he had approached the attorney for the Hillsboro Inlet District, who acts as the Director, to start a discussion, but it had not gone as well as he would have liked. He noted he had hoped to find a compromise at an administrative level before pushing it to the District Commission regarding the issue of back passing and dredging in the inlet. He stated their position was that it was prohibited by their Charter. Mr. Serda noted the attorney asked that he speak to the district in their public meeting. He noted he had not yet formulated his thoughts into a discussion to present but was still hoping to move it forward.

D. Sand Placement

Mr. Serda stated he had spoken with Deerfield Beach, and they were moving forward with the placement of the 10-12,000 cubic yards of sand they have been storing. He noted the timeline is currently between March and May 2022, and the funds have been budgeted. He stated things were looking positive for getting that sand onto the beach.

VIII. STAFF UPDATES

A. Police Department

1. October 2021 Monthly Activity Report

Police Chief Jay Szesnat presented his report. He stated it had been busy and focused, and asked whether for any feedback on the report.

Mayor Tarrant stated it was interesting how many of the notable events were marine related now that the boat was in the water a fair amount of time. Chief Szesnat agreed they were seeing a lot more activity and conducting a lot more assists. Discussion ensued as to daytime and nighttime hours of the unit.

Mayor Tarrant shared an official letter from Rear Admiral Brendan C. McPherson, District Commander with the U.S. Coast Guard, extending appreciation for the response to a medical emergency with his 22-year-old daughter in November. She stated she would respond personally with a handwritten letter. Chief Szesnat added that he would notify the officers involved and add the letter to their personnel files.

Commissioner Feaman thanked Chief Szesnat for getting the crosswalk sign replaced.

2. Convert Dispatch Position to Police Officer Position

Chief Szesnat stated there was a unique opportunity following the retirement of a long-term communications employee. He asked permission to fill the non-sworn communications position with a sworn officer to add an additional layer of support for day-to-day needs. He stated it would also create a light duty position in the event an officer is injured.

Mayor Tarrant stated she thought it was an excellent idea.

Mr. Serda explained it would be one (1) of the four (4) communications positions, and if it does not work out, there would be an opportunity to shuffle following a retirement in a year or so. Discussion continued regarding how the position would be filled.

B. Building Department

Steve Mitchell, Building Official, CG&A, presented the Building Department report. He stated 2021 was Town's busiest year thus far in the department.

Mayor Tarrant noted 12 of the 52 single family homes in the Town are currently interacting with the Building Department.

Mr. Serda stated Mr. Mitchell was also helpful in managing capital projects and noted he had been appreciative of the insight in navigating the Town Hall renovation. He thanked Mr. Mitchell for his help and stated he never shrugs away a request.

C. Code Compliance

Item previously tabled.

IX. TOWN MANAGER REPORT

A. Update on Town Hall Renovation

Mr. Serda provided a brief update on the Town Hall renovation. He discussed water damage which was discovered during the work on the building and the materials which were being used for the repair.

Mayor Tarrant noted she was disappointed in the workmanship of the painter. She stated the old light fixtures and shutters were painted around instead of removed.

Commissioner Reiser stated Town Hall looks great, and the holiday lights are beautiful. She thanked Mr. Serda for a great job.

B. Update on RFP 2021-02 Professional External Audit Services

Mr. Serda stated there had been six (6) responses to the RFP for the audit and asked for a volunteer to chair the Auditor Selection Committee as required by Code.

Vice Mayor Kirdahy agreed to serve on the committee.

C. Discussion on Maximum Lot Size for Redevelopment

Mr. Serda stated the item had been brought forward for discussion at the last Commission meeting and noted Mr. Hickey was developing the scope of work. He noted he had received a signed contract to review the excavation Ordinance.

D. Town Employee Recognition – Bob Knapstein, Water Plant

Mr. Serda expressed his appreciation for Bob Knapstein, who handled an issue with the a valve on the beach tank on Thanksgiving morning, repairing the valve and preserving the bocce ball court. He thanked Mr. Knapstein for his time and assistance.

Mr. Serda commented on the community feedback he receives on Steve Mitchell and noted he gives an incredible level of service for the Town of Hillsboro Beach. He stated the same is true of Town Clerk Sherry Henderson and Police Chief Jay Szesnat giving their effort and energy and doing outstanding work.

X. TOWN ATTORNEY REPORT

Mr. Doody asked the Commissioners to refrain from engaging in any discussions regarding the pending Development Order applications, as the January meeting would be a Quasi-Judicial hearing. He stated residents will be reaching out and the Commission should be circumspect and selective in their responses to maintain the integrity of the January Public Hearing proceedings.

XI. TOWN COMMISSION COMMENTS/REPORTS

A. Commissioner Jane Reiser

Commissioner Reiser stated she attended the Water Department Academy meeting and went to Green Cay Nature Center in Boynton Beach and it was beautiful.

B. Commissioner Vicky Feaman

Commissioner Feaman offered kudos to Waste Pro for making two (2) runs over the weekend to get the job done.

C. Commissioner Barbara Baldasarre

Commissioner Baldasarre shared an update on the Broward League of Cities meeting. She noted a holiday get-together was planned for Thursday. Commissioner Baldasarre stated the Condo Forum group was meeting in person for the first time the following week.

D. Vice Mayor Irene Kirdahy

None.

E. Mayor Deborah L. Tarrant

None.

XII. PUBLIC COMMENTS

Beth Vogl, 1170 Hillsboro Mile, stated she had something nice to say about Mr. Serda. She noted once Related Group withdrew the Ordinance, she was totally confused, and Mr. Serda spent two (2) hours with her and a neighbor to explain. She asserted in the midst of all the chaos, that was pretty extraordinary and should be recognized.

XIII. ADJOURNMENT

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adjourn the meeting at 3:10 p.m. In a roll call vote, the **motion** passed unanimously. (5-0)

ADOPTED THIS 11th DAY OF JANUARY, 2022

By: 
Deborah L. Tarrant, Mayor

ATTEST:


Sherry D. Henderson, CMC, Town Clerk