



Town of Highland Beach Notice of Public Meeting Protocol

The Town of Highland Beach is committed to serving the needs of the public.

The following information is guidance for preregistration for Zoom or telephone participation, and for viewing and providing public comments at the meeting:

ZOOM PARTICIPATION:

Online or Telephone Access – Access to the meeting will begin on the date and time of the meeting.

- To Join Meeting: All interested persons **must preregister** to participate by contacting Town Clerk Lanelda Gaskins at publiccomments@highlandbeach.us or by calling (561) 278-4548 no later than one (1) business day prior to the meeting date (**e.g. by 4:30 P.M. on a Monday if the meeting is scheduled for that Tuesday; and by 4:30 P.M.**).
- Meeting access information and instructions will be provided to those persons two hours prior to the meeting.
- The video camera display feature will only be enabled for Public Hearing Quasi-Judicial matters and during public comments only. The video camera display feature will be disabled for public use.

For additional information on using Zoom, please visit Zoom Support by click on the following link: <https://support.zoom.us/hc/en-us>.

Viewing Only - To view the meeting, preregistration is not required. The public can view the meeting on the following:

- Highland Beach TV Channel 99 online streaming on the Town's website and via Highland Beach YouTube at <https://www.youtube.com/channel/UCTAGr8WCa44Y3Q2Bb6UN2mw>.

PROVIDING PUBLIC COMMENT:

Persons desiring to provide public comments must do so by one of the methods listed below. Public comments will be limited to five minutes (three minutes for special Commission meeting items only) per person during the designated section of the agenda. If an interested person desires to provide written public comment, all comments must be directed to Lanelda Gaskins, Town Clerk as follows:

TO SEND COMMENTS IN ADVANCE VIA EMAIL:

- To submit public comments, click on the link <https://mmportal6.teamunicode.com//> to go to the Agendas and Meeting webpage. At the top of the page click on "Public Comments" to submit your comments, or
- Submit your comments to publiccomments@highlandbeach.us.
- The Town will receive such public comments no later than two (2) hours prior to the meeting. If timely received, Town staff will read the public comment at the meeting.

- Live Zoom Video Participation - If attending via Zoom online, please follow Zoom instructions above. Once the meeting gets to the applicable public comment period, the host of the meeting will allow public participants (audio only) into the meeting from the waiting room, to provide live public comment.
- Live Zoom Telephone Participation - If attending via Zoom by telephone, please follow the instructions above. Once the meeting gets to the appropriate public comment period, the host of the meeting will allow public participants into the meeting from the waiting room, to provide live public comment.

Should you have any questions, please feel free to contact the Town Clerk's Office at (561) 278-4548.



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING AGENDA

REVISED 02/06/2023

Tuesday, February 07, 2023 AT 1:30 PM

TOWN HALL COMMISSION CHAMBERS

3614 S. OCEAN BOULEVARD
HIGHLAND BEACH, FL 33487

Town Commission

Douglas Hillman
Natasha Moore
Evalyn David
John Shoemaker
David Stern

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner

Marshall Labadie
Lanelda Gaskins
Glen J. Torcivia

Town Manager
Town Clerk
Town Attorney

-
1. **CALL TO ORDER**
 2. **ROLL CALL**
 3. **PLEDGE OF ALLEGIANCE**
 4. **APPROVAL OF THE AGENDA**
 5. **PRESENTATIONS / PROCLAMATIONS**

A. Claude Schmid Veteran Hero Proclamation

6. **PUBLIC COMMENTS**

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

A. Christine B. Viegas Letter

7. ANNOUNCEMENTS**Board Vacancies**

Board of Adjustment and Appeals: Two (2) vacancies, all for three-year terms

One (1) vacancy for an unexpired term ending September 21, 2024

Financial Advisory Board: One (1) vacancy for an unexpired term ending April 30, 2023

One (1) vacancy for an unexpired term ending April 30, 2024

Natural Resources Preservation Advisory Board: Three (3) vacancies for unexpired terms ending April 30, 2024

Meetings and Events

February 09, 2023 - 9:30 A.M. Planning Board Regular Meeting

February 14, 2023 - 1:00 P.M. Code Enforcement Board Regular Meeting

February 20, 2023 - Town Hall closed in observance of Presidents Day

February 21, 2023 - 1:30 P.M. Town Commission Meeting

Board Action Report

None.

