



**MINUTES
TOWN OF HILLSBORO BEACH
REGULAR COMMISSION MEETING
JULY 12, 2022**

TUESDAY

9:00 A.M.

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Deborah L. Tarrant called the meeting to order at 9:02 a.m. Roll was called with the Commission members and staff present as listed below.

Town Commission:

Mayor Deborah L. Tarrant (via Zoom)

Commissioner Barbara Baldassarre

Vice Mayor Irene Kirdahy (via Zoom)

Commissioner Vicky Feaman

Commissioner Jane Reiser

Town Staff:

Town Manager William "Mac" Serda, ICMA-CM

Donald J. Doody, Town Attorney, Esq.

Police Chief Jay Szesnat

Town Clerk Sherry D. Henderson, CMC

APPROVAL OF AGENDA

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

I. APPROVAL OF MINUTES

A. Minutes of the June 7, 2022 Regular Town Commission Meeting

Mayor Tarrant noted a correction to a sentence in the June 7, 2022 minutes related to artificial turf drainage clogging concerns in Royal Palm, a neighborhood in Boca Raton.

Motion made by Commissioner Baldassarre, seconded by Commissioner Feaman, to approve the minutes from the June 7, 2022 Regular Town Commission Meeting as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

II. PRESENTATIONS

None.

III. ORDINANCES

None.

IV. DISCUSSION & POSSIBLE ACTION

A. Discussion on Political Signs in Town

Mr. Serda explained the Town's lack of restriction on political signage and opened a discussion regarding a draft proposal related to time, size, number, and placement of signage. He noted the language did not address tents on the Town Hall lawn.

Commissioner Reiser expressed concern that signs left out for 30 days would become damaged by inclement weather. Mr. Serda stated a maintenance clause could be added to address the concern.

Vice Mayor Kirdahy suggested an addition related to the number of tents permitted on the Town Hall lawn.

City Attorney DJ Doody asked that tents be addressed separately from the signage. He noted that primaries should be considered, as well as the difference between signs on public and private property.

Mayor Tarrant asked that the size permissible be clarified, and stated verbiage should be added related to the number of signs allowed on a corner lot. She discussed the State law which restricts signage in the right-of-way and discussed enforcement. Continuing, she made recommendations to revisions throughout the document to remove redundancies and language that was not applicable to the Town.

Discussion ensued on the 30-day time limit contemplated. City Attorney Doody stated he would check the State statute regarding primary signage.

Commissioner Baldasarre suggested restricting the time permissible to two (2) weeks. Consensus was to make the change to the draft.

Mr. Serda asked for clarification on whether the Commission wanted to allow signage on the beach and Intracoastal. Discussion ensued, and consensus was to allow signage on the Intracoastal with the same size restrictions.

Mr. Serda asked for direction regarding setting up tents on the lawn. Discussion continued as to whether to allow the tents to be set up the night before or day of election.

Mayor Tarrant suggested a lottery for tent locations.

Mr. Doody suggested the Commission also consider the number of tents, time restrictions, non-municipal candidates, barbecues, and overnight stays. He noted the need to restrict distance from the polling place and the public right-of-way.

Commissioner Reiser asked whether the tents could be restricted to Town elections only. Mr. Doody explained the difference between political signage and activity on the lawn and stated he would review the State Statute.

Mr. Serda suggested a restriction to the number and size of tents, clarifying that cooking is not allowed, and restricting tent set-up to the morning of the election only.

Mr. Doody asked whether the Commission was looking to encourage tents or discourage them. Discussion ensued regarding campaigning on the Town Hall lawn on election day.

Mr. Serda stated staff would incorporate the discussion and bring forth a revised copy to a future Commission meeting.

B. Discussion on the Fair Share Request of \$3,981.00 from the Area Agency on Aging of Broward County for Fiscal Year 2022-2023

Mr. Serda provided a brief background on the request.

Mayor Tarrant stated the Town has a long history of supporting the organization. She noted the agency is also funded directly through tax dollars.

Commissioner Baldasarre asserted the Town needed to make sure that residents are aware the services are available.

Commissioner Reiser asked for clarification on how the amount of the request was determined. Mayor Tarrant explained. Consensus was to contribute \$3,981.00 to the Area Agency on Aging of Broward County.

V. RESOLUTIONS & CONTRACTS

A. Resolution No. 2022-27

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE BROKER SERVICES AGREEMENT, HIPPA BUSINESS ASSOCIATE AGREEMENT AND ADDENDUM WITH FOUNDATION RISK PARTNERS (ACENTRIA) TO PROVIDE EMPLOYEE BENEFIT SERVICES FOR THE TOWN OF HILLSBORO BEACH.

