



MINUTES

TOWN OF HILLSBORO BEACH REGULAR COMMISSION MEETING JULY 11, 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

APPROVAL OF AGENDA

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

I. APPROVAL OF MINUTES

A. June 6, 2023 Regular Commission Meeting

Motion made by Commissioner Reiser, seconded by Vice Mayor Baldassarre, to approve the minutes from the June 6, 2023, Regular Meeting as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

II. PRESENTATIONS

Broward County Mayor Lamar Fisher spoke briefly regarding open communication between the Town and the County and thanked the Commission for their contribution.

State Senator Jason W.B. Pizzo introduced himself and explained the recent change to the boundaries of District 37. He discussed priorities related to condominiums and climate change. He shared a story regarding disaster response and stated he was there to help.

III. SITE PLAN REVIEW

- 1. Morris Flancbaum, Authorized Agent for Property Owner, is Seeking Site Plan Approval for Property Located at 1085 Hillsboro Mile, Hillsboro Beach, Florida 33062.**

Mr. Doody swore in those wishing to provide testimony.

Jim Hickey, Development Planner, CG&A, reviewed the staff report for the Site Plan associated with the property located at 1085 Hillsboro Mile. He explained the owner, Land Banc TR, has assigned Vito Pipitone as authorized agent. The Site Plan application includes a rear second floor addition to the primary structure, modification of the existing pedestrian path and driveway entrance locations, replacing the pedestrian gate and vehicular gate, replacing the motor court paver materials, relocating the generator, relocating the two (2) LP tanks, and enhancing the site's landscaping. All improvements are proposed east of A1A, and no improvements are proposed west of A1A at this time.

Mr. Hickey explained the property lot is a single lot totaling roughly 69,299 square feet, and the second-floor addition is proposed at the rear of the property above the porch, facing the ocean. He discussed setbacks briefly. Mr. Hickey stated the application submitted on June 6, 2023, is consistent with the Town's Land Development Regulations, and staff recommends approval with conditions as follows:

1. Construction plans submitted shall be in accordance with the approved site plan;
2. Approval of landscape plans are contingent upon review/approval of Broward County;
3. If synthetic turf is submitted, it must meet the requirements set forth in Section 12-396 or be a specification previously approved by the Town Commission.

Son Truong, Architect with KW Designs, spoke on behalf of the applicant. He stated the applicant accepts the conditions.

Mr. Doody asked the Commission to share any ex-parte communications. There were none to disclose.

Mayor Kirdahy opened the public hearing.

Deb Tarrant, 1083 Hillsboro Mile, stated it appeared the second floor was cantilevered over the loggia. She asked whether the addition put the east wall 12 feet closer to the dune, even though the first floor does not change. Continuing, she asked for clarification as to whether the additional square footage changed the parking requirements.

Mr. Hickey confirmed the second floor does cantilever slightly over the existing loggia and columns and asked that the applicant clarify the dimensions on the second-floor overhang. He reviewed the parking analysis briefly and stated sufficient space exists.

Mr. Hickey conferred with Mr. Truong and stated the existing structure goes over the covered loggia. He stated the applicant did not have the dimension readily available, but he would estimate it at three (3) feet additional. Mr. Hickey noted this was all past the Coastal Construction Control Line (CCCL), so the applicant would have to get approval from the appropriate State agencies.

Ms. Tarrant clarified her question, and stated the billiard room was shown as 12 feet, so she believed that was what the total extension of the east wall amounted to.

Mr. Hickey conferred with Mr. Truong further and confirmed the east wall would be 13 feet closer to the dune.

Ms. Tarrant confirmed that the CCCL approval was a condition of the Commission approval.

Mayor Kirdahy closed the public hearing.

Mayor Kirdahy reviewed the conditions included in the staff report and asked whether a condition needed to be added related to the CCCL. Discussion ensued and consensus was to add a condition.

Mr. Hickey stated the additional condition would be that the applicant should ensure the portion of the structure past the CCCL is reviewed and approved by the appropriate authorities.

