



**Hillsboro
Beach**
FLORIDA

**MINUTES
TOWN OF HILLSBORO BEACH
REGULAR COMMISSION MEETING
APRIL 5, 2022**

9:00 A.M.

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Deborah L. Tarrant called the meeting to order at 9:00 a.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 William "Mac" Serda, ICMA-CM
Donald J. Doody, Town Attorney, Esq.
Town Clerk Sherry D. Henderson, CMC

APPROVAL OF AGENDA

Amendments to "Discussion & Possible Action" order of discussion:

Item 5D (Site Plan Review Checklist) became Item 5B.

Item 5C (Noise Ordinance) moved to 5E to discuss Planning & Zoning items together.

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 March 1, 2022 Regular Town Commission Meeting

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve the minutes from the March 1, 2022 Regular Town Commission Meeting as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Minutes of the March 15, 2022 Reorganization Meeting

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to approve the minutes from the March 15, 2022 Reorganization Commission Meeting as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

II. PRESENTATIONS

A. Florida Department of Transportation A1A Mobility Project – Presented by FDOT District 4 (virtual)

Binod Basnet, Florida Department of Transportation (FDOT) Project Manager, provided a presentation on the A1A Mobility Project, including a brief history and project schedule. He explained FDOT had selected a Construction Engineering and Inspection (CEI) contractor and was in final contract negotiations. He noted the anticipated construction start date was summer 2022 and projected completion was the end of 2023.

Amin Ahmed, Stanley Consultants, reviewed the scope of the project. He showed maps of the project area and discussed the improvements planned. He shared details of public outreach to date and noted meetings with individual property owners have also been held to gather feedback and respond to questions.

Mr. Basnet introduced Tyler Furrey, FDOT Construction Project Manager, to introduce the project management team. Mr. Furrey introduced the team for the next phase of the project, including:

- Victor Diaz, FJ-Group, Senior Project Engineer (CEI Consultant)
- Victor Zarzuela, FJ-Group, Project Administrator (CEI Consultant)
- Rebecca Guerrero, The Corradino Group, Community Outreach Specialist

Mr. Furrey explained the expected start date would be finalized once the consultant contracts are through the procurement process. He opened the floor to questions.

Town Manager Mac Serda noted Jenna Martinetti with Calvin, Giordano, and Associates (CG&A) was also present and explained Ms. Martinetti had been hired by the Town to support its interests through the project.

Mayor Tarrant asked if it was anticipated the road raising would be complete prior to the busy season in 2022. Mr. Furrey stated once the contractor is on board, the team will emphasize completing that portion of the project first. He noted King Tide would impact the construction heavily in the fall.

Mayor Tarrant asked if there were licensing agreements required in the Deerfield Beach portion of the project. Mr. Ahmed stated it was his understanding the licensing agreements were only needed in Hillsboro Beach, due to the scope of the project.

Mayor Tarrant inquired about the beacons planned for the pedestrian crossings and explained safety issues surrounding the line between Deerfield Beach and Hillsboro Beach. She noted the most recent traffic study was completed in 2007 and asked what would be required to justify installation of flashing lights at the SE 10th Street crossing.

Roberto Jimenez, Stanley Consultants, described what was being proposed for the SE 10th Street intersection. Mr. Basnet provided additional detail, and discussion ensued regarding the location and proposed solutions.

Vice Mayor Kirdahy stated she and Mr. Serda had met with the FDOT team and had left the meeting with the belief there would be ground lit crosswalk lights embedded across the intersection at SE 10th Street. Mr. Jimenez responded that studies show no additional safety benefit of the lights being discussed and stated there may have been a misunderstanding based on terminology used at the meeting.

Vice Mayor Kirdahy urged the team to take another look at the intersection.

Mayor Tarrant asserted she was not exaggerating when stating that the Town has to keep a police car at the intersection in order to save lives.

Mr. Serda added that the intersection is significantly more dangerous than others being addressed as part of the project.

Vice Mayor Kirdahy reiterated that the most recent traffic study was completed in 2007, and noted it was completed during the off season. She stated she believed addressing the issues at the corner was a lifesaving issue. Mr. Jimenez noted that if the intersection was within the City of Deerfield, they would be responsible for maintenance, and the proposal was already represented in a signed maintenance agreement. He stated they were not arguing that the intersection was not more dangerous but did not feel the inground lights would represent additional safety.

Mayor Tarrant invited Mr. Jimenez to observe the difference between the lighted crosswalk and those with lights on the side at the S-curve. She pointed out that she was referencing the east/west crosswalk, and stated it was in Hillsboro Beach.

Mr. Basnet stated the issue could be discussed outside the meeting. He stated Deerfield Beach had been very specific about what type of beacons they wanted due to other lights within their community, but additional research could be done.

Commissioner Reiser asked whether FDOT had any plans to conduct an updated traffic study. She noted there are issues with other locations needing crosswalks.

Mayor Tarrant added additional detail regarding the addition of the crosswalks and asserted there was time to conduct a traffic study prior to the end of the project.

Vice Mayor Kirdahy stated she had shared details of a recent traffic fatality with the FDOT team, and they had agreed to look into additional crosswalk locations.

Mr. Basnet agreed they had a conversation on the matter, and noted his role was to design within the scope given to him by FDOT. He stated any traffic study needed for additional crosswalks would be conducted by a different department and encouraged staff to reach out to that department. He discussed the process for new and existing crosswalks.

Mayor Tarrant asserted it made no sense to conduct a project based on a 15-year-old traffic study.

Mr. Serda stated staff had made the contact with the FDOT department being discussed and noted the Town had also made previous requests. He explained the Town had engaged with CG&A to conduct a high-level review to ascertain whether it made sense to invest in a traffic study. Discussion continued on the approach.

Commissioner Baldasarre asked for clarification on the timeline. Mr. Furrey discussed the objectives for the project and noted that labor shortages are a factor.

Vice Mayor Kirdahy expressed concern with the difficulty in securing contractors in the current environment.

Mayor Tarrant shared continued concern from residents regarding the slope of the road and water pooling.

Commissioner Reiser asked what happens when the project is completed and water pools on the road. Mr. Serda stated there is a reasonable expectation that flooding will occur with seasonal events, but water should be pushed to the west side of A1A to drain. He discussed exacerbating circumstances in Hillsboro Beach and the predictive analytics related to the project.

