



MINUTES
TOWN OF HILLSBORO BEACH
REGULAR COMMISSION MEETING
JUNE 6, 2023

9:00 A.M.

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Irene Kirdahy 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 Irene Kirdahy

Vice Mayor Barbara B. Baldassarre

Commissioner David A. Ravanese

Commissioner Jane Reiser

Commissioner Vinnie Andreano

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 Ravanese, seconded by Commissioner Reiser, to amend agenda by changing the order of Staff Updates to allow Building Dept to present earlier. In a roll call vote, the **motion** passed unanimously. (5-0)

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

I. APPROVAL OF MINUTES

A. May 2, 2023 Regular Commission Meeting

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, to approve the minutes from the May 2, 2023, Regular Meeting as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

II. PRESENTATIONS

A. Town Investment Report and Future Outlook

John Mousseau, Cumberland Advisors, provided a PowerPoint presentation reviewing the markets and the Town's portfolio.

Mr. Serda explained that he would be meeting with Mr. Mousseau and Financial Director Stephen Bloom quarterly to discuss any necessary changes to the Town's investment policy and strategy, and those recommendations would be brought to the Commission for review.

Mr. Bloom noted the presentation was provided for the purpose of reassuring the Commission that the Town's investments are being handled wisely.

B. Small Business Administration Overview Federal Disaster Funding Available for Broward County

Timothy Watson, Public Affairs Specialist, Small Business Administration, provided a review of Small Business Administration loan programs available to Broward County homeowners and renters to repair property damaged as a result of the recent flooding. He discussed eligibility requirements and deadlines.

Mr. Serda stated additional information, including details on how to apply, would be available at Town Hall and on the Town's website.

III. ORDINANCES

IV. DISCUSSION & POSSIBLE ACTION

A. Discussion on Operational Conditions at Hillsboro Beach Resort

Mr. Serda explained the Hillsboro Beach Resort was presenting a request for changes to their development order to allow for feedback from the Commission.

City Attorney Doody clarified that this item would be brought forward as a quasi-judicial hearing at a future meeting.

Matthew Hege, Director, MHCP COLAB, provided a brief history of the Hillsboro Beach Resort and past changes to the development order that had been reviewed by the Commission, including addition of the dining program and the special event space. He stated there are 305 residents of Hillsboro Beach that have signed up for the dining

program. He discussed the special event approval and shared a matrix to illustrate what is allowed and disallowed.

Ann Durso, General Manager, Hillsboro Beach Resort, stated she hoped the community was able to see the aspirations for the property, and the intent to create a high-end boutique resort that fits into Hillsboro Beach. She highlighted operational challenges created by the restrictions under the development order.

David Coviello, Shutts & Bowen, attorney for Hillsboro Beach Resort, presented the proposed changes. He stated there are two (2) documents which provide governing regulations, including a development order (or conditional use approval) and land development regulations, and the applicant would request that those be combined to allow for a single governing document.

Mr. Coviello stated that if the proposal was approved, the Hillsboro Beach Resort would still be subject to:

- Conditional Use Approval, and provisions governing such uses in the Town Code.
- Limitation on area of conditional uses as they relate to overall hotel building (i.e. no more than 10 percent of the total square footage of the building exclusive of parking).
- Limitation on restaurant area and capacity, which is 1,000 square feet and 64 seats (40 seats indoors and 24 patio seats).
- Limitation on hours of operation for food and beverage service, which shall be limited to 7:00 a.m. to 10:30 p.m. daily.
- Limitations on outdoor music, which shall be limited to the same hours as food and beverage service and shall not include amplified outdoor music.
- Limitation on occupancy for special events, which shall not exceed 65 special event attendees.
- Limitation on hours of special events, which shall be limited to 8 a.m. to 10 p.m. Sunday through Thursday and 8 a.m. to 12 a.m. on Friday and Saturday.

Mr. Coviello reviewed the proposed changes, as follows:

- Restaurant and Food/Beverage Service
 - Remove limitation on who can dine at the restaurant, and associated restrictions on membership program and form of payment for food and beverage (i.e., no cash or credit).
 - Ability to have a small partially enclosed area within the covered pool deck to prepare drinks for patrons, particularly those guests relaxing by the pool and beach, as well as temporary bar cart during special events.
 - Corresponding amendments to Code.

- Special Events
 - Eliminate onerous operational conditions, including number of events per year, locational limitations, notice, required policing, and form of payment limitations, while maintaining same occupancy level.
 - Corresponding amendments to Code.

Mr. Coviello pointed out there had not been any problems with the resort since its opening. He explained the requests were being made to address challenges related to the viability of the resort. He showed the area on the map where the proposed service bar and additional special event space would be located.