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, to add the fourth condition related to the CCCL as articulated by the Town Planner. In a roll call vote, the **motion** passed unanimously. (5-0)

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, to approve the Site Plan with conditions as outlined in the staff report and articulated by the Town Planner. In a roll call vote, the **motion** passed unanimously. (5-0)

IV. ORDINANCES

A. Ordinance No. 2023-03

Amendment to the Town's Code of Ordinances, Amending Chapter 12 Entitled "Land Development Code," Amending Sec. 12-110 "Conditional Uses." (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 12 ENTITLED "LAND DEVELOPMENT CODE", BY AMENDING ARTICLE IV ENTITLED "DISTRICTS AND GENERAL REGULATIONS THEREOF", SPECIFICALLY AMENDING SECTION 12- 110 ENTITLED "CONDITIONAL USES"; PROVIDING FOR AN AMENDMENT TO THE CRITERIA FOR CONDITIONAL USES TO DELETE RESTRICTIONS ON FOOD AND BEVERAGE SERVICE AREAS; PROVIDING FOR THE DELETION OF RESTRICTIONS OF ACCEPTING CASH OR CREDIT AND PAYMENTS FOR PATRONS AT A HOTEL ; PROVIDING FOR AN AMENDMENT TO THE DEFINITION OF "RESTAURANT" AND "RESTAURANT BAR"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read the Ordinance by title only.

Mr. Serda stated the amendment was coming before the Commission at the request of the applicant, and they had prepared a presentation to outline their request.

Matthew Hege, Director, MHCP COLAB, representing the owner and operator of Hillsboro Beach Resort, explained the request was for a six (6) month trial period without restrictions. He stated it was important to understand that there was an issue of exclusivity and inclusivity. He asserted the management does not want to turn away potential diners and reviewed potential issues such as problematic social media posts.

Ann Durso, General Manager, Hillsboro Beach Resort, provided an overview of the Hillsboro Beach Resort operation and the challenges presented by the existing restrictions. She stated if the restaurant were able to operate under the same conditions as other restaurants, it would have a better opportunity for success. She asserted the business was reaching a breaking point and asked for support to continue to offer the service in the community.

Attorney David Coviello, Shutts & Bowen LLP, provided a PowerPoint presentation outlining the governing regulations and requested Code amendments. He discussed the timeline, review criteria, definitions, and impacts of the current restrictions.

Mr. Doody provided additional context to the request and reviewed the applicable procedures. He noted this was not a quasi-judicial hearing but was a first reading of an ordinance, with language suggested by counsel for the applicant to afford the opportunity to review an amended development order in September. He noted that between first and second reading, nothing would change in the operation of the business.

Mayor Kirdahy stated she had received an equal number of comments from residents in support of dropping the regulations as she had against it.

Commissioner Ravanese stated he had spoken out against the restrictions previously, and as a previous restaurant and bar owner, he had experience with the issues being discussed. He stated he also understood the complaints from neighbors who were there before the Hillsboro Beach Resort opened, including concerns over privacy and noise.

Commissioner Ravanese asked counsel to comment on recent changes to State Statute 57.112 and how this situation was impacted. Mr. Doody stated that recently the State Legislature and Governor DeSantis had approved Senate Bill 170, which affords property owners to bring civil action against local governments to challenge the adoption or enforcement of local ordinances which they consider to be arbitrary and unreasonable. He noted this could become applicable in the future.

Commissioner Reiser stated it was her opinion that approving this change to the Code would forever change the personality of the Town. She asserted that no one on the dais wanted the business to fail, but they also had to consider the best interest of the Town and the big picture. Commissioner Reiser reviewed the history of the restaurant approval and previous changes. She stated the current system was implemented at the request of the applicant, and she could not rationalize opening the business to the general public. She asked whether the business had done anything to try to promote the restaurant membership to the residents of Hillsboro Beach beyond the current 329 members.