8. ORDINANCES

A. None

9. CONSENT AGENDA (These are items that the Commission typically does not to discuss individually, and which are voted on as a group).

A. None

10. UNFINISHED BUSINESS

- [A.](#) Fire Rescue Implementation Update
- B. Florida Department of Transportation (FDOT) RRR Project Update
- [C.](#) Discussion of Accessory Marine-related Public Input Meetings to include summary and next steps.

11. NEW BUSINESS

- [A.](#) Resolution 2023-002

A Resolution of the Town Commission of the Town of Highland Beach, Florida, relating to membership into the Florida Retirement System for the Fire Rescue Employees, providing for conflicts; and providing for an effective date.

- [B.](#) Approval of Meeting Minutes

January 17, 2023 - Commission Meeting Minutes

January 31, 2023 - Commission Special Minutes

- [C.](#) Consideration to approve and authorize the Town Manager to purchase one (1) 2023 Ford Explorer XLT from Garber Fleet Sales through the Florida Sheriffs Association (FSA) Cooperative Bid No. FSA22-VEL30.0. in an amount of \$39,215.55 for the Building Department (ADDENDUM).

12. TOWN COMMISSION COMMENTS

Commissioner David Stern

Commissioner Evalyn David

Commissioner John Shoemaker

Vice Mayor Natasha Moore

Mayor Douglas Hillman

13. TOWN ATTORNEY'S REPORT**14. TOWN MANAGER'S REPORT**

- 1. Department of Public Works/Capital Projects
- 2. Delray Beach Update

3. Appropriations

15. **ADJOURNMENT**

NOTE: Any person, firm or corporation decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record including testimony and evidence upon which the appeal is to be based. (State Law requires the above Notice. Any person desiring a verbatim transcript shall have the responsibility, at his/her own cost, to arrange for the transcript.) The Town neither provides nor prepares such record.

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall 561-278-4548 within a reasonable time prior to this meeting in order to request such assistance

File Attachments for Item:

A. Christine B. Viegas Letter

January 31, 2023

JAN 31 2023

Lanelda Gaskins, Town Clerk
Douglas Hillman, Mayor
Natasha Moore Vice Mayor

Town of Highland Beach, FL
Town Clerk's Office

Dear Ms. Gaskins:

Please place this letter on the Agenda for the next Town Meeting on **February 7, 2023 at 1:30 p.m.** I would like to discuss this with the Commission and obtain information from the Town of Highland Beach on its Recycling Program.

I live at the Clarendon Condominium Complex. We have a newly elected Condominium President, John Shoemaker, who is trying to make radical changes at our Condominium Building. One of the items John Shoemaker is changing is our Clarendon Recycling Program. He stated in a recent January 24, 2023 'State of the Clarendon' letter to the owners, the following:

"We have learned in discussions with town officials, to our dismay, that while we diligently recycle glass, plastic, and paper, the waste management company does not sort all the recycled products but simply adds them to all the other trash. In effect, there is no effective recycling program, except for cardboard, electronics, and metals."

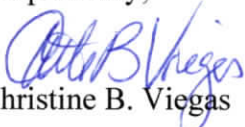
I contacted and was advised the following by:

- **Palm Beach County. (866.639.2467)** It operates a Gold Standard of Recycling and its Solid Waste Authority operates 7 Transfer Stations that accepts recycled (plastic, glass, metal and cardboard materials and from Waste Management through its Residential Recycling Program for Highland Beach. Trash items put into the recycling are burned at the Palm Beach County Burn Center.
- **Waste Management. (954.974-7500)** It has special trucks for the residential Highland Beach recycling pick-up on A1A. Those Waste Management trucks separate the recycled materials while the trucks are in transit and they bring the material to the Transfer location for Highland Beach located at 651 Industrial Way, Boyton Beach, FL 33426

Newly elected Clarendon President John Shoemaker provided differing information at our January 30, 2023, Clarendon Board Meeting that in fact our Highland Beach recycling materials go to Delray and are burned and after burning the metal is taken by magnets out of the burned material.