Discussion ensued regarding the potential benefits of a pumping system and the issues related to installation of pumps, as well as resiliency projections.

Mayor Tarrant thanked the FDOT team for their work.

III. SITE PLAN REVIEW

- A. James Baron, Authorized Agent for Property Owner, is Seeking Site Plan Approval for Property Located at 971 Hillsboro Mile, Hillsboro Beach, FL 33062.

Town Attorney DJ Doody swore in those wishing to provide testimony.

Joe Arenal, Development Planner with RMA, explained the item and presented the staff report for the proposed three (3) story home. He stated the item had been tabled at the March 1, 2022. He reviewed the documents submitted and noted staff recommends approval of the Site Plan with conditions as follows:

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 Building Permit application.
2. Provide Broward County Environmental permit for any construction activity on the dune or provide a letter of non-jurisdiction.
3. Provide FDOT approval of the trafficways and right-of-way dedication.
4. Compliance with Section 3-9 requirements for marine turtle protection (for any site lighting).
5. Provide updated survey indicating top of wall elevations at adjacent properties at Building Permit application submittal.
6. Broward County Tree Removal Permit.
7. Construction Site Management Plan per Section 12-50.
8. Any seawall improvements must comply with Section 12-268.
9. Applicant will comply with Ordinance 2022-04.

Mayor Tarrant clarified the item was tabled at the March 1 meeting to allow for a peer review of the project to be certain Code requirements had been met.

James Baron, Baron Development, presented on behalf of the applicant. He provided a brief history of the project and noted since the original presentation, the landscape architect and architect had worked to increase the buffer between the house and the neighbor in an effort to try to accommodate the neighbor's concerns.

Mr. Doody asked whether the applicant agreed to comply with conditions one (1) through nine (9) included within the staff report. Mr. Baron confirmed that the applicant agreed.

Mayor Tarrant pointed comment eight (8) and clarified that improvements to the seawall are required to bring the seawall to Code as triggered by construction on the east side of A1A. She stated she did not foresee a problem but wanted to clarify the language. Mr. Brown explained preliminary plans for the seawall have been submitted to the appropriate channels.

Mayor Tarrant stated she would like additional detail on the comment recommended by Jim Hickey, CG&A, following the peer review, which would require any improvements on the west side of A1A to receive Commission approval. Mr. Hickey explained he had suggested the comment be standard to any development application.

Mayor Tarrant asked Mr. Hickey's recommended wording and proposed the following be added to the list of conditions of approval:

10. The applicant shall be required to submit an additional Site Plan approval for any construction on the west side of A1A.

Mr. Doody asked whether the submission could be an amendment to the existing Site Plan. Discussion ensued regarding the logistics of the recommendation.

Mr. Doody asked the applicant whether the addition of condition 10 was acceptable. Mr. Baron stated that it was acceptable.

Mayor Tarrant opened the item to public comment.

Alan Ellman, 969 Hillsboro Mile, stated that he and his wife, Dari Ellman, are the neighbors of the project to the south. He noted that he had hired a planning professional, Christen Hutton, to assist in his review of the project but had been unable to meet with the neighbor to discuss his concerns. He stated his family is concerned with the impact of the project but is excited that a beautiful home is being built in the neighborhood. He explained his main concern is screening of the project due to difference in elevation.

Christen Hutton provided a brief overview of her client's position. She stated Mr. Ellman does not want to block development, but wants to ensure Code is followed and privacy, vegetation regulations, and development impact are managed. She noted she had attempted to reach out to the owner's representative several times but had been unable to meet with them. She referenced previous comments by Mr. Baron regarding increased screening and stated this was encouraging, though she had not had the opportunity to review the plans prior to the meeting. Ms. Hutton highlighted Objective 2.2 in the Comprehensive Plan, which emphasizes neighborhood character, and asserted the proposed trees are too small for the grade difference. She referenced Chapter 12-4, Section 4-9a (9) of the Town Code and argued the Site Plan could not be approved prior to review for a tree permit.

Mayor Tarrant asked Mr. Doody for guidance on the Code sections as referenced in Ms. Hutton's comments. Mr. Doody stated, the Commission could choose whether to accept the recommendation from Ms. Hutton for an additional condition regarding the height of the trees. He asserted it was appropriate to consider the Site Plan at this time.

Mayor Tarrant asked for clarification on the potential conflict between the Code requirement that the Broward County Tree Removal Permit be secured prior to Site Plan approval and the practice of including the permit in the conditions.

Mr. Doody responded that he did not believe that order could be accomplished, as Broward County will not process the application until the Site Plan is approved.

Mayor Tarrant inquired about adding another condition regarding the height of the trees utilized in screening between the projects. Mr. Doody stated the Commission could entertain the recommendation if they are concerned about the height of the trees.

Mayor Tarrant asserted she was concerned about the difference in elevations between the two (2) properties and wanted to make sure there was something added within the Code on how to address the condition.

Mr. Hickey briefly shared that in his experience with the process, Site Plan approval is necessary prior to bringing a Broward County Tree Removal Permit application to the County, but the condition of approval is requiring that the applicant go through that process. He stated Broward County would make changes to the plan based on the tree needs. Continuing, Mr. Hickey stated requirement of 12-foot trees at time of planting is standard across the County.

Vice Mayor Kirdahy asked whether the difference in elevation between the lots was due to the general topography of the land, or whether it was a case of landscaping. Mr. Hickey explained the issue had to do with the average dune heights and the associated survey of those points. He stated the Town had a surveyor come to the site for additional review, and each site would be different in height based on the dune height.

Mayor Tarrant asserted the difference in the dune height between the two (2) properties is not that much, but construction differences were also a factor.

Mr. Arenal stated Chapter 12-266 of the Town Code was clear that the landscaping is part of the Building Permit process. He noted 12-403 also references the landscape plan. Mr. Arenal pointed out that according to the plans, there is a strip of landscaping which is not as recessed as the house is and the grades between the properties at that point would be comparable.

Mayor Tarrant asked whether Mr. Arenal was arguing the comment about a 12-foot tree not giving the privacy it should be due to difference in grades was incorrect. Mr. Arenal stated based on the Civil Plan, the comment was not accurate. He noted he was not sure the 30-foot mature trees requested by the neighbor would be available in the market.

