



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

Town Hall / Commission Chambers
3614 South Ocean Boulevard
Highland Beach, Florida 33487

Date: February 01, 2022
Time: 1:30 PM

1. CALL TO ORDER

Mayor Hillman called the meeting to order at 1:30 P.M.

2. ROLL CALL

Commissioner John Shoemaker
Commissioner Evalyn David (virtually)
Commissioner Peggy Gossett-Seidman
Vice Mayor Natasha Moore
Mayor Douglas Hillman
Town Manager Marshall Labadie (virtually)
Town Attorney Glen Torcivia
Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Vice Mayor Moore added an "Update on Water and Sewer Bills" as Item 10.C. under Unfinished Business.

MOTION: Moore/Gossett-Seidman - Moved to accept the agenda as amended, which passed unanimously 5 to 0.

5. PRESENTATIONS / PROCLAMATIONS

A. Police Department Updates

Mayor Hillman announced this item and referred it to Chief of Police Craig Hartmann.

Chief Hartmann provided an update on the progress and implementation of the Marina Patrol Unit and indicated that the unit would be operational in March. He introduced Marine Unit Officer Nathania Lai. He also spoke about Officer Lai's extensive law enforcement experience and educational background.

Mayor Hillman and the Town Commission welcomed Officer Lai to the Town of Highland Beach. Officer Lai thanked the Mayor and Town Commission.

Chief Hartmann mentioned that staff has met with Palm Beach County Sheriff Office, Delray Beach Police Department, Boca Raton Police Department, the Coast Guard, and Florida Fish and Wildlife (FWC) Conservation Commission about joint training sessions, boating safety education, and awareness campaigns. He also mentioned the recent boating incident and the positive responsiveness as well as awareness that it has brought to the forefront as it relates to boating safety in Highland Beach.

Mayor Hillman talked about working with Palm Beach County Mayor Robert Weinroth's Office about obtaining additional funds for overtime.

Chief Hartmann thanked Boca Highlands for the boat slip.

Lastly, Chief Hartmann announced and presented Detective Dwayne Fernandes with the 2021 Highland Beach Police Department Officer of the Year Award.

6. PUBLIC COMMENTS

Mayor Hillman called for public comments. Town Clerk Gaskins indicated that there were no preregistered public comments.

7. ANNOUNCEMENTS

Mayor Hillman read the announcements as follows:

Board Vacancies

Planning Board - One vacancy for a three-year term

Meetings and Events

February 02, 2022 - 1:00 P.M. Natural Resources Preservation Advisory Board
Regular Meeting

February 10, 2022 - 9:30 A.M. Planning Board Regular Meeting (Cancelled)

February 15, 2022 - 1:30 P.M. Town Commission Meeting

Board Action Report

1. January 2022 Board Action Report (For Information Only)

Vice Mayor Moore provided a PowerPoint presentation of the January 27, 2022, Financial Advisory Board Recommendations.

Mayor Hillman suggested tabling this matter and bringing it back at future Town Commission meeting as a separate item. Town Manager Labadie mentioned that he would compile additional information and present it at a future meeting.

8. ORDINANCES

A. None.

9. CONSENT AGENDA

A. None.

10. UNFINISHED BUSINESS

A. Continuation of the Update on Highland Beach Fire Rescue Department

Mr. Sam Ferreri, Principal of PGAL, Inc., presented an updated PowerPoint presentation of the conceptual approach for the following design options: Option 1: Phase 3-Bay Rebuild with Temporary Truck Canopy in Parking Lot, Option 1A: Phased 4-Bay Rebuild with Temporary Truck Canopy in Parking Lot, and Option 4: Split Bay Station Temporary Station and Total Build New Two-Story on Existing Site.

MOTION: Moore/Gossett-Seidman - Moved to approve Option One (Phased 3-Bay Rebuild with Temporary Truck Canopy in Parking Lot) as presented by PGAL, Inc. The motion passed on a 5 to 0 vote upon roll call.

B. Continued discussion on permit pricing (discount).

1. Resolution No. 2022-004 / Temporary Discount on Building Permit Fees

A Resolution of the Town Commission of the Town of Highland Beach, Florida, providing for a temporary discount on building permit fees, providing for conflicts; providing for severability; and providing for an effective date.

Mayor Hillman announced Item 10.B.

Town Manager Labadie introduced this item and spoke about the discount.

Mayor Hillman mentioned that the date in Section 3 of Resolution No. 2022-004 should be September 30, 2022, instead of April 29, 2022.