I seek information on what is the Highland Beach/Waste Management Recycling Program? Where does our residential recycling go after it is picked up? How is it disposed and is it as Mr. Shoemaker stated that Highland Beach "adds recycling to the other trash"? Mr. Shoemaker has suspended our Clarendon recycling program except for metal, electronics and cardboard. Many owners in our building are upset and are looking for facts. They will end up putting plastics in the trash and not recycling. Seems a shame.

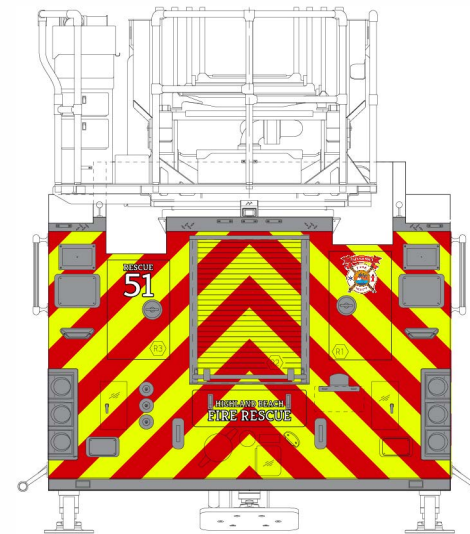
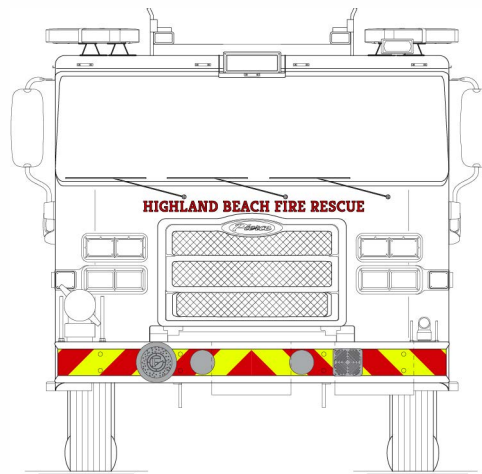
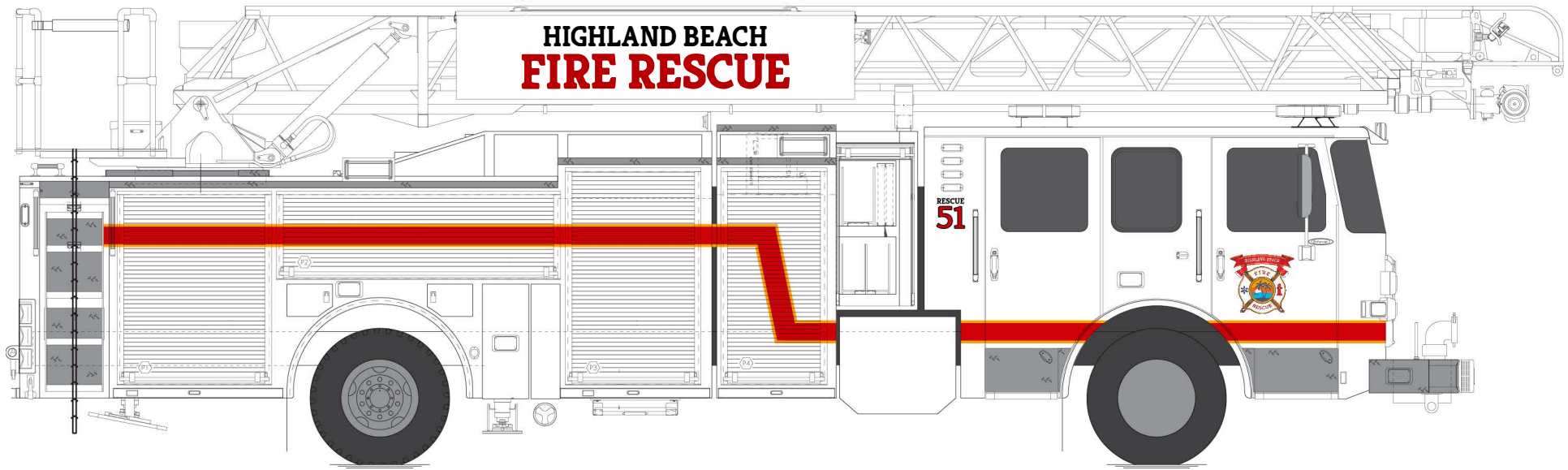
Respectfully,