Mr. Doody read the Resolution by title only.

Mr. Serda explained the process currently utilized to broker and analyze employee benefits and the deficits in the service offered. He stated the change would allow the Town to automate tracking and reporting, as well as providing employees with a portal for making changes. He noted the cost would remain the same while expanding services.

Commissioner Reiser asked how many municipalities were utilizing the service. Mr. Serda provided additional detail.

Motion made by Commissioner Feaman, seconded by Commissioner Reiser, to adopt Resolution 2022-27. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2022-28

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 8 AND ACCEPT THE CONTINUED PROFESSIONAL SERVICES PROPOSAL FROM MOFFAT & NICHOL, INC. FOR POST-CONSTRUCTION BEACH MONITORING RELATIVE TO THE HILLSBORO BEACH NOURISHMENT PROJECT (#9225-02).

Mr. Doody read the Resolution by title only.

Mr. Serda stated this authorization typically took place in August but was coming forward earlier as the Town was moving through the permit process for the renourishment with Deerfield Beach. He explained the contract was reimbursable by FEMA and Moffat & Nichol was prepared to begin the work immediately.

Mayor Tarrant clarified the post-monitoring was related to the previous nourishment and was part of the permit process. She noted the video documentation was not a requirement of the permit and asked why it was being recommended.

Tim Blankenship, Moffat & Nichol, stated video documentation was required by the Florida Department of Environmental Protection for permit compliance. He stated he could get clarification on the analysis requirements and report back.

Mayor Tarrant asked for clarification on variation in measuring of sedimentation on the hard bottom to one (1) centimeter. Mr. Blankenship provided additional detail.

Mayor Tarrant explained the Town's responsibility to mitigate damage caused by sedimentation. She asked Mr. Blankenship to explain the use of monuments. Mr. Blankenship explained the State's monument requirements, noting they are spaced every 1,000 feet along the entire coast of Florida to set a baseline for measurements. He discussed the types of monuments utilized and the data collected.

Motion made by Commissioner Feaman, seconded by Commissioner Baldasarre, to adopt Resolution 2022-28. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2022-29

CONSIDERATION TO APPROVE AND AUTHORIZE THE POLICE DEPARTMENT'S \$130,000 FORFEITURE FUNDS EXPENDITURE FOR A TRAFFIC SAFETY, EDUCATION, AND ENFORCEMENT INITIATIVE.

Mr. Doody read the Resolution by title only.

Police Chief Jay Szesnat outlined the request. He noted a change in the amount from \$130,000.00 to \$105,000.00 and discussed the details of the initiative, with the focus on making A1A safer.

Mayor Tarrant asked for additional backup regarding the plan for spending the funds. Mr. Serda provided additional detail on the budget. He noted the following resolution on the agenda, Resolution 2022-30 would utilize a portion of the dollars being contemplated (\$57,475.53)

Police Chief Szesnat elaborated and provided additional details of the planned initiative.

Motion made by Commissioner Baldasarre, seconded by Commissioner Reiser, to amend Resolution 2022-29 to reduce the approved spending from \$130,000.00 to \$105,000.00. In a roll call vote, the **motion** passed unanimously. (5-0)

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adopt Resolution 2022-29 as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2022-30

CONSIDERATION TO AUTHORIZE THE PURCHASE OF ONE (1) FORD F-150 POLICE VEHICLE WITH FORFEITURE FUNDS FOR TRAFFIC SAFETY, EDUCATION, AND ENFORCEMENT INITIATIVES FROM BARTOW FORD, PIGGYBACKING THE TERMS OF THE CHARLOTTE COUNTY, FLORIDA CONTRACT #2021000541 WITH TOTAL COST OF \$57,475.53.

Mr. Doody read the Resolution by title only.

Mayor Tarrant noted the item had been covered during discussion of the previous Resolution.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to adopt Resolution 2022-30. In a roll call vote, the **motion** passed unanimously. (5-0)

E. Resolution No. 2022-31

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE THIRD AMENDMENT TO THE SOLID WASTE SETTLEMENT AGREEMENT BETWEEN BROWARD COUNTY, FLORIDA AND SETTLING MUNICIPALITIES TO EXTEND ANY SALE OF THE ALPHA 250 SITE UNTIL OCTOBER 11, 2023.

Mr. Doody read the Resolution by title only.

Mr. Serda presented the item. He explained the item was related to the County's recycling site and the work of the Solid Waste Working Group and would provide additional time for the working group to conduct and review the study of the recycling and solid waste streams in the County, as well as to develop a solution.

Motion made by Commissioner Feaman, seconded by Commissioner Baldassarre, to adopt Resolution 2022-31 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

F. Resolution No. 2022-32

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AMENDMENT 2 TO THE TOWN'S STATE REVOLVING FUND LOAN AGREEMENT #DW062600, TO ADJUST PROJECT COSTS AND REDUCE THE SEMIANNUAL LOAN PAYMENT.

Mr. Doody read the Resolution by title only.

Mr. Serda presented the item. He explained in part due to the ability to use American Renewal Plan Act funds for capital projects, the Town no longer needed to keep the full loan amount, so was amending the original loan documents. He noted it would represent an annual savings of \$100,000.00 in the Water Fund budget.

Motion made by Commissioner Feaman, seconded by Commissioner Reiser, to adopt Resolution 2022-32. In a roll call vote, the **motion** passed unanimously. (5-0)

G. Resolution No. 2022-33

CONSIDERATION TO WAIVE THE PROCUREMENT PROCESS AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AGREEMENT WITH PPI CONSTRUCTION CORP FOR \$22,697.00 RELATING TO SERVICES FOR TOWN HALL FAÇADE RENOVATION PROJECT.

Mr. Doody read the Resolution by title only.

Mr. Serda presented the item. He commended the execution of the work and noted a \$4,000 savings on the prior contract. He stated comparative pricing was provided.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to adopt Resolution 2022-33. In a roll call vote, the **motion** passed unanimously. (5-0)

H. Resolution No. 2022-34

CONSIDERATION TO APPROVE THE FOURTH AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES FOR AN INCREASE IN THE TOWN ATTORNEY'S HOURLY RATE.

Mr. Doody read the Resolution by title only.

Mayor Tarrant stated it had been approximately five (5) years since the attorney had received an increase.

Mr. Serda added that the increase was well-earned and well-deserved.

Motion made by Commissioner Feaman, seconded by Commissioner Baldassarre, to adopt Resolution 2022-34. In a roll call vote, the **motion** passed unanimously. (5-0)

VI. CONSENT AGENDA

A. Invoices for Approval

1. **CG&A** Invoice #103759 May 2022 **\$47,533.93**
2. **CG&A** Invoice #104864 June 2022 **\$119,307.58**
3. **LSF Shuttle** Invoice #22-0531-26 May 2022 **\$6,132.10**
4. **LSF Shuttle** Invoice #22-0630-26 June 2022 **\$5,871.52**
5. **Inframark** Invoice #79062 June 2022 **\$7,695.33**
6. **GCDE** Invoice #42402 March-June 2022 **\$3,240.00** (General Matters)
7. **GCDE** Invoice #42404 June 2022 **\$206.15** (Richard Crusco, Charles Doherty, et al)
8. **GCDE** Invoice #42405 June 2022 **\$315** (Development)
9. **RMA** Invoice #4698 May 2022 **\$1,972.00**
10. **RMA** Invoice #4699 June 2022 **\$1,450.00**

Mayor Tarrant asked that invoice items nine (9) and 10 be pulled for discussion.

Motion made by Commissioner Baldasarre, seconded by Vice Mayor Kirdahy, to approve the Consent Agenda Invoices one (1) through eight (8). In a roll call vote, the **motion** passed unanimously. (5-0)

Mayor Tarrant asked for clarification on the general planning charges on the RMA invoice(s), and how it is determined what portion of charges are passed on to the property owner.

Mr. Serda explained the Site Plan review fees, and the costs of initial discussions prior to the submission of a Site Plan are part of the Town's administrative costs, and not charged to a owner. He noted staff was in discussion regarding increasing the Site Plan review fee due to the complexity of plans submitted in the Town.

Mayor Tarrant agreed it was time to review those fees, as the Town is absorbing a number of building-related costs.

Mr. Serda pointed out the Planning & Zoning Department would remain an expense and would not operate with a neutral budget.

Commissioner Reiser asked if the costs for pick-up and drop-off were passed on to the builder. Mr. Serda explained the courier fee. He stated that the Town was moving toward online plan review.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to approve the Consent Agenda Invoices nine (9) and 10. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Proclamations

1. Recognizing September as Suicide Prevention Awareness Month

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

VII. BEACH REPORT

A. Update on Joint Beach Nourishment Project

Mr. Serda stated the survey would be the next step in determining what the beach could accommodate, and noted Boca Raton was moving forward on their plans to dredge the inlet. He explained a workshop would be scheduled for the fall to discuss beach projects.

VIII. STAFF UPDATES

A. Police Department

Vice Mayor Kirdahy commended Sergeant Andrew Kirchoff for a heroic deed related to a snake in her condominium corridor.

Police Chief Szesnat presented the monthly report. He noted it was a busy month and patrol contacts were up. He discussed incidents the department had assisted with, including an overturned vehicle, an issue with a boat left behind by a Coast Guard investigation, and a tractor trailer which had dumped its load. He reviewed the hours of the Marine Unit.

Mayor Tarrant commented on the division of hours between categories and stated she believed it was a good split for the Town's needs.

Vice Mayor Kirdahy asked who completes the monthly report. She stated it was beautifully done and very much appreciated. Police Chief Szesnat explained the collective effort within the department.

Commissioner Baldasarre referenced a recent letter submitted by a resident at the Hillsboro Ocean Club Condominium regarding the Hillsboro Beach Resort Hotel and asked if there was information regarding how many times the Police Department has been called to the hotel. Police Chief Szesnat stated the data was recorded. He noted there were not many complaints at all.

Commissioner Baldasarre asked if complaints had been received from Island House. Mr. Serda stated he had not seen any.

Mr. Serda stated the Town would be vigilant regarding trespassing and noise. He noted he did not want to indicate there were not significant concerns associated with the letter, and stated if the hotel is causing problems, they should be addressed.

Mayor Tarrant stated a more clear, visible sign would be to the advantage of both the community and the Hillsboro Beach Resort property owners. She noted music at the pool had been specifically addressed during the Site Plan, and if there was music at night that could be enforced. She added that if hours were not posted, the Town should strongly recommend that the hotel do so. Continuing, Mayor Tarrant stated the fireworks complaints were odd, as the dates did not make sense for a guest. She noted the Board of the Condominium should discuss the boundary with the hotel management.

Vice Mayor Kirdahy addressed the complaints further, and noted the complaints were not any different from any other condominium in her opinion. Mr. Serda agreed the complaints were not unusual, but that would not affect the Town's response and efforts to try to come to a peaceful resolution.

Mr. Serda shared an experience with the Police Department addressing a group of cyclists coming through Town and stated he was pleased with the response. Discussion ensued regarding control of bicyclists and traffic.

B. Finance Department

1. Resolution No. 2022-35 Approval of the FY2023 Proposed Millage Rate and First Public Hearing Date for FY2023 Budget

Stephen Bloom, Inframark, presented and reviewed the budget schedule and noted public hearings were scheduled for September 12 and 19 at 5:01 p.m. He briefly discussed the contents of the budget book and the budget assumptions, including maintaining Fiscal Year 2022 service levels, a level team count, and keeping the General Fund Millage Rate at 3.50.

Mr. Bloom discussed the proposed Millage Rate in additional detail, noting the taxable base rate for the Town had seen a 10.07 percent increase year over year, which would allow the Town to have a balanced budget without an increase to the Millage Rate. He explained the Rolled Back Rate, which would be the Millage Rate that would provide a flat revenue, would be 3.2294.

Continuing, Mr. Bloom provided an overview of the General Fund revenues and expenditures. He stated the Town had not used reserves in Fiscal Year 2022 and was not scheduled to do so in the contemplated budget for Fiscal Year 2023. Mr. Bloom discussed the high-level totals for the Special Revenue Funds, noting increases as needed, and reviewed the Capital Improvement Program.

Commissioner Reiser asked whether Police contract negotiations and Cost of Living Adjustments (COLA) were contemplated within the budget. Mr. Bloom and Mr. Serda explained.

Mayor Tarrant commended Mr. Bloom and staff for the thorough budget book and budget process. She discussed the water fund and noted a decrease in water usage could be related to an increase in artificial turf. Mr. Bloom confirmed the ending balance of the water fund considered future Capital Improvement projects.

Continuing, Mayor Tarrant asked about the logic behind an increase in Workers' Compensation costs. Mr. Bloom stated the line item was a safeguard against a potential increase. Mayor Tarrant commented on the budget for the beach nourishments, and stated she hoped future budgets would contemplate bed tax dollars from the County to reduce the Town's contribution.