Ms. Hutton stated she had called Broward County to determine whether the tree permit application had been submitted, and it was not. She noted the County told her that applicants typically were advised to submit concurrently, and gave the reasons provided. She explained her disagreement with the interpretation of the Civil Plan and stated 30-foot trees are more difficult to obtain but are available.

Dari Ellman, 969 Hillsboro Mile, commented on the need to update the Code to meet the current construction situation.

Mayor Tarrant agreed and pointed out a discussion on Code updates was on the agenda later in the meeting. She noted the application had to be addressed under the Code as it exists.

Ms. Ellman asked how she and her husband would be protected, asserting there was no privacy between their home and the proposed project.

Mayor Tarrant explained the Town had taken an extra month to review the application and stated she understood the concerns, but they were required to move forward. She asserted she agreed it was too much house for the lot.

Mayor Tarrant closed the item to public comment.

Vice Mayor Kirdahy stated being as Mr. Hickey had explained the applicant cannot get approval for the tree permit from Broward County prior to Site Plan approval, she did not see a reason to not approve the Site Plan at this time.

Mr. Doody stated based on his 40 years of experience as a Broward County municipal attorney, an approval was necessary to move forward with that application. Mr. Hickey clarified it may not be a requirement, but the process was handled that way in most municipalities.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve the Site Plan with the 10 conditions of approval as outlined. In a roll call vote, the **motion** passed (5-0).

Mayor Tarrant recommended Mr. Baron ask the client to consider their neighbors in making the final tree selection.

Mr. Baron stated he understands the concerns regarding vegetation and screening and noted if the neighbor wanted to bring in trees for their own property once the site is cleared, he could use the cleared site for access.

B. Mark Rothenberg with Ellermar Luxury Construction, Authorized Agent for Property Owner, is Seeking Site Plan Approval for Property Located at 925 Hillsboro Mile, Hillsboro Beach, FL 33062

Mr. Doody swore in those wishing to provide testimony.

Joe Arenal, Development Planner with RMA, explained the item and presented the staff report for the proposed single-family four (4) story residence east of A1A. He explained a variance for improvements west of A1A was previously approved and permitted for construction. He reviewed the documents submitted and noted staff recommends approval of the Site Plan with conditions as follows:

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 Building Permit application.
2. Provide Broward County Environmental permit for any construction activity on the dune or provide a letter of non-jurisdiction.
3. Provide FDOT approval of the trafficways and right-of-way dedication.
4. Compliance with Section 3-9 requirements for marine turtle protection (for any site lighting).
5. Provide Broward County Tree Removal Permit.
6. Provide Construction Site Management Plan per Section 12-50.
7. Use of artificial turf will require compliance with Ordinance 2020-09, Section 12-396.
8. Seawall improvements must comply with Section 12-268.

Mr. Arenal noted condition seven (7) had been met, as the applicant applied for permit on the west side of the property.

Mark Rothenberg, Ellermar Enterprises, stated he and the project architect were present to answer any questions. He explained he had worked diligently with Mr. Arenal to get everything prepared to the Town's satisfaction.

Mr. Doody asked whether the applicant agreed to comply with conditions one (1) through eight (8) included within the staff report. Mr. Rothenberg confirmed that the applicant agreed.

Mayor Tarrant stated the plan said utilities would be buried and asked if Florida Power & Light (FPL) had agreed to the provision. Mr. Rothenberg responded that discussions with FPL are ongoing, but they had agreed that it would be buried. He noted the existing location of a transformer.

Mayor Tarrant asked why the proposed pool was being permitted separately.

Shane Ames, Ames International Architecture, explained swimming pools are permitted as a separate structure, and the pool is the only portion within the DEP permit area.

Mayor Tarrant clarified the pool was a part of the Site Plan approval. Mr. Ames stated that was correct and provided additional detail.

Mayor Tarrant asked about the step out into the setback on the retaining wall. Mr. Ames explained the ground had been stair-stepped in order to get underground parking. He outlined the steps taken.

Mayor Tarrant noted the plan put three (3) structures in the setback and stated she has an issue with that. Mr. Ames explained the structures further and stated the applicant's team had worked with Mr. Arenal on working out the details to get it exactly the way it has to be.

Mayor Tarrant stated a review of the Town's rules surrounding setbacks was also planned as a part of the Code discussion later in the meeting. She asked for clarification on the area underneath the balcony projection on the north. Mr. Ames explained the decorative element.

Mayor Tarrant asked for additional explanation on the vehicle access to the property. Mr. Ames described the turn radiuses and stated the garage was drive through, with entrance on the south and exit on the north.

Vice Mayor Kirdahy referenced the circular driveway and stated she saw the water feature but did not see whether a vehicle would be able to pass if a landscape truck was parked on the driveway. Mr. Rothenberg stated the width was over 20 feet.

Vice Mayor Kirdahy asked about underground piping for the water features. Mr. Rothenberg stated it was a cascading water fountain and noted it was built on top of the garage with a depth was 18 inches. Discussion ensued on the water weight and planned structure.

Mayor Tarrant asked how many parking spaces were allowed for service vehicles. Mr. Rothenberg explained there was a 12-car garage underneath the project, a four (4) car garage separate from the structure, and a two (2) car garage at the guest house across the street. He noted the central drive through was intended for service. Discussion continued regarding parking for service vehicles.

Mayor Tarrant opened a public hearing on the matter, however there being none to speak, she closed the public hearing.

Mayor Tarrant asked counsel whether a condition could be added to address service vehicle parking on the property, because she saw a future issue.

Vice Mayor Kirdahy asserted she disagreed, pointing out vehicles could park on the driveway turn around, as vehicles are able to pass. She stated the aesthetics of service vehicles parked in front of the house was the owner's issue, not an issue for the Town.

Commissioner Reiser noted they would also be able to park on the guest property on the west side, though the shoulder would not be an option. She agreed the problem was the owner's.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Reiser, to approve the Site Plan with the eight (8) conditions of approval as outlined in the staff report. In a roll call vote, the **motion** passed (5-0).

C. Bomar Builders, Authorized Agent for Property Owner, is Seeking Site Plan Approval for Property Located at 961 Hillsboro Mile, Hillsboro Beach, FL 33062

Mr. Doody swore in those wishing to provide testimony.