Commissioner Reiser argued that once this door is opened, it would not close. She referenced the condominium project planned for 1175-1184 Hillsboro Mile and stated a recent newspaper article stated the site would include a private ocean-front restaurant, bar and grill, cocktail lounge, and café lounge with breakfast bar. She stated if that information was accurate and there was already a public restaurant in Town, there would be nothing stopping that development from opening its facilities to the public. Continuing, Commissioner Reiser referenced Mr. Hege's comments regarding exclusivity. She stated the Hillsboro Club sits on 16 acres and has survived being a private club for 98 years.

Commissioner Andreano argued there was a distinction between a hotel/resort and a condominium. He stated he went to visit the Embassy Suites in Deerfield Beach and the manager there had told him they do not have restrictions on dining or events, and they had not had any problems. He noted the Hillsboro Beach Resort allows people to come from all over the world, and there are no restrictions on who can visit the hotel, yet there is no reciprocation with neighboring communities for dining in the restaurant. Commissioner Andreano expressed concern that while the hotel in Deerfield Beach flourishes, the hotel in Hillsboro Beach may fail. He stated he was concerned with the Town and its success and suggested lifting the restrictions and having a review every six (6) months.

Vice Mayor Baldasarre stated this was a difficult situation. She asserted she supports the hotel and wants it to succeed but has concerns with the restaurant being open to the public due to increased traffic and problems with different clientele. She stated she visited the neighboring condominiums over the weekend and saw things happening at the hotel which are not supposed to be and noted that it was difficult to make changes once the door was opened. She noted that she was in support of the addition of the pool bar.

Mayor Kirdahy stated she is also conflicted. She pointed out that the expectations had been clearly set from the beginning. She stated everyone in Town wants the hotel to be a success, as it is a classy location with meals that people are enjoying. She agreed that the addition of the pool bar was not an issue, and stated she also did not have a problem with removing the cash/check payment prohibition but had concerns with opening the restaurant to the public.

Attorney Coviello provided clarification in response to the Commission comments. He stated the capacity would remain the same, and explained he was having a difficult time understanding what difference it made who was sitting in the chair. Mayor Kirdahy responded that the issue was related to how it would be policed, including parking, and trespassing on other properties.

Attorney Coviello argued that a restaurant patron would drive up, park their vehicle with the valet, dine, and then leave like any other guest, so he was not sure of the impact. He noted traffic had been evaluated based on the restaurant being open to the public and there were no issues identified. He reiterated the point that the capacity would not change.

Attorney Coviello asserted that while Hillsboro Beach is beautiful, there are miles of beach with public access. He stated there was a lot of anticipation of issues that aren't there and asked that the Town give the hotel a chance to operate and revoke the authority if it does not work. He noted the development order would remain in place.

Mr. Hege stated he understands how difficult the issue is. He noted that while the property accepted the membership program, they did so reluctantly, because they wanted to open the restaurant to residents and non-residents. He stated the belief had been that the current system was a trial to get feedback and show that it was working. He noted that he had spoken with a lot of people who like being able to go to the restaurant and see it as a public benefit.

Continuing, Mr. Hege acknowledged that it may look as though they are asking for more and more, but that is because they are taking a baby steps approach to see how it works. He stated he does not feel comfortable with turning people away because they live in a different municipality and asserted that someone would take it the wrong way.

Mr. Hege responded to concerns that the dining at the Related property (1174-1185 Hillsboro Mile) would be open to the public, and stated he believes the developers when they say the

intent was that it would only ever be for residents. Mayor Kirdahy stated she did not believe the Related property should be part of this discussion, as it was a separate issue.

Attorney Coviello suggested that if the Commission believes there will be a lot of concerns from residents, the item should be moved to second reading in September so those voices can be heard.

Mayor Kirdahy asked for clarification from counsel on the process. Mr. Doody explained.