MOTION: Moore/Shoemaker - Moved to approve Resolution No. 2022-004, temporary discount on building fees as amended. Resolution No. 2022-004 was approved on a 5 to 0 vote upon roll call.

10.C. Update on Water & Sewer Bills - Vice Mayor Moore (This item was added to the agenda)

Vice Mayor Moore updated the Town Commission on the Water & Sewer Bills. She also presented a PowerPoint presentation illustrating the following: 1) the summary of water bills by type for the water bills in April 2021 to January 2022 and April 2020 to January 2021, 2) page 29 of the January 20, 2021, Revenue Sufficiency and Rate Study by Raftelis, and 3) the change in water bills by condominiums with more than 25 units.

11. NEW BUSINESS

A. Latest Legislative Updates - Commissioner Gossett-Seidman

Commissioner Gossett-Seidman talked about the legislative updates as follows:

Senate Bill 280 Local Ordinances: The Senate passed this matter 28 to 8, imposing requirements on municipalities before adopting an ordinance. The Florida League of Cities is opposed to this matter.

The Senate Bill regarding working in a lawful business within a town.

House Bill 1555: Private Property Rights to Prune, Trim, and Remove Trees. Mr. Jeff Branch is the Florida League of Cities contact person.

The Short-Term Rental bill is moving to prohibit local government from charging a local fee for a local vacation rental and it will address the grandfathering of the fee structure.

Additionally, she also spoke about the Palm Beach County League of Cities 2022 Legislative Priorities and Issues, a pamphlet from the Solid Waste Authority of Palm Beach County Home Chemical and Recycling Centers, the Florida League of Cities 100th Anniversary celebration, and the fire safety pet safety sticker program.

B. Town Attorney letter on March 2022 Charter Referendum

Mayor Hillman asked Town Attorney Torcivia to highlight his letter of opinion.

Town Attorney Torcivia explained that it was legal for the Town to educate the electorates about matters they would vote on in March. He spoke about Buckley

v. Valeo, 424 U.S. 1.1976, the United States Supreme Court case concerning the "magic words" standard. He then mentioned that in 2010 the United States Supreme Court looked at the Buckley case again regarding the "functional equivalent of express advocacy" standard. Town Attorney Torcivia also referenced the Fourth District Court of Appeal in Dinerstein v. Bucher, 287 So. 3d 639 (Fla. Dist. Ct. App. 2020), which recognized the "functional equivalent of express advocacy."

C. Approval of Commission Meeting Minutes

January 04, 2022 Commission Meeting Minutes

MOTION: Moore/Shoemaker - Moved to approve January 04, 2022 Meeting Minutes, which passed unanimously 5 to 0.

12. TOWN COMMISSION COMMENTS

Commissioner John Shoemaker mentioned that he has read the Pace Marketing, Inc., the medical consultants, and the PGAL, Inc. agreements. He talked about the data related to the water and sewer rates presented by Vice Mayor Moore. In addition, he spoke about the positive direction of the building department, and that Building Official Remas was doing an excellent job.

Lastly, he asked Mayor Hillman for an update on Milani Park.

Mayor Hillman explained that Milani Park had been placed on hold by Palm Beach County Parks and Recreation Department and the Palm Beach County Commission. He spoke about his last conversation with County Mayor Weinroth concerning the 100 residents' Beach Sit-in, the danger of the Yamato rock, and the environmental issues. He also mentioned that there was nothing to report at this time.

Commissioner Evalyn David had no comments.

Commissioner Peggy Gossett-Seidman had no comments.

Vice Mayor Natasha Moore had no comments.

Mayor Douglas Hillman spoke about a Senate Bill related to building recertification and condominium associations maintaining reserve funds. He also talked about Senate Bill 280, local ordinance pertaining to municipalities.

He asked if the past Vice Mayor would present the marina accessory ordinance at the February 15, 2022, Town Commission meeting and Town Manager Labadie mentioned that is the target date for the marina accessory presentation.

13. TOWN ATTORNEY'S REPORT

Town Attorney Torcivia had nothing to report.

14. TOWN MANAGER'S REPORT

Town Manager Labadie thanked the Town Commission for their direction on the Fire Rescue station design. He reported that the Town audit was in progress and 95% drafted to the auditors.

15. ADJOURNMENT

The meeting adjourned at 3:51 P.M.

APPROVED on April 05, 2022, Town Commission Meeting.

ATTEST:

Douglas Hillman, Mayor

Transcribed by
Lanelda Gaskins, Town Clerk

04/05/2022

Lanelda Gaskins, MMC
Town Clerk

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the event of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: <https://highlandbeach-fl.municodem meetings.com/>.