Joe Arenal, Development Planner with RMA, explained the item and presented the staff report for the proposed single-family three (3) story residence east of A1A and a seawall improvement and dock on the west side of A1A. He reviewed the documents submitted, including those in a second submittal and response to comments. He noted if Commission approved use of existing grades prior to excavation due to COVID-19 restrictions as was being requested by the applicant, staff recommends approval of the Site Plan with conditions as follows:

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 Building Permit application.
2. Provide Broward County Environmental permit for any construction activity on the dune or provide a letter of non-jurisdiction.
3. Provide FDOT approval of the trafficways and right-of-way dedication.
4. Compliance with Section 3-9 requirements for marine turtle protection (for any site lighting).
5. Provide Broward County Tree Removal Permit.
6. Provide Construction Site Management Plan per Section 12-50.
7. Use of artificial turf will require compliance with Ordinance 2020-09, Section 12-396.
8. Seawall improvements must comply with Section 12-268.
9. Applicant will comply with Ordinance 2022-04.

James Wentzel, Bomar Builders, presented on behalf of the applicant. He explained the request to use existing grades prior to excavation due to COVID-19 restrictions, providing a brief history of the project and the impact of surrounding projects. He noted the architect used previous surveys to complete the plans and original grades were lower.

Bob Mayer, Bomar Builders, added that months had been lost due to the project next door.

Mr. Doody asked for clarification on the request. Mayor Tarrant explained the grade of the property next door had changed between the time the applicant submitted plans and the Site Plan approval hearing.

Mr. Wentzel noted a resurvey had been conducted to address comments in the submittal process, resulting in two (2) different numbers due to the work next door. He stated the applicant was requesting to move forward with the first elevations.

Mr. Doody asked the date of established grades the applicant was requesting to utilize. Stephanie Portus, landscape architect on the project, pointed to the hardscape page of the packet for detail on the four (4) surveys and the dates of each. Mr. Wentzel confirmed the date of the existing grade survey was January 27, 2021.

Mayor Tarrant stated the square footage of the home was a more reasonable size for the 100-foot lot and noted it was nice not to have a driveway in the side setback. She asked whether FPL had agreed to the burial of utilities. Mr. Wentzel stated FPL had agreed.

Mayor Tarrant noted the difficulties in navigating the change in grade on the property. Mr. Mayer stated the plan had been created to meet the current Code as it exists today.

Mayor Tarrant asked for clarification on the balcony projection. Stuart Brenner, architect, explained the distances reflected on the plan.

Mayor Tarrant referenced a decorative water feature and asked whether it was allowed within the 85-foot setback requirement. Mr. Arenal responded that it was allowed, as long as it did not exceed six (6) feet in height.

Mayor Tarrant asked whether the existing dune crossover would stay. Mr. Wentzel stated the crossover was in a state of disrepair, so a permit through Department of Environmental Protection (DEP) to make improvements was likely necessary. Mr. Arenal explained the Town's Code has limitations on the dune crossover, as well.

Mayor Tarrant opened a public hearing on the matter, however there being none to speak, she closed the public hearing.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Reiser, to approve the Site Plan with the nine (9) conditions of approval as outlined in the staff report. In a roll call vote, the **motion** passed (5-0).

IV. ORDINANCES

- a. **Ordinance No. 2022-04** Amendment to the Town's Code of Ordinance, Amending Ch. 12-49 "Site Plan Requirements" and Creation of Section Entitled "Excavation" (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 12-49, ENTITLED "SITE PLAN REQUIREMENTS"; BY SPECIFICALLY CREATING SECTION 12-49 (C), ENTITLED "EXCAVATION", TO PROVIDE FOR THE USE OF BEACH COMPATIBLE SAND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read the Ordinance by title only.

Mr. Serda explained the Ordinance further clarified what to do with beach compatible material and non-compatible material. He noted input was gathered from multiple sources in the process of crafting the wording.

Mayor Tarrant asked for clarification on whether the method used in Surfside would be a better benefit to the Town, as it would avoid putting the testing in the hands of the developer. Mr. Doody stated that was a logical concern, and stated the difference was that Miami-Dade County had an agency to submit analysis through, and Broward County does not.

Mayor Tarrant asserted it was unfortunate, as the methodology appeared flawed in allowing the developer to tell the Town whether the sand was compatible and how much existed. She stated more standardized methods were needed.

Mayor Tarrant referenced a typographical error in the references listed in section G. She added that the Ordinance was more developer friendly than the Ordinances in other municipalities reviewed.

Mayor Tarrant opened a public hearing on the matter.

James Wentzel, Bomar Builders, explained anytime a developer applies for a DEP permit, they have to provide a cut and fill calculation. He stated if enough fill does not exist on the site, bringing sand in requires testing of a sample by the DEP. He noted this meant a third party was involved and testing was not just reliant on the developer.

Mr. Doody clarified Mr. Wentzel was referencing the Florida Department of Environmental Protection. Mr. Wentzel confirmed.

Mayor Tarrant closed the public hearing.

Motion made by Commissioner Reiser, seconded by Vice Mayor Kirdahy, to adopt Ordinance 2022-04 with amendment to correct the typographical error in section G. In a roll call vote, the **motion** passed unanimously. (5-0)

- b. Ordinance No. 2022-05** Amendment to the Town's Code of Ordinance, Amending Ch. 2 Entitled "Administration," by Amending Article V Entitled "Purchasing" to Provide for Increase in Purchasing Threshold for the Town Manager. (First Reading)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION," BY SPECIFICALLY AMENDING ARTICLE V ENTITLED "PURCHASING"; PROVIDING FOR AN INCREASE IN PURCHASING THRESHOLDS FOR THE TOWN MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read the Ordinance by title only.

Mayor Tarrant explained the Ordinance was a result of the Town's February newsletter being held up for two (2) weeks due to a small price increase from the printer which put the job above the \$1,000 purchasing threshold for the Town Manager.

Mr. Serda added that the Ordinance would give staff the ability to make purchases up to \$5,000 without comparative pricing.

Mayor Tarrant opened a public hearing on the matter, however there being none to speak, she closed the public hearing.