Mr. Serda commented on the awkward payment scheme the restaurant was now subject to, pointing out that it exists in an effort to make the restaurant more profitable since it is opened, but the original discussion did not include consideration of a restaurant, bar, or special event space because they did not exist on the plans. Mr. Serda referenced the traffic study and stated that it recognizes the restaurant as an ancillary use to the hotel, without people coming from the outside, and the special event space had the same conditions. He noted he was not saying traffic could not be handled, but that the limitations of the study should be recognized.

Attorney Coviello reiterated that the current path would lead to the hotel not having successful food and beverage, or possibly any food and beverage at all. He asserted you cannot sustain a luxury hotel without that.

Daniel Fiske, Asset Manager, BH3 Management, thanked the Commission for the research they had done and their thoughtful comments. He stated food and beverage success is not only about having a successful restaurant, as there are knock on effects of not having a successful restaurant. He noted a restaurant brings awareness and business to the hotel itself. He stated the market is very challenged, and the business is not sustainable as it is. Mr. Fiske gave credit to the operations team for the relatively seamless management of a hotel and noted that people may have forgotten what was going on previously at the Seabonay.

Mr. Fiske stated the team had gotten a variance from the Town which allowed them to do a high-end renovation, spending millions of dollars more with that intention. He asserted you cannot have a high-end hotel with select service that does not have food and beverage.

Commissioner Ravanese stated Commissioner Reiser had made a lot of good points. He noted he was not opposed to the restaurant but was concerned that none of the concerns of the residents of adjacent properties are being discussed. Discussion continued regarding holding a public hearing.

Motion made by Commissioner Andreano, and no one seconded it.
Due to lack of a second, Motion failed.

Mr. Doody advised the Commission to either approve or deny the ordinance today as opposed to taking no action.

Discussion ensued amongst the Commission.

Mr. Doody clarified for the Commission, if the ordinance is not approved on First Reading, then the public will not have the opportunity to voice comments at the Public Hearing for Second Reading in September.

Mayor Kirdahy agreed.

Mr. Doody further explained to the Commission they can still take action on this matter today.

Commissioner Reiser stated the hotel is not bound by restrictions on side yards, and after touring the property, she noted the existing bushes do not provide enough foliage/landscaping to create a buffer between the Hillsboro Beach Resort and neighboring property next door.

Commissioner Reiser asked for clarification on how the bar would be utilized. She stated she did not have a problem with a service bar, but a public bar was different.

Mr. Serda asserted that the ordinance was not site specific. He noted the language change in the ordinance would allow the definition of a bar outside of a restaurant, with no restrictions on who could be served.

Mr. Doody explained the Commission can amend the ordinance, approve it as presented, or at the next meeting in September the Commission can move to add additional language to the ordinance. He reiterated the Commission does not have to accept the ordinance as currently written. The Commission can exercise their legislative authority should it be approved on First Reading.

Motion made by Commissioner Andreano, seconded by Vice Mayor Baldassarre, to approve Ordinance 2023-03 on first reading. In a roll call vote, the **motion** passed. (3-2) Commissioners Ravanese and Reiser voted no.

V. DISCUSSION & POSSIBLE ACTION

A. Discussion on Conceptual Designs Submitted by PGAL Interior Planners for the Town's Planning Room and Commission Chambers.

Samuel J. Ferreri, Principal, PGAL Interior Planners, presented concepts for the update of the Town's Planning Room and Commission Chambers. He discussed the scope of the work, including ADA accessibility, changing out the dais to address design issues, adding flexibility to the space, lighting, and finishes, as well as providing a conference space for Town staff, raising the garage floor and providing a corridor, vestibule, and exit with ramp to the north.

Mayor Kirdahy asked was the air conditioner going to have linear diffusers. Mr. Ferreri provided additional details and stated a professional mechanical engineer would be brought in to do an analysis to make sure there was proper comfort in the space.

Discussion ensued regarding the timeline and funding for the project. Mr. Ferreri reviewed the pros and cons of each option.

Consensus was to proceed with option one (1).