Christine B. Viegas

File Attachments for Item:

A. Fire Rescue Implementation Update



Client: Highland Beach Fire Rescue

Date: 1/31/2023

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For approval, please email or call Ace Custom Signs
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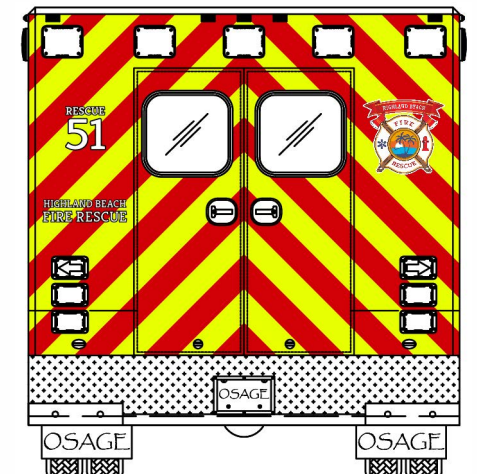
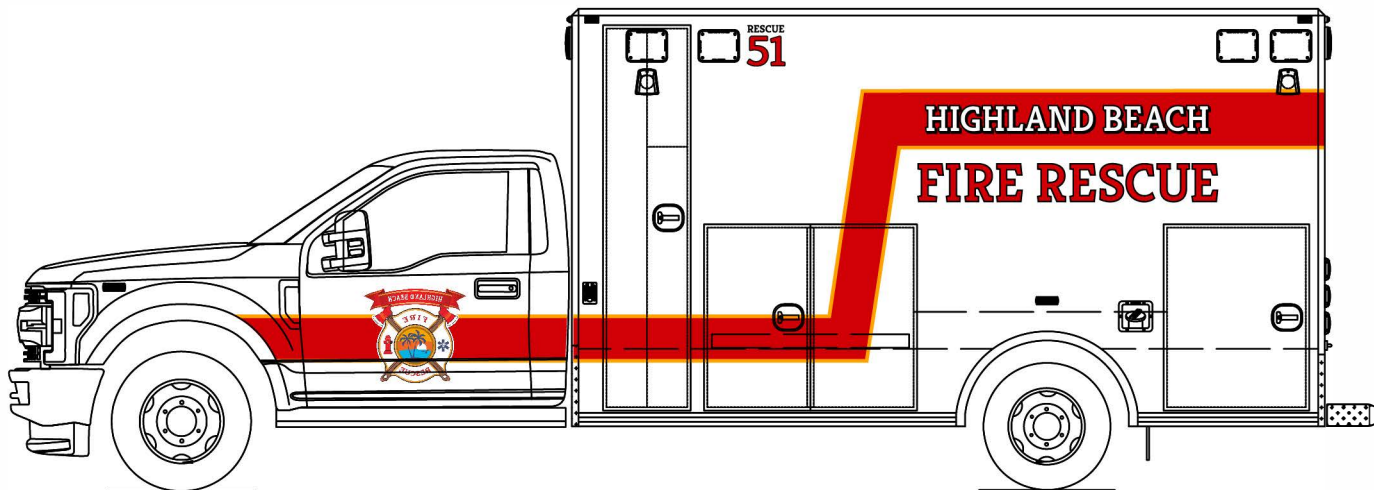
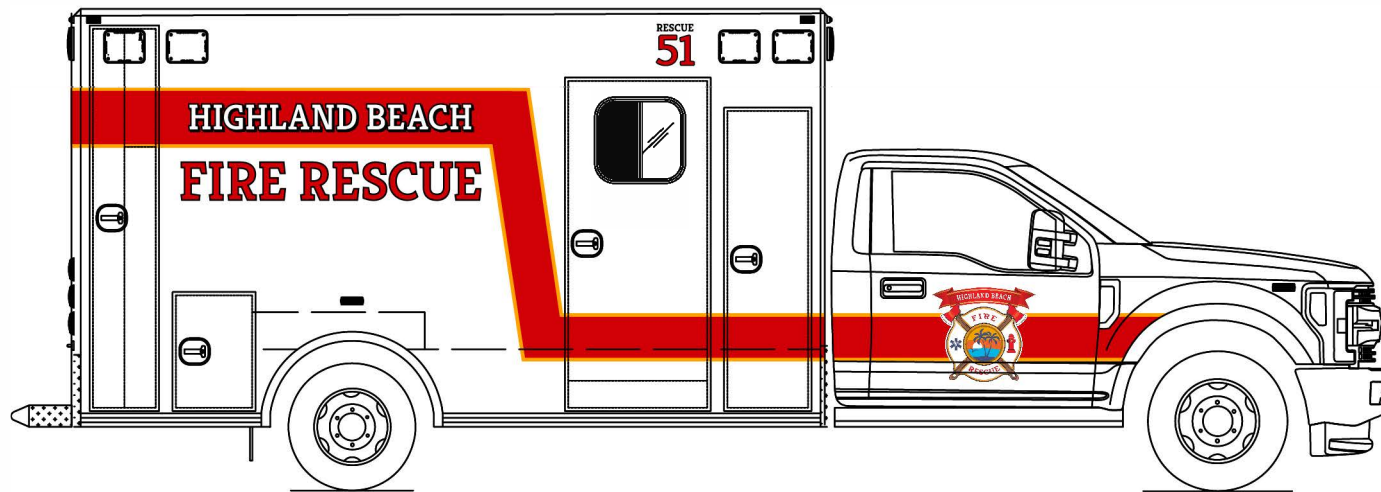
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Client: Highland Beach Fire Rescue

