



**TOWN OF HILLSBORO BEACH
REGULAR COMMISSION MEETING
JANUARY 10, 2023**

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Deborah L. Tarrant called the meeting to order at 9:18 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 Baldasarre
Commissioner Vicky Feaman

Town Staff:

Town Manager William "Mac" Serda, ICMA-CM
Donald J. Doody, Town Attorney, Esq.
Town Clerk Sherry D. Henderson, CMC
Police Chief Jay Szesnat

APPROVAL OF AGENDA

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

I. APPROVAL OF MINUTES

A. Minutes of the December 6, 2022, Regular Commission Meeting

Commissioner Reiser pointed to a misspelling to be corrected on page two (2) under Beach Management.

Motion made by Commissioner Reiser, seconded by Commissioner Baldasarre, to approve the minutes from the December 6, 2022, Regular Meeting as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

II. PRESENTATIONS

III. ORDINANCES

A. Ordinance No. 2022-12 Amendment to the Town's Code of Ordinances Providing Provisions for Multi Family Site Plan Requirements. **(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 ARTICLE III ENTITLED "DEFINITIONS" TO ADD A DEFINITION FOR BUILDING SEPARATION; AMENDING ARTICLE VI ENTITLED "RM-16 MULTIPLE FAMILY DWELLING RESIDENTIAL DISTRICT REGULATIONS (WITH 3-STORY MAXIMUM LIMIT)" TO PROVIDE FOR SETBACK REQUIREMENTS AND FOR MAXIMUM BUILDING LENGTH; PROVIDING FOR THE PROHIBITION OF STRUCTURES IN THE REQUIRED SIDE YARD SETBACK; PROVIDING FOR A LANDSCAPE BUFFER FOR MULTI-FAMILY RESIDENTIAL DWELLINGS; AMENDING ARTICLE VII ENTITLED "RM-30 MULTIPLE FAMILY DWELLING RESIDENTIAL DISTRICT (WITH 7-STORY MAXIMUM LIMIT)" TO PROVIDE FOR SETBACK REQUIREMENTS AND BUILDING FRONTAGE; PROVIDING FOR A LANDSCAPE BUFFER FOR MULTI-FAMILY DWELLINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read the Ordinance by title only.

Jim Hickey, Town Planner with CG&A, presented the item. He noted the ordinance focused on the multi-family dwellings and reviewed changes made between the first and second reading for consistency and based on Commission direction.

Mayor Tarrant noted a scrivener's error and discussion ensued regarding additional language which had been added to allow for common areas connecting condominium buildings. Mr. Hickey provided additional detail.

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

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to amend Ordinance 2022-12 to allow for addition of the language regarding common areas connecting buildings and correction of the scrivener's errors. In a roll call vote, the **motion** passed unanimously. (5-0)

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to adopt Ordinance 2022-12 as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

IV. DISCUSSION & POSSIBLE ACTION

V. RESOLUTIONS & CONTRACTS

A. Resolution No. 2023-01

CONSIDERATION TO ACCEPT PROPOSAL FROM COASTAL PROTECTION ENGINEERING LLC (CPE) TO PROVIDE COASTAL ENGINEERING SERVICES TO THE TOWN OF HILLSBORO BEACH AND THE CITY OF DEERFIELD BEACH UNDER THE WORK AUTHORIZATION AGREEMENT PURSUANT TO RFQ #21-15-JW JOINT BEACH NOURISHMENT PROJECT.

Mr. Doody read the Resolution by title only.

Mr. Serda presented the item. He explained the Town was working together with the City of Deerfield Beach and the City of Boca Raton on a pending beach nourishment which would include dredging of the Boca inlet and placing that sand on the beaches. He stated this proposal would continue the relationship with the agency previously selected for the joint project with Deerfield Beach to oversee this nourishment. He noted the soft costs were a 50/50 split under the agreement with Deerfield Beach.

Mayor Tarrant stated a Special Meeting of the Town Commission was scheduled for 10 a.m. on January 24, 2023 to discuss the specific details of this beach nourishment project.

Mayor Tarrant expressed concern regarding redundancy between Coastal Protection Engineering LLC (CPE) and Moffat & Nichol, noting CPE was hiring Moffat & Nichol as a subcontractor due to the Town of Hillsboro Beach's history with the agency. She noted the scope of work listed some portions of the project under both agencies.

Mr. Serda asserted due to the subcontractor relationship, CPE and Moffat & Nichol would be looking to manage that potential for redundancy themselves. He pointed out the Town was not paying Moffat & Nichol directly for this project, and additional work would come from CPE's revenue, not the Town directly.

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adopt Resolution 2023-01 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2023-02

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AGREEMENT FOR LOBBYING SERVICES WITH CAPITAL CITY CONSULTING.