B. Discussion on Rules of Decorum and Procedures at Public Meetings.

Mayor Kirdahy noted the draft rules of decorum were in the backup materials for the meeting. She asked for any feedback from the Commission, and there was none.

Mr. Serda stated if there were no comments or concerns, staff would move forward with creating a Resolution to formally adopt the standard rules and inform the public.

C. Discussion on Designation of Voting Delegate for Florida League of Cities Business Session, which will be held on Saturday, August 12, 2023.

Mr. Serda explained the Florida League of Cities annual meeting would be in August and asked the Commission whether they wanted to send a voting delegate. He noted Vice Mayor Baldasarre was the Town's representative to the Florida League of Cities.

Vice Mayor Baldasarre stated she would review the materials to determine whether it was worth attending.

Consensus was that Vice Mayor Baldasarre would be designated as voting delegate at the business meeting.

Mr. Doody clarified that the entire Commission was able to attend. Mr. Serda provided additional detail regarding opportunities for learning and collaboration at the conference.

VI. RESOLUTIONS & CONTRACTS

A. Resolution No. 2023-29

CONSIDERATION TO AUTHORIZE THE PROPER TOWN OFFICIALS TO EXECUTE AGREEMENT WITH COASTAL ENGINEERING FIRM, WOODS HOLE GROUP, TO REVIEW PRESSURE EQUALIZING MODULE (PEM) DATA.

Mr. Doody read the Resolution by title only.

Commissioner Ravanese stated he had spoken with an engineer regarding the Pressure Equalizing Module (PEM), and it appears it could be a viable investment.

Mayor Kirdahy noted that she had previous experience with the PEM across New York state, and it did not work there. She stated in her opinion, the test case did not work in Hillsboro Beach, either. She noted the PEM had been successful in the Pacific Ocean, but she did not believe the East Coast has those conditions.

Commissioner Andreano agreed with Mayor Kirdahy's comments. He discussed the conditions on Hillsboro Beach briefly.

Vice Mayor Baldassarre stated if the PEM had been installed and removed without a benefit to the Town, she would not support moving forward with it.

Commissioner Ravanese read from a letter from former Mayor Carmen McGarry dated 2011, which stated the test case had met the success criteria and not caused damage. Discussion continued regarding the test case.

(Clerk's Note: Letter from Carmen McGarry (former Mayor) entered into the record)

Mr. Serda added additional detail regarding analysis brought forth by a resident. He noted the proposal before the Commission was to conduct an analysis of the data and reviewed the tasks within the proposal. He noted that the PEM was not considered a success in the State of Florida, but the Commission had the option to fund the review if curiosity existed.

Mr. Doody added that from a historical standpoint, the Commission had previously ended its agreement and required the removal of the PEM system. He stated there was a settlement negotiated to terminate the agreement, but he did not recall the specific cost without reviewing the files.

Motion made by Commissioner Andreano, seconded by Commissioner Ravanese, to **DENY** Resolution 2023-29 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

(Clerk's Note: RES. 2023-29 FAILED)

B. Resolution No. 2023-30

CONSIDERATION TO APPROVE AND AUTHORIZE THE USE OF \$15,000 IN FEDERAL FORFEITURE FUNDS TO PURCHASE ADDITIONAL CONTROL ACCESS POINT AND INSTALLATION OF PANIC BUTTONS FROM TECH PRO SECURITY AND AUXILIARY CHARGES.

Mr. Doody read the Resolution by title only.

Mayor Kirdahy asked the planned locations for the panic buttons. Mr. Serda and Deputy Police Chief Rob O'Neil explained.

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to adopt Resolution 2023-30 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2023-31

CONSIDERATION TO APPROVE AND AUTHORIZE THE USE OF \$3,762.12 OF FEDERAL FORFEITURE FUNDS TO PURCHASE COVERT SURVEILLANCE EQUIPMENT.

Mr. Doody read the Resolution by title only.

Motion made by Commissioner Andreano, seconded by Commissioner Reiser, to adopt Resolution 2023-31 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2023-32

CONSIDERATION TO APPROVE MUTUAL BENEFIT AND USE AGREEMENT FOR COLLECTION AND REMOVAL OF STORM DEBRIS BY ASHBRIIT, INC.

Mr. Doody read the Resolution by title only.

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, to adopt Resolution 2023-32 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

VII. CONSENT AGENDA

A. Invoices for Approval

1.	LSF Shuttle	Invoice #23-053126	May 2023	\$6,498.26	
2.	CG&A	Invoice 117519	June 2023	\$99,798.98	
3.	GCDE	Invoice #48852	June 2023	\$2,579.20	General Matters
4.	GCDE	Invoice #48853	June 2023	\$150.00	Development, Related
5.	GCDE	Invoice #48855	June 2023	\$225.00	Adv. Richard Cusco
6.	GCDE	Invoice #48856	June 2023	\$1,600.00	Development, BH3
7.	GCDE	Invoice #48857	June 2023	\$150.00	Debra Kushner, Lanzo Co.

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

VIII. BEACH REPORT

Mr. Serda provided a brief update. He stated staff is working on reimbursement requests and compliance monitoring for the recently completed nourishment, while also working on continued monitoring and assessment and looking toward the next full nourishment.

Mayor Kirdahy stated she is happy to see how successful the recent nourishment was and noted the downdrift of sand to the South end had increased about a foot in depth.

Commissioner Reiser commented that the work on Town Hall looks beautiful, but there is mulch under the benches, and she had questioned why the pavers were not extended instead. She stated Mr. Serda had investigated her question, and the cost to extend the pavers under the benches would be approximately \$2,500. She noted this would eliminate the need to maintain the mulch. Discussion ensued and consensus was to extend the pavers.

IX. STAFF UPDATES

A. Police Department

Deputy Police Chief Rob O'Neil shared that as a veteran of the United States Coast Guard, he found the Town's USA flag "Salute to our Country" initiative to be awesome. He presented the monthly report. He noted that prior to the Independence Day holiday, the Department had met with Broward Sheriff's Office and other departments to create a plan, and it had been largely successful. He noted there was a southbound back-up following the fireworks show, and that was addressed in the post-event meeting.

Continuing, Deputy Chief O'Neil discussed recent development training and succession planning in the Department. He noted the message boards had been deployed as part of a traffic initiative.

Mayor Kirdahy asked about safety related to scooters on the sidewalk. Deputy Chief O'Neil stated motorized scooters and skateboards should not be on the sidewalks and discussed challenges briefly. Mr. Serda stated he would email the Commission with additional detail.

Commissioner Reiser inquired as to thresholds for licensing motorized vehicles. Deputy Chief O'Neil addressed the comment briefly and discussion continued regarding golf carts and other motorized vehicles, speed requirements, and bicycles.

B. Building Department

Steve Mitchell, Building Official, CG&A, presented his monthly report. He stated there was a lightning strike at the Hillsboro Imperial Condominiums west building and discussed the response briefly. Deputy Chief O'Neil provided additional detail.

Mr. Mitchell continued his report, providing an update on projects in the plan review process. He noted there had been great success recently on the 25-year, 30-year, and 40-year building safety program. He stated even items that had been missing for years were now in progress.

C. Code Compliance

Bernard Pita, Code Enforcement, CG&A, presented his report. He stated there are several building permit cases open and the majority had been heard by the Special Magistrate. He noted he had asked the Special Magistrate for permission to address a nuisance case related to standing water at 1205 Hillsboro Mile, and that situation was under control for now. Continuing, Mr. Pita provided an update on lights on the beach during Sea Turtle Nesting Season, and stated the situation continues to improve year over year.

Vice Mayor Baldassarre asked about sand in the roadway adjacent to a driveway project. Mr. Pita explained two (2) cases had been brought to hearing and it was being addressed. Discussion continued, and Mr. Serda stated staff would monitor the issue collectively and stop work if necessary.