Date: 1/31/2023

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File Attachments for Item:

C. Discussion of Accessory Marine-related Public Input Meetings to include summary and next steps.



TOWN OF HIGHLAND BEACH

AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE February 7, 2023

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: Discussion of Accessory Marine-related Public Input Meetings to include summary and next steps.

SUMMARY:

On December 5th, 7th, and 13th, 2022, the Town held Public Input Meetings regarding proposed changes (“amendment concepts”) to the Accessory Marine Facility and seawall regulations of the Town Code of Ordinances. An identical PowerPoint presentation was presented at each meeting which identified each amendment concept, any corresponding Town Code regulation that may apply to the concept, and a “no action” option. Staff prepared a comment sheet which was available at all three (3) meetings as well as on the Town’s website. Attached are the comment sheets received. In addition to the comment sheets, staff took notes of comments and concerns raised by residents in attendance at each meeting. These meeting comments are provided below by meeting date. The following meeting comment (*in italics*) required some additional research by staff which is provided in the table below:

Look at other municipalities with direct Intracoastal Waterway (ICW), how do they handle encroachment (Comment from December 5th meeting)? **Staff response:** The following table provides regulations applicable to other municipalities:

City	Dock Encroachment	Boat Lift Encroachment
Boca Raton	6 ft for canals and waterways less than 100 ft in width or 8 ft for canals and waterways 100 ft or more in width (exclusive of pilings), measured from the property line, seawall or bulkhead, whichever is nearest to the waterway.	25% of width of canal or waterway or 20 ft , whichever is less. For portions of a boat lift constructed beyond 20 percent of the width of a canal , only wood pilings may be utilized and no part of a boat lift structure shall extend beyond the face of the wood pilings nearest the canal center.

Pompano Beach	5 ft for canals and waterways 50 ft in width or less for canals and waterways more than 50 ft in width, 8 ft (or 10% of width of canal and waterway, whichever is less), as measured from the property line or measurement reference line.	20% of width of canal or waterway or 20 feet, whichever is less, as measured from the property line or measurement reference line.
Delray Beach	5 ft into waterway, if no existing seawall, measured from water's edge at mean low tide; 5 ft if existing or proposed seawall without batter piles, measured from face of seawall; 7 ft if existing or proposed seawall with or without a seawall cap with batter piles, measured from the face of seawall.	20 ft into waterway from the property line or seawall or bulkhead, whichever is nearer to the waterway.

ft = feet

December 5, 2022 (12 residents in attendance, does not include Town Commission or Planning Board members):