Continuing, Mr. Coviello shared images of example events. He reviewed the protections which would remain to manage any future issues, including revocation of the conditional use and penalties for Code Enforcement and noise.

Commissioner Ravanese stated he was supportive of the Town and the business but had concerns expressed to him regarding noise and how it would negatively impact the condos next door. Mr. Coviello explained it was intended as a service bar for pool users.

Mayor Kirdahy observed that the bar was not large enough to be a destination for sports fans. Discussion ensued regarding use of an outdoor bar.

Commissioner Andreano asked for clarification on the request to be open to the public. He asked whether someone could purchase a drink and bring it to the beach. Mr. Hege stated that a non-resident who was not staying at the hotel could dine at the restaurant, but could not use other facilities, including the beach.

Mayor Kirdahy noted that the issue would be on the agenda at a future meeting and the decision would be made at that time.

Mr. Doody explained the ex-parte communications reporting requirements which would be applicable at the time of the quasi-judicial hearing.

Commissioner Reiser asked whether any special events had been turned away because of the restrictions. Ms. Durso stated that they had, and they had people choose not to book because there was not a bar at the resort.

Mr. Doody noted that specific questions could be brought to the applicant but would need to be reported as ex-parte communication.

V. RESOLUTIONS & CONTRACTS

A. Resolution No. 2023-24

CONSIDERATION TO AUTHORIZE THE PROPER TOWN OFFICIALS TO EXECUTE AMENDED INTERLOCAL AGREEMENT FOR SOLID WASTE DISPOSAL AND RECYCLABLE MATERIALS PROCESSING AUTHORITY BY BROWARD COUNTY GOVERNMENT AND MUNICIPALITIES LOCATED WITHIN BROWARD COUNTY.

Mr. Doody read the Resolution by title only.

Mr. Serda stated this agreement was previously approved, but there had been some adjustments of an administrative and legal nature.

Mr. Doody added additional details. He noted there was no material change regarding the Town's participation.

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to adopt Resolution 2023-24 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2023-25

CONSIDERATION TO RATIFY THE CONSULTANT CONTRACT BETWEEN THE TOWN OF HILLSBORO BEACH, THE CITY OF DEERFIELD BEACH, AND D.B. ECOLOGICAL SERVICES, INC. RELATED TO THE JOINT BEACH RENOURISHMENT PROJECT.

Mr. Doody read the Resolution by title only.

Motion made by Commissioner Andreano, seconded by Commissioner Ravanese, to adopt Resolution 2023-25 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2023-26

CONSIDERATION TO APPROVE AND ACCEPT CONTINUED PROFESSIONAL SERVICES FROM COASTAL PROTECTION ENGINEERING TO CONDUCT PERMIT-REQUIRED POST-CONSTRUCTION BIOLOGICAL MONITORING FOR THE 2023 DEERFIELD BEACH - HILLSBORO BEACH NOURISHMENT PROJECT (0289706-015-JN, SAJ-1997-02355) UNDER THE WORK AUTHORIZATION APPROVED PURSUANT TO RFQ #21-15-JW.

Mr. Doody read the Resolution by title only.

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, to adopt Resolution 2023-26 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2023-27

CONSIDERATION TO AUTHORIZE THE PROPER TOWN OFFICIALS TO EXECUTE A CONTRACT AGREEMENT WITH ACC MASTERCRAFT FOR SERVICES TO REPLACE THE ROOFS ON TWO (2) BUILDINGS AT THE TOWN WATER PLANT.

Mr. Doody read the Resolution by title only.

Motion made by Vice Mayor Baldasarre, seconded by Commissioner Reiser, to adopt Resolution 2023-27 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

VI. CONSENT AGENDA

A. Invoices for Approval

1.	CG&A	Invoice #115717	April 2023	\$4,361.90	
2.	CG&A	Invoice #116641	May 2023	\$6,445.86	
3.	Inframark	Invoice #93961	April 2023	\$8,445.84	
4.	LSF	Invoice #23-0430-26	May 2023	\$8,496.17	
5.	GCDE	Invoice #47983	May 2023	\$34,648.55	General Matters
6.	GCDE	Invoice #47984	May 2023	\$2,675.20	Adv. Richard Crusco, Charles Doherty, et. al.
7.	GCDE	Invoice #47986	May 2023	\$75.00	Development BH3
8.	GCDE	Invoice #47987	May 2023	\$1,075.00	Adv. Debra Kushner (Lanzo Co. Inc.)

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

VIII. BEACH REPORT

Mr. Serda stated the Town continues to work favorably with its partners regarding the recent renourishment with Deerfield Beach and Boca Raton. He stated the project had been recognized by the Florida Shore Beach Preservation Association as best managed joint beach project, and more detail on that would be shared at a future meeting.

IX. STAFF UPDATES

A. Police Department

Police Chief Szesnat presented the monthly report. He shared notable events, including an accidental injury resulting from a pool umbrella and an individual napping in a resident's car. He stated officers had recently completed additional training modules.

Police Chief Szesnat shared trespassing signs which had been recently updated. Discussion ensued regarding the process for responding to trespassing.

Vice Mayor Baldasarre stated she had recently learned the Police Department has gun locks available and noted it would be useful information to share with the public.

Commissioner Reiser asked about lighting at the crosswalk at the corner of Port de Mer. Mr. Serda explained progress on the solar powered beacon.

Item B was addressed following Item D.

B. Finance Department

1. Preliminary Budget Discussion to Establish Budget Priorities

Stephen Bloom, Finance Director, Inframark, encouraged the Commissioners to identify and share any budget priorities prior to the initial budget presentation.

2. FY 2024 Budget Calendar

- Preliminary Budget Presentation and Adoption of Preliminary Millage Rate – July 11, 9 a.m.
- Budget Workshop – July 25, 10 a.m.
- Budget Public Hearing – September 6, 5:01 p.m.
- Budget Public Hearing – September 18, 5:01 p.m.

C. Building Department

Steve Mitchell, Building Official, CG&A, presented his monthly report. He stated activity on single-family homes has quieted down, and the Related Group project is anticipated but has not yet been submitted. He noted interior remodel projects were picking up for the summer months.

Mr. Serda pointed out the Building Department was turning permits around in approximately a week.

D. Code Compliance

Bernard Pita, Code Enforcement, CG&A, presented his report. He stated three (3) building without permit cases are scheduled for the Special Magistrate hearing on June 12, and he is in communication with all of them. He discussed open cases briefly and stated turtle patrol has been going well.

Vice Mayor Baldasarre asked about landscaping debris at 935 Hillsboro Mile. Mr. Serda stated that Code Enforcement would respond.

IX. TOWN MANAGER REPORT

A. Hurricane Preparedness Guide (Hurricane Season June 1 – November 30)

Mr. Serda noted the hurricane guidelines were included in the meeting backup materials. He stated tax free holidays related to hurricane season were listed on the Town's website.

B. Annual Removal of Coconuts from Trees (Ord 2018-07)

C. Beach Raker

Mr. Serda stated he would be sharing ideas in the future related to the beach raker. He stated for the Town to do twice per week, it is approximately \$150,000. He explained if this was a priority, an assessment could be looked at for next year. Discussion ensued.

XI. TOWN ATTORNEY REPORT

Mr. Doody noted a memorandum outlining updates to financial disclosure reporting requirements for the Commissioners. (Beginning next year Form 6 will be used, instead of Form 1). He stated he would provide an additional memo outlining legislation which impacts municipalities.

XIII. TOWN COMMISSION COMMENTS/REPORTS

A. Vice Mayor Barbara Baldassarre

Vice Mayor Baldassarre expressed her appreciation for the participation in displaying flags along the street for Memorial Day weekend.

B. Commissioner Jane Reiser

Commissioner Reiser had no report.

C. Commissioner David A. Ravanese

Commissioner Ravanese had no report.

D. Commissioner Vinnie Andreano

Commissioner Andreano stated a resident had asked him about a crosswalk sign at Opal Towers which was removed.

Vice Mayor Baldasarre noted it was not an official crosswalk but was a sign to show where people cross to the beach easement. She stated it was apparently taken down during the road work. Mr. Serda responded that he would investigate.

E. Mayor Irene Kirdahy

Mayor Kirdahy shared a brief update from the Metropolitan Planning Organization (MPO). She discussed a safety program associated with the trains, and stated suicide call boxes are being install at train crossings. She noted the new buses are electric and will stimulate 50,000 jobs countywide.

XIV. PUBLIC PARTICIPATION

Andy M. Dandeneau, 1194 Hillsboro Mile, a long-time resident spoke against the Related Group Development at 1174-1185 Hillsboro Mile.

Carl Horace, Chief Operating Officer at Hillsboro Club, introduced himself to the Commission and stated he was new to the role at the Hillsboro Club.

Richard Crusco, 1194 Hillsboro Mile, recognized Andy as an inspiration and thanked him for everything he has done for the Town. He shared how impressed he was with the work done on the beach and stated it was a tremendous accomplishment. He asked that if the Commissioners are receiving an overwhelming number of emails in support of or opposition to the Related Group project, that information be shared with the public.

XIV. ADJOURNMENT

Motion made by Vice Mayor Baldasarre, seconded by Commissioner Ravanese, to adjourn the meeting at 11:08 a.m. In a roll call vote, the **motion** passed unanimously. (5-0)

ADOPTED THIS 11 DAY OF July, 2023.

By: Irene Kirdahy
Irene Kirdahy, Mayor

ATTEST:

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