Commissioner Reiser asked about parking on the Intracoastal side of the lot at 935 Hillsboro Mile, and what action the Town was taking. Mr. Serda stated staff had researched the matter, and noted plans are in place to enforce the parking requirements once construction is complete.

X. TOWN MANAGER REPORT

A. FY2024 Budget Workshop – Tuesday, July 25, 2023, 10 a.m.

Mr. Serda called the Commission's attention to the budget hearing calendar and noted the Budget Workshop was scheduled for July 25 at 10 a.m.

XI. TOWN ATTORNEY REPORT

Mr. Doody had no report.

XII. TOWN COMMISSION COMMENTS/REPORTS

A. Vice Mayor Barbara Baldassarre

Vice Mayor Baldassarre thanked everyone for installing their USA flags for the Fourth of July Holiday. She stated the response was great.

B. Commissioner Jane Reiser

Commissioner Reiser wished Mr. Serda a happy birthday. She commented on a recent experience going on Marine One Police Boat, and stated she was able to get a good perspective on what the Police Department does and sees on the boat.

C. Commissioner David A. Ravanese

Commissioner Ravanese stated he also had the opportunity to take a ride on the marine unit and thanked the Police Department for allowing it.

D. Commissioner Vinnie Andreano

Commissioner Andreano had no report.

E. Mayor Irene Kirdahy

Mayor Kirdahy shared a brief update from the Broward County Metropolitan Planning Organization (MPO). She noted the State had received over \$15 million in much-needed grant funding for infrastructure improvements, and stated there were over 2,000 grade crossing incidents in the past year.

XIII. PUBLIC PARTICIPATION

Joel Rosenstein, 1155 Hillsboro Mile, stated the flag project is evidence of Hillsboro Beach being a close-knit, residential community. He asserted that a restaurant and bar does not fit that personality at all, and allowing it was opening a Pandora's Box.

Charles Doherty, 1194 Hillsboro Mile, stated the Town Attorney's report should have included that the appeal of the decision against the Town regarding vacating a variance failed. He referenced the Hillsboro Beach Resort discussion, highlighting various comments made by the Mayor and Commissioners, and asked the same logic be applied to the Related project. He stated that calling it a 10-story building is a lie, and the variance was illegal. He asked that the Town be kept the way it is.

Albert Bernstein, 1236 Hillsboro Mile, thanked Commissioner Ravanese for updating him on the Port De Mer crossing. He asked that it be installed as soon as possible due to ongoing safety concerns.

Beth Vogl, 1170 Hillsboro Mile, spoke on the proposed ordinance change requested by Hillsboro Beach Resort. She stated she lives adjacent to the resort and uses the restaurant, however it does not warrant changing the entire ordinance. She asked what would stop Sunrise Ocean Suites from changing their business plan if the ordinance were amended. She noted there was a restaurant previously in Hillsboro Beach, and residents were happy when the crime associated with the business went away.

Deb Tarrant, 1083 Hillsboro Mile, stated she thought the meeting was handled well, and thanked Commissioner Reiser for addressing the benches on the mulch. She agreed with the selection of option one (1) for the Town Hall renovation and asked that the shared conference room and plan review space be examined further.

Mr. Serda commented on the conference room and plan review space. Discussion ensued.

Richard Crusco, 1194 Hillsboro Mile, agreed with Mr. Doherty's comments, asserting it was eye opening that the Town Attorney had not shared the appeal decision. He stated residents were hoping to hear more information.

XIV. ADJOURNMENT

Motion made by Commissioner Andreano, seconded by Commissioner Ravanese, to adjourn the meeting at 11:55 a.m. In a roll call vote, the **motion** passed unanimously. (5-0)



ADOPTED THIS 12th DAY OF September, 2023

By: Irene Kirdahy
Irene Kirdahy, Mayor

ATTEST:

Sherry D. Henderson
Sherry D. Henderson, CMC
Town Clerk 9/12/2023