Motion made by Commissioner Baldasarre, seconded by Vice Mayor Kirdahy, to approve Ordinance 2022-04 on first reading. In a roll call vote, the **motion** passed unanimously. (5-0)

V. DISCUSSION & POSSIBLE ACTION

A. Update on Limiting Assemblage of Parcels

Mr. Serda explained CG&A had been tasked with analyzing a method for placing limits on the assemblage of parcels within the Town for future development. He noted 1174 as an example, which assembled six (6) acres on the east and six (6) acres on the west.

Jim Hickey, CG&A, provided a brief update on the project. He explained the team is conducting an analysis of the actual parcels, including reviewing the width of parcels, frontage, and setbacks. He stated he is also looking at the requirements in other municipalities. Continuing, Mr. Hickey explained feedback was needed on increasing

setbacks dependent on the width of the lot. He noted he would work with counsel on language if that was the direction of the Commission.

Mayor Tarrant stated the crux of the issue was establishing the vision for the Town into the future. She asserted the discussion was mostly applicable to multi-family zoning and protecting the tax base in the single-family area.

Commissioner Baldasarre asked if there was a minimum lot size. Mayor Tarrant responded that the minimum is 100 feet.

Mayor Tarrant stated she was of the belief larger setbacks should be required with larger lots, noting that had been an issue with the development of 1174 and 1175 Hillsboro Mile. Discussion continued regarding future potential subdivisions and availability of green space.

Mr. Hickey discussed options for setting minimum frontage or requiring a process to review each application individually.

Vice Mayor Kirdahy asked for clarification on the setback requirements. Mr. Hickey explained.

Commissioner Reiser asked how many land leases exist in Town. Mayor Tarrant stated to her knowledge, only the co-ops.

Vice Mayor Kirdahy clarified that not all the co-ops are land leases. She noted hers was purchased but remained a co-op.

Commissioner Reiser stated the land leases and co-ops were more likely to be purchased. Discussion continued on the co-ops in the community.

Commissioner Reiser stated they could not expect everyone to do what the most recent project had done and build with larger setbacks.

Mr. Serda stated Mr. Hickey's next steps were to put together a skeleton of a vision for addressing the issue that the Commission and staff to review.

Bob Mayer, Bomar Builders, commented on the potential for setback issues in single-family projects to consider in the Code review, as well. Discussion continued on development potential throughout Town.

Mr. Hickey stated he would review the language with counsel to be sure any change was legal and could be implemented.

B. Discussion on Chapter 12, Land Development Code

Mayor Tarrant explained a full rewrite of Chapter 12 of the Code was needed, but that process would take a lot of time, so the intent was to address specific areas as quickly as possible.

Mr. Serda clarified that Chapter 12 was the entire Land Development Code, including multi-family and single-family. He noted staff hoped the rewrite would take 12 months with the assistance of Mr. Hickey and CG&A, as they had undertaken that process in other municipalities in the past. Mr. Serda explained while the Town was working under the current Code, there are some areas that have been identified which may be addressed in the short term. He noted setbacks, height, and dune measurement were among those issues identified, but were not the limit of the conversation.

Mayor Tarrant asserted most of the issues were a function of the changing culture and changes to building preferences. She stated if the Town hoped to have any green space at all in 20 years, they needed to close up some of the loopholes in the Land Development Code which allow building to the max. Continuing, Mayor Tarrant noted maximum height was also an issue. She stated her areas of immediate concern include:

1. Driveways in-side setbacks, including side entry garages with insufficient turning or backup space.
2. Ample parking on the east side of single-family properties to accommodate all service vehicles, including landscape trucks with trailers.
3. No vehicle parking on the west side unless it is greater than 10 feet from the edge of the road.
4. More specific definition for measurement of average dune height.
5. Changes in elevation between properties, including timing and spacing of elevations on property lines, retaining walls that consider differences in neighboring elevations, and impact of changes in elevation made by neighbors.
6. Changes of elevation within a property.
7. Length of time before construction must start.
8. Generators, including requirement and placement.
9. Reevaluation of things allowed in setbacks.
10. Ratio of basements and lower levels, including clarification of the number of stories.
11. Rooftop living, such as pools and other amenities on the roof.

Discussion ensued regarding the trend to utilize rooftops for living space, and potential associated safety hazards.

12. Clarification of the seawall Ordinance.
13. Requiring renderings or drawn elevations of the front, rear, and sides of buildings as part of plan submission.

Commissioner Reiser noted Mr. Hickey had worked on Codes in other municipalities and asked whether those other municipality Codes could be used as a model. Mr. Serda explained that was how the process would start.

Mr. Doody added that relying on other Code revisions required an understanding of the Commission's vision for what Hillsboro Beach will look like. He noted this would help staff to focus on creating a Code that matches the vision.

Mayor Tarrant asked if there were other hot spots in need of addressing prior to a full Code revision. Mr. Doody stated he would try to emphasize putting in place procedures, as opposed to prohibitions. He noted Conditional Use provisions as an example, with conditions imposed by the Town. Mr. Doody stated putting procedures in place might create more work for the Commission, but it would give them more discretion to future Commissions in determining how properties are being utilized.

Mr. Doody stated they would also need to consider where vehicle charging stations would be allowed. He explained the issue had recently come to the forefront. Discussion continued.

Bob Mayer, Bomar Builders, stated his company would like to be a part of the review. He provided a brief history of the number of building projects and renovations they had been part of as they built in Hillsboro Beach dating back to 1991. He noted they see the issue from a different perspective than the Commission would, and explained decisions made in this process would impact marketability of homes. Mayor Tarrant invited Mr. Mayer to provide input at any time as it comes up.

Mayor Tarrant called for a recess at 12:41 p.m.

Mayor Tarrant called the meeting to order and reconvened at 1:17 p.m.

Item C was addressed following item E.

C. Discussion on the Town's Noise Ordinance

Mr. Serda pointed to a draft Noise Ordinance in the meeting backup. He explained it still required work, but he wanted to facilitate a discussion with the Commission regarding the direction they wanted to take on the issue. He provided a brief background on the existing language in the Town's Code and its shortcomings. He explained the Ordinance would not address cars or boats passing by but would address neighbor disputes.

Mr. Doody provided additional detail. He noted the existing is a subjective standard, so a decibel level, a method had been litigated previously, was included in the draft.

Mr. Serda stated the current direction was to have decibel meters, which were calibrated annually and included staff training to make the Ordinance enforceable. He asked if the Commission wanted staff to move forward with the draft and present it for first reading, or if they were seeking a different direction.

Mayor Tarrant asserted the issue of noise complaints related to pickleball were the catalyst for the Ordinance and stated this draft did not address that issue.

Mr. Serda stated in his view, the creation of a pickleball court where one does not exist is more of the issue in that case, making it a different issue.

Vice Mayor Kirdahy stated it is difficult to enforce noise issues in the middle of the day. She asserted time constraints should be included in the draft. Mr. Doody agreed it would be more difficult to measure decibels in the daytime.

Commissioner Baldasarre asked if the Town really needed something like this.

Mayor Tarrant stated they had brought it in because they were asked to by residents who were told they could not play pickleball, because they believed if the Ordinance allows activity to be stopped in the middle of the afternoon, that was an issue. She provided examples and asked if they constituted a noise issue.

Vice Mayor Kirdahy asserted she agreed with Commissioner Baldasarre. She added that she did not think it enforceable as what is reasonable to one person is not reasonable to another.

Mayor Tarrant stated she believed there were parts of the Ordinance the Town could benefit from. She noted some of the noise items had already been identified and addressed.

Mr. Serda stated if there were specific issues the Commission wanted staff to address, they could also go that route. He noted they could craft language to address recreational activities during the day, or loud noise at night, or gatherings of residents after hours. Discussion ensued regarding language in the Ordinance.

Commissioner Baldasarre noted the things she finds annoying are cars with loud mufflers or loud music playing speeding through Town on A1A, which the Town did not have the ability to do anything about.

Commissioner Feaman stated her biggest complaint would be loud parties. Mayor Tarrant explained in that case the police would have to abide by the Ordinance, so the Ordinance needed to give them whatever tools they needed to address the issue.

Mr. Serda explained there is not a lot of definition in the current Code and discussed how the

issue could be addressed with a decibel level.

Mayor Tarrant stated leaf blowers were most annoying to her, but those had already been addressed with time constraints.

Mr. Serda asserted he was not hearing a lot of interest for the Ordinance. He noted if there were specific items that come up, those could be addressed in the future.

Mayor Tarrant stated the maximum allowable sound levels for residential properties might be useful. She asked whether that could be applied to a pickleball game.

Commissioner Reiser asked the size of the decibel meter. Bernard Pita, Code Enforcement, CG&A, explained the equipment.

Mayor Tarrant asked if Mr. Pita had reviewed the draft and what his thoughts were. Mr. Pita echoed Mr. Doody's comments regarding the difficulty in measuring due to the existence of ambient noise. He noted time constraints would be useful.

Mayor Tarrant stated Mr. Pita and the Police Department would ultimately be responsible for enforcement. She asked Police Chief Jay Szesnat his thoughts on the matter.

Police Chief Szesnat noted the Police Department gains compliance over time by asking. He further explained the pickleball incident and stated there were underlying issues which were not noise. He outlined the process officers follow in observing noise following complaints. He stated there was some value in the Ordinance and further reviewed the language and its potential impact on enforcement. Discussion continued regarding the proposed enforcement language and its spirit.

Mayor Tarrant stated the Town should have regulation on generator testing. Discussion ensued regarding the testing process and times. Consensus was to move forward with portions of the Ordinance.

Item D was addressed prior to item B.

D. Discussion on Site Plan Review Applicant Checklist

Mayor Tarrant explained the Town had received input from some of the builders in Town on the draft checklist, as the intent was to adjust the process with a checklist to assist builders in expediting the process of Site Plan review. She noted the cost of a long review process.

Mr. Doody asked whether the intent was to codify the list. Mr. Serda and Mayor Tarrant explained it was just intended as a list from the Building Department to help builders and the

Building Official through the process.

Mayor Tarrant provided comments on the proposed checklist. She reviewed each section and provided notes. Mr. Serda noted the list was still in draft form and provided additional detail as appropriate.

E. Update on Burying Utility Powerlines in Town

Mr. Serda provided an update on the plan to be prepared for an opportunity to bury utility powerlines in Town. He noted the subcontractor assisting the Town in the effort had assigned a new teammate who was reaching out to condo representatives and homeowners regarding easements. Mr. Serda stated the Town had not been targeted in its information due to potential confusion between this issue and the need for FDOT easements for the A1A redesign project. He explained the FDOT easements were almost complete, and the people working on that could shift to utility easements.

Mr. Serda explained the strategy briefly. He pointed out staff's efforts to take care in contacting residents. Discussion ensued regarding people not having an interest in giving up an easement versus the benefits of burying the utilities.

VI. RESOLUTIONS & CONTRACTS

A. Resolution No. 2022-13

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO AMEND THE CONTRACT AGREEMENT WITH MOFFAT & NICHOL, ACCEPTING THE PROPOSAL FOR CONSULTING SERVICES FOR POST CONSTRUCTION BIOLOGICAL MONITORING RELATIVE TO THE HILLSBORO BEACH NOURISHMENT PROJECT.

Mr. Doody read the Resolution by title only.

Mr. Serda presented the item, beginning with a brief history on the project. He stated the survey was needed to be in compliance with the permit, and the subcontractor was seeking payment for the expense, which had not been previously authorized. He explained the cost would be submitted to FEMA for reimbursement.

Mayor Tarrant stated it was Moffat & Nichol's responsibility to know whether or not monitoring was required. She asserted the issue had come up in the past in different ways. Mr. Serda explained that issue had been discussed.

Motion made by Commissioner Feaman, seconded by Vice Mayor Kirdahy, to adopt Resolution 2022-13. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2022-14

CONSIDERATION TO APPROVE AND AUTHORIZE THE PURCHASE OF ONE (1) 2022 UNMARKED PATROL POLICE VEHICLE FROM ALAN JAY FLEET SALES, PIGGYBACKING THE COOPERATIVE PURCHASING AGREEMENT, SOURCEWELL (FORMERLY NJPA) CONTRACT # 2022 120716-NAF

Mr. Doody read the Resolution by title only.

Mr. Serda clarified the agenda item and stated it was an unmarked patrol vehicle. He stated it would replace an administrative vehicle but would have patrol lights so the vehicle could be used for patrol back-up as needed.

Commissioner Feaman stated the recently purchased truck looked gorgeous. Mr. Serda provided additional detail on the clearance of the truck and the benefits of that feature.

Police Chief Szesnat provided additional detail. He stated the existing administrative vehicle has over 200,000 miles and is used daily. He reviewed the vehicle's current uses.

Motion made by Commissioner Baldasarre, seconded by Vice Mayor Kirdahy, to adopt Resolution 2022-14. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2022-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, APPOINTING ITS PRIMARY REPRESENTATIVE AND ALTERNATES TO THE BROWARD LEAGUE OF CITIES FOR THE TERM OF 2022-2023.

Mayor Tarrant explained the representatives in 2021 had been Commissioner Baldasarre as primary, Vice Mayor Kirdahy as first alternate, and Mayor Tarrant as second alternate. She commended Commissioner Baldasarre on her perfect attendance and asked if she was willing to serve in the role again. Commissioner Baldasarre agreed.

Vice Mayor Kirdahy asked whether a similar Resolution was needed for the Metropolitan Planning Organization (MPO). Mr. Doody stated the MPO did not require an annual appointment and does not accept alternates.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to adopt the slate for the Broward League of Cities with Commissioner Baldasarre as primary representative, Commissioner Reiser as first alternate, and Vice Mayor Kirdahy as second alternate. In a roll call vote, the **motion** passed unanimously. (5-0)

Mr. Doody read the Resolution by title only.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Baldasarre, to adopt Resolution 2022-15. In a roll call vote, the **motion** passed unanimously. (5-0)

VII. CONSENT AGENDA

A. Invoices for Approval

1. **CG&A** Invoice #100822 service thru Feb 2022 **\$24,934.55**
2. **LSF Shuttle** Invoice #22-0228-26 service thru Feb 2022 **\$5,615.88**
3. **RMA** Invoice # 4674 service Jan 2022 **\$4,525.00**
4. **RMA** Invoice #4675 service Feb 2022 **\$4,250.00**
5. **GCDE** Invoice #40554 service Feb-Mar 2022 **\$6,517.95** (General Matters)
6. **GCDE** Invoice #40557 service Mar 2022 **\$3,217.50** (Writ of Cert-Site Plan)
7. **GCDE** Invoice #40556 service Mar 2022 **\$9,178.45** (Richard Crusco, Charles Doherty, et al)
8. **GCDE** Invoice #40555 service Mar 2022 **\$225.00** (Writ of Garnishment)

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

VIII. BEACH REPORT

Mr. Serda shared that Broward County had approved the joint beach nourishment permit, including the source of sand. He noted an authorization request would be before the Commission at the next meeting for the six (6) month survey with Deerfield Beach. He stated the scope of work and budget were in process for that survey.

IX. STAFF UPDATES

A. Police Department

Police Chief Szesnat presented the monthly report. He stated the Police Department is busy and noted ongoing issues with the crosswalk discussed during the FDOT presentation earlier in the meeting. He updated on compliance with bicycle riders, and discussed notable events from February, including completed training by a new officer and response to a missing five-year-old which ended up being fine. He commended Lieutenant Pugliese who was recognized by a resident following an incident where he had rendered aid.

Mayor Tarrant recognized Lieutenant Pugliese and asked that he be thanked on behalf of the Commission. Discussion ensued regarding traffic and crosswalks.

Mr. Serda noted the Marine Patrol had been out six (6) and seven (7) days a week. He stated they may need to budget for two (2) new motors.

B. Building Department

Steve Mitchell, Building Official, CG&A, presented the Building Department report. He stated the Site Plan approvals earlier in the meeting would allow the department to move forward with three (3) new projects, so single-family projects would be ramping up. He referenced ongoing substantial work with condominiums.

Continuing, Mr. Mitchell stated the Opal Towers West project seemed to be moving backward. He explained they were trying to do upgrades and renovations but had not made progress on the fire repair from July 2021. He noted there has been an uptick in work without permit cases being brought forward by Code Enforcement.

Mr. Mitchell noted there was a new full-time employee at the front counter of the Building Department, Patesha Johnson. He stated computers would be installed for two (2) workstations later in the week to move forward with online plan review.

Mayor Tarrant asked whether parking for service vehicles on the driveway above the parking garage was being addressed as part of the renovation at 1155 Hillsboro Mile. She noted the building is the biggest offender for vehicles parking on the side of State Road A1A and blocking traffic.

Mr. Mitchell stated there was not anything in the plan to address parking. He noted there is a heavy concentration of service workers in the building at this time due to the renovation project.

Police Chief Szesnat addressed enforcement. He noted angles of the parking in that area was difficult. He stated the Police Department is constantly having vehicles moved.

Mayor Tarrant asked whether there were means to have them use their driveway for parking as it was intended. Mr. Mitchell stated he did not believe there was a mechanism for enforcing that. Discussion continued regarding parking at 1155 Hillsboro Mile.

Mayor Tarrant asserted the Town needed to start enforcing the Code regarding parking along State Road A1A. She stated they may need to start ticketing, which would encourage the building to reinforce the garage for parking.

Vice Mayor Kirdahy stated reinforcing the garage to move from an 8,000-pound limit to a 20,000-pound limit would be a major cost. Mayor Tarrant argued they needed off-site parking if that was the case.

Mr. Mitchell stated that issue could be reviewed as staff goes through the Land Development Code. He noted they could be required to lease 20 parking spaces from the neighboring parcel for the duration of the project.

Mr. Mitchell provided a brief update on capturing the 40-year inspection reports and stated those required over the last four (4) years were either completed or in progress. Mr. Mitchell explained the State had chosen not to take any action on the matter, and the Town has no means of enforcement. He stated the Town needs to potentially consider a penalty for not filing the report or completing repairs in a timely manner.

Mayor Tarrant shared an email she had received related to the 40-year recertification at Port De Mer, thanking Mr. Mitchell for his guidance. She shared an email from 1043 Hillsboro Mile, where a resident was grateful for Mr. Mitchell's assistance in making necessary improvements.

Commissioner Reiser asked for clarification on who is responsible for permits being left open. Mr. Mitchell explained. Mr. Doody provided additional detail.

Commissioner Baldasarre added that property owners are having issues with getting contractors to return to finalize so that permits can be closed. She expressed concern this results in an uninspected air conditioning unit in the building.