Mayor Tarrant commented on the preliminary budget regarding audiovisual equipment in the Town Chambers and asked whether the old planning room could be converted into a conference room. Mr. Serda explained plans to utilize the space as a conference room and to meet the needs of the Building Department for plan reviews as well.

Vice Mayor Kirdahy suggested addition of dividers to better utilize the space for both purposes. Commissioner Reiser added a suggestion to add an outside door to the Planning Room to allow a separate entrance for Building Department.

Mayor Tarrant stated she would like to see the budget include a stipend increase for the elected officials. She noted it had been five (5) years since the last increase. Mr. Serda asked for clarification on the direction of the Commission. Discussion ensued and consensus was for staff to review the stipends of other municipalities.

Mayor Tarrant continued to review the budget assumptions. She commented on the average home market values contemplated and asked for additional breakdown, noted a lobbyist might be a good addition to the Town Manager's goals, and discussed other goals and priorities which should be budgeted for.

Continuing, Mayor Tarrant highlighted the incredible growth in the Building Department and noted the increased responsibility associated.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Reiser, to adopt the Preliminary Millage Rate of 3.50. In a roll call vote, the **motion** passed unanimously. (5-0)

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Reiser, to adopt Resolution 2022-35. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Building Department

Mayor Tarrant stated Steve Mitchell, Building Official, CG&A, was out of town, but the Building Services report was included in the backup materials. She asked for clarification on which building was due for its 40-year inspection in 2023. Mr. Serda explained it was Harborside Beach Condominiums.

D. Code Compliance

Bernard Pita, Code Enforcement, CG&A, presented his report. He stated sea turtle artificial light cases had increased and noted an adjustment to the report from Nova. He noted the residents had been cooperative in corrections for compliance and commented on the number of turtle nests present.

IX. TOWN MANAGER REPORT

A. S.R. A1A Mobility Improvements Update

Mr. Serda stated he was impressed that exposed milled road surfaces were not present in the evening and on weekends, and shoulders were clear of debris. He noted it was a significant improvement and he hoped that continued.

B. Update on Town Hall Façade

Mr. Serda stated painting had started on the Town Hall, stucco was done, and pavers had been ordered. He noted landscapers had visited and were creating a plan for sun, drought, and iguana tolerant foliage. He stated he would keep the Commission apprised of progress.

XI. TOWN ATTORNEY REPORT

Mr. Doody thanked the Commission for their consideration of his increase. He provided an update on the appeal filed by residents of the City, stating there had been a confidential mediation attempt between the Related Group and the individuals, and it had been non-productive, so the appeal continues.

Mayor Tarrant stated residents are circulating information related to the mediation and were breaking the confidentiality. Mr. Doody responded that he would address the issue with counsel.

XII. TOWN COMMISSION COMMENTS/REPORTS

A. Commissioner Jane Reiser

Commissioner Reiser asked about Code changes being reviewed by Jim Hickey regarding setback requirements for private homes. Mayor Tarrant stated the item was tabled until the October meeting. But in the meantime, Mr. Hickey should be holding meetings with local experts and stakeholders to establish realistic expectations.

Commissioner Reiser asked what would happen with current applications. Mr. Doody stated those projects would be grandfathered in to any changes.

B. Commissioner Barbara Baldassarre

Commissioner Baldassarre noted the condo group was taking a break for July and August. She thanked those who had put out flags for the July 4th Independence Day Holiday and stated the Town looked wonderful.

C. Commissioner Vicky Feaman

Commissioner Feaman commented on dry conditions and stated that landscape irrigation watering was only permitted Wednesdays and Saturdays from 4 p.m. to 10 a.m. for odd-numbered addresses and Thursdays and Sundays from 4 p.m. to 10 a.m. for even-numbered addresses.

D. Vice Mayor Irene Kirdahy

Vice Mayor Kirdahy shared an update from the Metropolitan Planning Organization (MPO). She stated they had discussed increases in traffic throughout Broward County and congestion in the larger cities, and noted the actual car count was considerably higher than pre-pandemic levels.

E. Mayor Deborah L. Tarrant

Mayor Tarrant had no report.

XIII. PUBLIC COMMENTS

None.

XIV. ADJOURNMENT

Motion made by Commissioner Baldassarre, seconded by Commissioner Feaman, to adjourn the meeting at 12:18 p.m. In a roll call vote, the **motion** passed unanimously. (5-0)

ADOPTED THIS 13th DAY OF SEPTEMBER, 2022

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

ATTEST:

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