1. Look into FEMA preliminary maps, boat lift height should go up not down.
2. Consider seawall height range to accommodate existing (older) structures. For example, Fort Lauderdale has a range from 4 feet to 6 feet.
3. Consider measuring encroachment into the water from existing bulkhead line given some property lines are in the water.
4. Need clear process based on Army Corps of Engineers approval.
5. Support for 10 foot dock setback.
6. Look into provisions for in kind replacement of lifts.
7. Seawall verses property line, consider the one that leaves greater canal space to traverse.
8. Identify properties that may be disadvantaged when measuring encroachment into waterway from property line verses seawall.
9. Datum increase of 1.5 feet, maybe height should be increased by 1.5 feet.
10. Consideration for homes built before change to North American Vertical Datum (NAVD).
11. Support for personal watercraft (PWC) exemption.
12. Support for 10 foot setbacks
13. Byrd Beach property owners reject 25 foot setback.
14. Ladder requirement:
 - should be homeowner's choice.
 - one (1) ladder per waterfront property.

December 7, 2022 (2 residents in attendance, does not include Town Commission or Planning Board members):

1. Facilities located within property line should be allowed.
2. Ladder requirement equals safety.

December 13, 2022 (15 residents in attendance, does not include Town Commission or Planning Board members):

1. Floating docks create conflicts and should be addressed in amendment concepts.
2. Boat lift pilings to have 10-15 feet (30 feet maximum) setback, different than docks and davets.
3. No special exception approval by Planning Board if compliant with proposed concepts.
4. Provide setback for moored boats like Pompano Beach.
5. Proposed amendments to apply to structure as well as boat.
6. Allow accessory marine facilities within the property line, when property line is in the water.
7. Proposed Base Flood Elevation threshold should not apply to nonconforming structures.
8. Have no special exception requirements if proposed thresholds are met.
9. Grandfather existing accessory marine facilities to replace in kind (regardless of setback so long as structure was previously permitted and is not a safety hazard).
10. Reduce speed in Intracoastal Waterway. Speed causing wake issue.
11. Increase in seawall height should be mandated given sea level rise.
12. If accessory marine facility is located within property line and property line is in waterway, it should not need to comply with any proposed encroachment threshold.
13. Make the setback same for single-family and multi-family, not based on lot width.
14. Consider for those developments that wish to replace a continuous dock, that the proposed 10 foot setback would not prevent a continuous dock from being reinstalled.

Note that Staff received a request to present the proposed amendment concepts at the Bel Lido HOA meeting scheduled for February 23, 2023. Therefore, there may be additional public input as a result of this HOA meeting.

Staff is requesting direction from the Commission on whether to provide the proposed changes, in “concept” form, to the Planning Board for review and recommendation or to move forward with this initiative in some other way as prescribed by the Commission.

For reference purposes, a brief history on hearings held (and other related matters) relating to proposed accessory marine facility amendments to the Town Code are provided below:

November 17, 2020 - Town Commission authorized Vice-Mayor Greg Babij to sponsor the review and propose any amendment(s) to the accessory marine structure ordinance provisions (motion carried 5-0).

March 15, 2022 – Town Commission considers introduction to proposed amendment concepts regarding the accessory marine facility provisions of the Town Code. Commission consensus was to establish a process for review of such amendment concepts to include public participation and review by the Planning Board.

April 19, 2022 – Town Commission provides direction in establishing a process for review of amendment concepts as follows:

1. Requests that the Planning Board watch the April 19, 2022 Town Commission discussion on such item (Number 10D).
2. Requests that the Planning Board physically observe the various canal/lot widths and existing accessory marine facilities including boat lifts located within the Town.

3. Create maps of the various waterway widths (including canal and lakes).
4. Once Board site observations are complete, staff is to send out notices to all waterfront property owners (west of State Road A1A) prior to the Planning Board meeting where the Board will discuss proposed amendment concepts as provided to the Town Commission on March 15, 2022.

May 12, 2022 – Planning Board considers the April 19, 2022 direction provided by the Town Commission regarding Board review process for proposed amendments to the Accessory Marine Facility regulations of the Town Code.

May 23-27, 2022 – Individual Board site observations, as noted above, are conducted via the Police Department's Marine Patrol Unit (for those Board members who do not have access to a boat). