TOWN OF HIGHLAND BEACH
TOWN COMMISSION MEETING MINUTES

TOWN HALL COMMISSION CHAMBERS
3614 S. OCEAN BLVD., HIGHLAND BEACH, FL

Date: October 20, 2026
Time: 1:30 PM

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1. CALL TO ORDER

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

2. ROLL CALL

Commissioner Jason Chudnofsky
Commissioner Judith Goldberg
Commissioner Donald Peters
Vice Mayor David Stern
Mayor Natasha Moore
Town Manager Marshall Labadie joined via Zoom
Town Attorney Leonard Rubin
Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United States of America.

4. APPROVAL OF THE AGENDA

There were no changes to the agenda.

MOTION: Goldberg/Stern – A motion was made and seconded to approve the revised agenda. The motion passed unanimously, 5 to 0.

5. PRESENTATIONS / PROCLAMATIONS

A. State Legislative Updates by State Representative Peggy Gossett-Seidman, District 91

State Representative Peggy Gossett-Seidman, District 91, provided an update on legislative initiatives and projects affecting the Town, including state appropriations secured for the shared pathway repaving project, efforts to expedite Florida Department of Transportation permits, and the legislature's continuous review of Amendment 3 – Property Tax regardless of the outcome of the November 3 General Election.

She highlighted several legislative accomplishments, including increased funding for pre-K and K-12 education, $30 million for Florida Atlantic University's medical school expansion, $5.5 million for waterway cleanup and derelict vessel removal in Lake Boca, and additional funding for school safety and mental health services. She also discussed the proposed pedestrian tunnel beneath Spanish River Boulevard along the El Rio Trail, elevator repairs in older condominium buildings, and continued homeowners' association (HOA) reform efforts.

The Town Commission and Town Manager Labadie thanked State Representative Gossett-Seidman for her continued support and assistance in securing state appropriations for the Town's marine dock, crosswalk improvements, and shared pathway projects.

B. October 7, 2026 as a Day of Remembrance Proclamation

Mayor Moore read the proclamation in full, proclaiming October 7, 2026, as a Day of Remembrance in Highland Beach.

6. PUBLIC COMMENTS (Public Comments will be limited to five (5) minutes per speaker.)

The following individuals provided public comments:

Evalyn David

7. ORDINANCES (Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.)

A. Ordinance No. 2026-003 (Second Reading/Public Hearing)

An Ordinance of the Town Commission of the Town of Highland Beach, Florida, consolidating and updating the Town's regulations for the Protection of the Ocean Ridge; amending Article V, "Seawalls; Bulkheads; Retaining Walls, of Chapter 6, "Buildings and Structures," of the Town Code of Ordinances by amending Section 6-127, "Construction," to remove conflicting regulations; amending Article V, "Natural Resources," of Chapter 30, "Zoning Code," of the Town Code of Ordinances by amending Section 30-83, "Bulkheads, Seawalls, and Groins," to clarify and update the regulations applicable to all construction activities east of State Road A1A; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date (First Reading was August 11, 2026.)

Mayor Moore read the title of Ordinance No. 2026-003, a second reading/public hearing. The Town Commission had no further discussion, and Mayor Moore opened the public hearing.

Ms. Jennifer Chapkin, an attorney representing the property owner of three contiguous oceanfront lots, and Albanese Builders, provided comments and inquired about the Town working with the Florida Department of Environmental Protection (FDEP) and the town's permit process related to this matter.

Town Manager Labadie responded that FDEP's process is its own and the Town cannot direct its timing. The Town will communicate this ordinance and plans to the FDEP through its normal process. The Town is also making the changes necessary to maintain the consistency of its development pattern along the coast and west of State Road A1A. Town Attorney Rubin mentioned that the Town would never deny anything for an arbitrary reason.

Hearing no further public comment, Mayor Moore closed the public hearing and called for a motion.

MOTION: Goldberg/Stern - A motion was made and seconded to adopt Ordinance No. 2026-003. Upon Roll Call: Commissioner Goldberg (Yes); Vice Mayor Stern (Yes); Commissioner Chudnofsky (Yes); Commissioner Peters (Yes); and Mayor Moore (Yes). The motion passed on a 5 to 0 vote.

8. CONSENT AGENDA (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.) Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.

A. **Approval of Meeting Minutes**

September 01, 2026 Town Commission Meeting

September 10, 2026 Town Commission Special / First Public Hearing Budget Meeting

September 24, 2026 Town Commission Special / Second Public Hearing Budget Meeting

B. Approve and authorize Town staff to purchase a Ferno Power X2 Powered Ambulance Stretcher and Loading System for the Fire Rescue Department in the amount of $58,144.80, pursuant to the League of Oregon Cities Master Price Agreement, Contract No. PS25820.

MOTION: Goldberg/Stern - A motion was made and seconded to approve the Consent Agenda. The motion passed unanimously, 5 to 0.

9. UNFINISHED BUSINESS (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)

A. Continued discussion on a Proposed Ordinance regulating Sidewalks and Multi-Use Pathways (Prohibition Against Electric Bicycles, Electric Scooters, and Other Micromobility Devices).

Town Attorney Rubin mentioned that the Town Commission discussed this matter at its September 1, 2026 meeting and directed staff draft an ordinance. He has drafted the ordinance and is seeking direction to move forward. The suggested changes were made as follows:

Add a new Section 25-26 of the town code prohibiting a person from operating or riding a motor vehicle, a motorized scooter, a micromobility device, or an electric bicycle on any sidewalk or multi-use withing the town, including the multi-use pathway withing the State Road A1A right-of-way.

Speed provision. Deleted an old provision on speed on A1A and within the Town. Speed is enforced through uniform traffic citations, not the Town Code. The State controls A1A, and the Town already has statutory authority over speed on local roads, so deletion maintains the status quo.

Pathway definition. Add a definition of "multi-use pathway" (also called "shared use"), meaning a path for bicyclists, pedestrians, and other non-motorized users.

Correct typos and clarify intent.

Effective date. The earlier direction to delay the effective date at least 45 days for public education remains the plan.

Town Commission discussion ensued regarding electric bicycles on the shared pathway, signage at both ends of the pathway, violators providing identification when cited and challenges with enforcement.

The Town Commission reached consensus to proceed. The Town Attorney Rubin will bring a revised ordinance for first reading on November 5, 2026.

10. NEW BUSINESS (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)

A. Discussion of Proposed Ordinance Modification regarding Maximum Building Height.

Town Manager Labadie explained that Table 32 excludes permitted non-usable space below the finished floor elevation from the maximum building height calculation. However, the Town Code defines “usable space” but not “non-usable space,” resulting in staff being advised to measure building height from the garage floor rather than the first finished floor, contrary to established oceanfront development practices.

He noted that the issue originated in 2021 when the garage height limitation and accompanying illustration were removed from the Code, eliminating important context. He cautioned that a simple amendment could have unintended consequences for residential properties west of State Road A1A, potentially allowing additional building height beyond the established 35-foot limit.

Town Manager Labadie recommended referring the matter to the Planning Board for review, as required by law, rather than pursuing an immediate amendment. He emphasized that state and federal regulations would continue to govern dune construction and that taking no action would prevent oceanfront property owners from developing their properties consistent with past practices.

The Town Commission reached consensus to refer the matter to the Planning Board for review and recommendation, including comparison with how similar neighboring communities manage this matter.

There were no public comments.

B. **Approve and authorize the Mayor to execute the Florida Inland Navigation District (FIND) Waterways Assistance Grant Program Project Agreement (Project No. PB-HB-26-242) to provide funding for Phase 2 construction of the Highland Beach Police Department Safety Dock Project.**

Skender Coma of the Town Manager's Office reported that the Town has been awarded the FIND grant, just under $1.3 million for Phase 2 project.

MOTION: Goldberg/Stern - A motion was made and seconded to approve and authorize the mayor to execute the Florida Inland Navigation District (FIND) Waterways Assistance Grant Program Project Agreement (Project No. PB-HB-26-242).

11. TOWN COMMISSION COMMENTS

Commissioner Jason Chudnofsky commented on two issues from a residents letter concerning the growing wetland and standing water on the property south of Toscano condominiums and the trucks parked in from of the fire and police stations.

Town Manager Labadie confirmed that he had responded to the resident’s letter and explained that upcoming capital improvement projects, including the Police Department’s Real-Time Security Center project scheduled to begin the following Monday, would temporarily limit parking availability. He noted that Father Horgan had authorized Town staff to park at Saint Lucy Church to preserve parking at the library. The Town would communicate these parking restrictions to the community.

Additionally, Town Manager Labadie reported that, with the assistance of State Representative Gossett-Seidman, the Town had submitted a letter to the South Florida Water Management District regarding the Golden City property adjacent to Toscana. He confirmed that Town Attorney Rubin was reviewing potential abatement

options. However, because the project was permitted by the State and the site was not classified as a mangrove area, the Town was preempted from regulating the activity. He further noted that the permit required installation of a seawall along the edge of the fill site, which had not yet been completed.

Commissioner Judith M. Goldberg expressed concerns regarding the property's unstable condition noting that a large tree had fallen onto the site and that the area remained unfenced. She emphasized the potential safety hazards to children, bicyclists, and pedestrians along Ocean Boulevard and questioned whether the Town could require the installation of a gate or other protective barrier. Town Attorney Rubin indicated that he had considered whether the property could be treated as a construction site and would further evaluate the Town's options. Commissioner Chudnofsky suggested installing construction fencing with vinyl screening to improve safety and appearance.

Town Manager Labadie explained that the property owner was in discussions with a potential development team but had not committed to filling the site. He noted that while the Town could request fencing, it lacked permitting authority over the property. Town Attorney Rubin clarified that liability for unsafe conditions rested with the property owner, although the Town should pursue available measures to address potential hazards.

Town Manager Labadie further reported that the U.S. Army Corps of Engineers had deferred regulatory oversight to the State. He expressed concern that the State's five-year permit period, which lacked construction milestones and fencing requirements, was unsuitable for a developed community. Commissioner Goldberg suggested bringing the matter to the attention of the Florida League of Cities for further consideration.

Commissioner Donald Peters urged residents to vote early on November 3.

Vice Mayor David Stern reported that he attended a BCA meeting this morning. He spoke with an operations manager from Boca about the overgrown vegetation affecting the that the bike path from Spanish River Boulevard north of the Town line.

Mayor Natasha Moore had no comments.

12. TOWN ATTORNEY'S REPORT

Town Attorney Rubin had nothing to report.

13. TOWN MANAGER'S REPORT

Town Manager Labadie reported the following:

Mingle Jingle: The event returns December 3, with thanks to Saint Lucy Catholic Church for its cooperation.

Police project: The Police real-time security center project starts next week and will take about four months. Staff will send the community a parking map protecting library spaces. Some of town staff will park at the Saint Lucy Catholic church.

Marine docking facility: The project is out for bid, and major work is expected to begin around March or April, after the season.

Fire annex: Plans are expected by the end of the week and will be shared with the Town Commission, after which they will consider how to proceed.

Shared pathway re-paving project: The Florida Department of Transportation (FDOT) staff are treating the project as a federal one, though it is funded by the state appropriation, and are seeking a new permit set up despite existing permit for the embedded lights. He said the project is only a mill and overlay. The Commission has already approved the contract, and the Town needs FDOT to give notice to proceed. He is working through back channels, with Representative Gossett-Seidman and lobbyists, to move FDOT along.

14. ANNOUNCEMENTS

Mayor Moore acknowledged the announcements.

Board Vacancies

Code Enforcement Board	One (1) vacancy for a three-year term
Financial Advisory Board	One (1) vacancy for a three-year term
Natural Resources Preservation Advisory Board	One (1) Vacancy for an unexpired term ending April 2027
Planning Board	One (1) vacancy for a three year term

Meetings and Events

November 03, 2026 Town Administrative Offices Closed - General Election Day

November 04, 2026 11:00 A.M. Natural Resources Preservation Advisory Board Regular Meeting

November 05, 2026 1:30 P.M. Town Commission Meeting

Board Action Report

None.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:43 P.M.

APPROVED: November 05, 2026, Town Commission Meeting

Signed Minutes on file in the Town Clerk's Office

ATTEST: Natasha Moore, Mayor

11/05/2026

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 events of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: https://highlandbeach-fl.municodemeetings.com/.