Mr. Doody read the Resolution by title only.

Mr. Serda provided a brief overview of the Commission's previous discussions regarding contracting a lobbying firm and explained the process that had brought him to Capital City Consulting. He stated he had contracted with the firm administratively, and it was now before the Commission to determine next steps for the engagement. He noted the agreement was month-to-month.

Mayor Tarrant stated she believed it was important for the Town to have a lobbyist. She mentioned programs which represented opportunities for funding. Discussion ensued regarding the programs, storm damage, and County lobbying efforts.

Commissioner Reiser asked whether other towns in Broward County have lobbyists. Mr. Serda explained that most municipalities have lobbyists, with some having multiple with different focuses.

Commissioner Reiser inquired regarding potential conflicts of interest. Mr. Serda stated through conversations with Capital City Consulting, he had determined their client list did not represent any conflicts.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to adopt Resolution 2023-02 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2023-03

CONSIDERATION TO APPROVE AND AUTHORIZE THE USE OF \$45,000 FEDERAL FORFEITURE FUNDS TO ACQUIRE SAFERWATCH ALERT SYSTEM EMERGENCY RESPONSE APPLICATION FOR 3 YEARS.

Mr. Doody read the Resolution by title only.

Police Chief Jay Szesnat presented the item. He stated staff believed this Safer Watch app would be more effective in connecting with the community than the Nixle alert program currently used. He explained the app allows law enforcement to coordinate non-emergency communication with residents, in addition to having a more robust alert system. He noted the app was free for residents and had name recognition. Continuing, Police Chief Szesnat asserted the Safer Watch app would not take away from 911 services in any way and would be utilized for non-emergency situations.

Commissioner Baldasarre asked whether the Town would keep Nixle in place, as well. Police Chief Szesnat responded that they would at this time. Mr. Serda provided additional detail, noting the Town did not have access to the users at Nixle in order to transfer them over. He stated at least a year of transition would be needed.

Mr. Doody pointed out photos and messages submitted to the Town through the Safer Watch app would be public records and asked how public records would be retained. Police Chief Szesnat stated that once the purchase was approved, staff would work out a policy. He discussed public outreach and stated the Police Officers were willing and ready to conduct communication and outreach.

Commissioner Baldasarre asked whether the app was currently available to residents. Police Chief Szesnat explained that it was available and free, but the Police Department would not receive uploads unless the Town took part.

Vice Mayor Kirdahy stated she was in support of anything that helped with emergencies, but she was concerned regarding the education outreach and potential for emergency calls to be transferred to the app. Police Chief Szesnat agreed the Police Department would have work to do to educate residents, including integrating lessons learned from the Nixle roll out.

Commissioner Reiser asked if there were other towns in the Northeast corridor of Broward County that are currently using the app. Police Chief Szesnat stated Deerfield Beach, Pompano Beach, and Wilton Manors use it, but he does not have a list. He noted the schools and hospitals also use the app.

Mr. Serda explained it was easier and cheaper to do nothing, but Police Chief Szesnat and his support staff saw it as a way to give back to the residents. He noted this perspective had led him to believe the initiative was worth trying.

Mayor Tarrant expressed concern that the app would add to existing confusion over communication in the Town. She noted the tool was extremely complex and asked whether they would be able to get the communication out to make it useful. She stated she understood the officers wanted to give back to the community and thought that was wonderful but saw that it would be a lot of work for a Town with limited staff.

Mayor Tarrant posited the use of the app would make it easy to involve the Police Department in disputes between neighbors. Police Chief Szesnat stated he understood the concern, and noted the police already get caught up in some of that and acknowledged that he would be busier than he currently is. Discussion continued.

Commissioner Baldasarre asked if staff had spoken with Deerfield Beach or another municipality to find out what their major issues in dealing with the app are. Police Chief Szesnat stated neighboring communities utilize the system for communicating traffic alerts, Code violations, sexual predators, and other issues.

Commissioner Feaman stated she believed there would be a great deal of education required to make the program work in the community.

Vice Mayor Kirdahy noted Mr. Serda had pointed out the agreement could be canceled at any time. Mr. Serda stated the cost would be prorated if the Town were to cancel.

Mayor Tarrant suggested tabling the item to allow for Police Chief Szesnat to speak further with the Police Department to determine whether they were advocating for the tool.

Commissioner Reiser asked whether it would be possible to conduct a small test group to determine whether the app would be used. Discussion ensued regarding the idea.

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to table Resolution 2023-03 to the February meeting. In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2023-04

CONSIDERATION TO APPROVE AND AUTHORIZE THE DONATION OF \$5,000 FEDERAL FORFEITURE FUNDS TO FLORIDA FBI NATIONAL ACADEMY ASSOCIATES, INC. TO ASSIST WITH OFFSETTING THE COST OF THE 2023 ANNUAL RE-TRAINER PROGRAM IN JACKSONVILLE, FLORIDA.

Mr. Doody read the Resolution by title only.

Police Chief Szesnat presented the item. He explained three (3) individuals in the Police Department are FBI National Academy graduates, and stated two (2) members of the department were likely to retrain in 2023.

Commissioner Baldasarre asked whether there was a cost for retraining. Police Chief Szesnat stated there was. He noted this was a donation for training.

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adopt Resolution 2023-04 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

E. Resolution No. 2023-05

CONSIDERATION TO APPROVE AND AUTHORIZE THE USE OF \$30,000 FEDERAL FORFEITURE FUNDS TO ACQUIRE ACCESS CONTROL SYSTEM WITH INTERCOM IMPLEMENTATION FROM TECH PRO SECURITY PRODUCTS.

Mr. Doody read the Resolution by title only.

Police Chief Szesnat presented the item. He explained the access control system in the Police Department was outdated and faulty, and parts are becoming difficult to find.

Mayor Tarrant stated the purchase was for the safety of the Police Officers and she was in support.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to adopt Resolution No. 2023-05 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

F. Resolution No. 2023-06

CONSIDERATION TO APPROVE AND AUTHORIZE THE USE OF \$75,000 FEDERAL FORFEITURE FUNDS TO ESTABLISH A BRIEFING/TRAINING ROOM FOR POLICE DEPARTMENT.

Mr. Doody read the Resolution by title only.

Police Chief Szesnat presented the item. He explained the communications center had been rebuilt, and the goal was to build a training and briefing area. Mr. Serda provided additional detail regarding development of the space.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to adopt Resolution 2023-06 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

VI. CONSENT AGENDA

A. Invoices for Approval

1.	LSF	Invoice #22-0930-26	September 2022	\$5,615.88	
2.	LSF	Invoice #22-1031-26	October 2022	\$40,640.70	
3.	LSF	Invoice #22-1130-26	November 2022	\$8,4681.14	
4.	Moffat & Nichol	Invoice #007746346		\$105,338.50	

5.	GCDE	Invoice #45359	December 2022	\$5,853.90	General matters
6.	CG&A	Invoice #111774	December 2022	\$2,525.00	

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

VIII. BEACH REPORT

A. Update on Joint Beach Nourishment Project (Hillsboro Beach and Deerfield Beach)

Mr. Serda reviewed recent actions related to the beach, including hiring a consultant and lobbyist to protect the Town's interests and assist with funding, and hiring an engineer to oversee details of the beach renourishment project. He stated Boca Raton was moving forward with the next step of awarding the contract to dredge the inlet, and noted the attorneys were working on an Interlocal Agreement between the three (3) agencies.

Mr. Serda discussed the separate truck haul project which had been being pursued and stated the bid had initially yielded no results and later obtained one bid. He stated at this point, it appears the dredge project will have approximately half the cost of a truck haul. Continuing, he discussed the moving pieces related to the renourishment of the beach and maximizing funds available for that purpose.

Mayor Tarrant asked if there was a general idea of how much sand could come south of Boca Raton from the dredging project. Mr. Serda stated they were looking to place approximately 100,000 cubic yards in Boca Raton, 30,000 cubic yards in Deerfield Beach, and at least 70,000 cubic yards in Hillsboro Beach. He noted the limitation would be the Town's ability to finance it.

Mayor Tarrant asked Tom Pierro, Principal Engineer, Coastal Protection Engineering, the last time the Boca ebb shoal was dredged. Mr. Pierro stated he did not know the exact date, but typically it was every three (3) to five (5) years. He added that there was sufficient sand to accommodate the goals Deerfield Beach and Hillsboro Beach were looking to achieve, and likely excess.

Mayor Tarrant asserted the need for a truck haul was not there. Mr. Serda stated it was not, and noted that Deerfield Beach had the need to get approximately 10,000 cubic yards of sand off a lot in their city.

Mayor Tarrant asked how the sand would get onto the beach, noting that no beach access points were required. Mr. Pierro explained there would be a pipeline on top of the beach, with sections of pipe added incrementally depending on the extent of the renourishment. He stated there would be some mobilization of equipment, which would likely take place on the Deerfield Beach access points at the beginning and end of the project. He noted there would not be constant traffic like a truck haul.

IX. STAFF UPDATES

A. Police Department

Police Chief Jay Szesnat presented the monthly report. He noted the reduction in marine unit activity was a result of a part-time officer being out for a month following an injury. He provided a brief update on accreditation and stated they would be up for Excelsior status next year.

Mayor Tarrant shared that the Town had hosted the Broward League of Cities luncheon On January 5th, and stated the Commissioners developed a better appreciation for what the responsibilities and training of an emergency 911 dispatcher represent. She noted legislation was being sought to make dispatchers qualify as first responders.

Discussion ensued regarding the detailed training dispatchers undergo. Police Chief Szesnat explained all of the Town's Police Officers are certified as dispatchers.

Mayor Tarrant asked whether the new beach unit was out yet. Police Chief Szesnat stated it was not yet in Town. He provided a brief update on the status of the unit.

Commissioner Reiser asked how many of the Town's Police Officers were trained to use a defibrillator. Police Chief Szesnat stated all of the officers were trained and carried AED units in their vehicles.

B. Building Department

Steve Mitchell, Building Official, CG&A, presented his report. He provided an updated list of projects and reviewed the current activity.

Mayor Tarrant noted 26 percent of all single family lots are under construction.

Mr. Mitchell stated Related Group (1174-1185 Hillsboro Mile) has indicated they will come in at the end of March with a final version of their project, and he will seek to turn that plan around quickly.

Mayor Tarrant inquired as to whether there was a way to educate residents on what the temporary sales center at the Related Group property is. Mr. Serda stated staff would share the information in the newsletter and at the condo forum.

Mr. Mitchell updated on Opal Towers West and stated staff had been working to broker a deal to improve the safety of the building.

C. Code Compliance

Bernard Pita, Code Enforcement, CG&A, reviewed open cases, the case action which took place in November, as well as inspections and re-inspections which had been conducted.

IX. TOWN MANAGER REPORT

Mr. Serda gave a brief overview of the status of construction at Town Hall. He stated installation of signage, as well as the plaque for the pedestal of the Postman was expected later in the week. He noted once that work was complete, a ribbon cutting would be scheduled to formalize the opening of the reflection walkway.

Continuing, Mr. Serda stated the A1A project was progressing favorably and ahead of schedule. He stated the construction management engineer planned to be at the February meeting to give an update and answer any questions.

Mr. Serda provided an update on the underground utility project. He stated most of the non-binding letters of support had been received, and the next step is to pay for a survey and identify each of the parcels through an easement. He noted the Commission would need to decide whether to move forward with paying that cost from Town funds or to wait until funding is received for that project from the Related Group. Discussion ensued regarding the timeline, and consensus was to wait until the dredging project was completed.

XI. TOWN ATTORNEY REPORT

Mr. Doody shared that the court had not yet issued a ruling on the appeal of the variance application related to the Related Group project. Continuing, he stated he had just been brought into the beach renourishment project and had reached out to the Deerfield Beach City Attorney for initial conversation.

Mr. Serda provided additional detail regarding the complexities of the dredging project and the need for an Interlocal Agreement. He stated it was a lot to work through in a short time.

Vice Mayor Kirdahy inquired as to whether there was any indication of when the court would reach its decision on the variance. Mr. Doody stated there was not.

XIII. TOWN COMMISSION COMMENTS/REPORTS

A. Commissioner Jane Reiser

Commissioner Reiser wished Vice Mayor Kirdahy a happy birthday.

B. Commissioner Barbara Baldasarre

Commissioner Baldasarre thanked everyone for participating in the Broward League of Cities Board of Directors luncheon. She stated she was proud to host. Continuing, she noted the first condo forum of the year would be held on Thursday, January 12 at Town Hall.

Mayor Tarrant recognized Commissioner Baldasarre on the effort she had put into creation of the condo forum. She stated it was an awesome addition to the Town and she appreciated it.

Commissioner Baldasarre commented on the information guide put together by Town staff and stated it would be helpful to get them into the condo associations so they could pass them on to new residents. Discussion ensued.

C. Commissioner Vicky Feaman

Commissioner Feaman had no report.

D. Vice Mayor Irene Kirdahy

Vice Mayor Kirdahy reported on the most recent meeting of the Metropolitan Planning Organization, and stated the next meeting was scheduled for Thursday, January 12.

E. Mayor Deborah L. Tarrant

Mayor Tarrant shared the front page of the Sun Sentinel, noting an article regarding the Broward County Animal Shelter. She stated the facility was taxpayer-funded and should not have the issues that it does and discussed ongoing issues with the facility and its

director. She noted a Public Meeting and Press Conference will be held later in the evening (January 10) at 6:00pm in City of Hallandale Beach City Hall to further discuss the Broward County Animal Care and Adoption Center issues and bring further awareness to the public.

XIV. ADJOURNMENT

Motion made by Commissioner Reiser, seconded by Commissioner Feaman, to adjourn the meeting at 11:28 p.m. In a roll call vote, the **motion** passed unanimously. (5-0)



ADOPTED THIS 7th DAY OF FEBRUARY, 2023

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

ATTEST:

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