Mayor Tarrant asked for an update on the permits for 1075 Hillsboro Mile. Mr. Mitchell explained they are all expired, and a lengthy conversation outside of the meeting will be needed.

C. Code Compliance

Mr. Serda noted Mr. Pita had been making a concerted effort in terms of fire violations.

Bernard Pita, Code Enforcement, CG&A, presented his report. He stated he had 12 cases opened in February, and he was looking to resolve those as turtle nesting season is about to get busy. He noted all of the open case are fire related. He explained he has a total of 76 cases open which he has been working on. Mr. Pita discussed the upcoming turtle nesting season briefly. He stated he has had a lot of residents and an HOA reach out regarding assessment of their lights.

Mayor Tarrant asked for clarification on the fire violations. Mr. Pita explained the violations stem from the annual fire inspections. He reviewed the process.

Mayor Tarrant asked about the situation with the catwalk at Sea Club. Mr. Pita responded that he had been there earlier in the day.

Mayor Tarrant inquired as to what was included in the revenue summary. Mr. Pita noted the summary was not broken down by case.

Mayor Tarrant asked for an update on the vacation rentals at Royal Flamingo. She noted there were violations that had been open since July 2021.

Mr. Doody explained counsel representing Royal Flamingo had contacted him, and stated they take an exception to the individual unit registration, as they are operating as a co-op. He noted he was in receipt of a letter which he had not yet reviewed thoroughly which included copies of licenses which show the property operating as one (1) entity, as recognize by the State. He stated counsel would review the information and reassess the Town's position and interpretation of Code.

Commissioner Feaman asked if there had been any movement on condominiums operating as illegal Airbnbs. Mr. Serda explained the Town cannot do anything to restrict vacation rentals beyond requiring them to register. He noted the Town was preparing to work with a service to identify vacation rentals listed in the community and compile information to pursue registration.

Mayor Tarrant asked whether there was sharing between who the Town has registration for and who the State is collecting tourist dollars from. Mr. Serda stated part of the registration with the Town is to provide the State license.

Mayor Tarrant noted the Town does not receive funds from the County from tourist tax dollars. She asserted for this reason the information needed to be compiled for submission to the County.

Commissioner Reiser asked whether the information gathered on rentals would be handed over to the condominium associations. Mr. Serda stated he envisioned a database which could be accessed by the associations. He discussed the data gathering process and the type of data which will be provided.

X. TOWN MANAGER REPORT

A. Community Event – Saturday, April 30, 2022 (9 a.m. to 12 p.m.)

Mr. Serda shared details of the next community event, scheduled for April 30. He explained there would be shredding, household hazardous waste collection, and prescription drop off. He noted there was no limit, but it was for residents only. He stated he would be out of town, and Town Clerk Sherry Henderson would be handling the event.

Ms. Henderson noted the public meeting with FDOT was confirmed after the agenda was printed, so it could also be announced as a public event. She stated the meeting was scheduled for May 18; 5pm -6pm virtual presentation and 6pm-7pm in-person Open House meeting in the Commission Chambers at Town Hall.

B. Town Hall Façade Update

Mr. Serda stated the Town is in its third iteration of architectural plans for Town Hall and provided a brief history on the issues with past plans. He noted the updated drawings should be available later in the week for review by the Building Department.

Mayor Tarrant posited whether the Town's time requirements on builders are realistic, considering it had taken the Town a year to do a basic facelift of the building.

Mr. Serda explained the driveway cuts were scheduled for May 18 and discussed pending quotes for irrigation and pavers.

Commissioner Feaman asked about the timing on the lights behind the Police Station. Mr. Serda stated he would follow up.

C. Fiscal Year 2022-2023 Budget Hearing Calendar

Mr. Serda noted the tentative budget calendar was included in the meeting backup. He pointed out dates for the County and School budget hearings were not yet incorporated.

XI. TOWN ATTORNEY REPORT

Mr. Doody stated he and a colleague are working on two (2) briefs as a result of the action filed by residents following the approval of variances and Site Plan associated with Related Properties (1174-1185 Hillsboro Mile). He explained he was also in communication with counsel for Related Properties to ensure the issues are being covered on a consistent basis. Mr. Doody stated it was expected the variances would be addressed first, with a response expected the following week. He noted he would provide the Commissioners with copies of the filings.

XII. TOWN COMMISSION COMMENTS/REPORTS

A. Commissioner Jane Reiser

None.

B. Commissioner Vicky Feaman

None.

C. Commissioner Barbara Baldassarre

Commissioner Baldassarre shared that the Condo Forum was scheduled for April 14, and there would be a guest speaker discussing emotional support animals. She stated flags would be installed for Memorial Day along A1A and noted she would like to have private homeowners participate.

Commissioner Reiser stated someone had mentioned to her that students get credit for community service, and they may be asked to assist with installing flags. Mr. Serda responded that staff could reach out to the schools.

D. Vice Mayor Irene Kirdahy

Vice Mayor Kirdahy stated most of the FDOT questions had been covered by the presentation earlier in the meeting. She noted at the meeting she and Mr. Serda had attended with FDOT, there was extensive conversation regarding the crosswalks.

Vice Mayor Kirdahy provided an update on the MPO meeting. She explained there had been multiple complaints regarding lane closures on Atlantic causing backups, but they had been assured the project was ongoing and would create a much safer crossing. She discussed the gas tax being removed and noted an update to staffing.

E. Mayor Deborah L. Tarrant

Mayor Tarrant asked whether the Town could ask that a portion of the penny Transportation Surtax revenue be for maintenance of the crosswalk at 10th Street. Mr. Serda stated maintenance was not a capital expense, but he could look into it. He explained the shuttle is currently utilizing those funds. Discussion ensued as to whether the crosswalk was in Hillsboro Beach or Deerfield Beach.

Mayor Tarrant stated approval had been granted for fiber optics at the intersection of Hillsboro Boulevard and A1A with Transportation Surtax dollars.

XIII. PUBLIC COMMENTS

None.

XIV. ADJOURNMENT

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adjourn the meeting at 3:02 p.m. In a roll call vote, the **motion** passed unanimously. (5-0)

ADOPTED THIS 7 DAY OF JUNE, 2022



By: Deborah L. Tarrant
Deborah L. Tarrant, Mayor

ATTEST:

Sherry D. Henderson
Sherry D. Henderson, CMC, Town Clerk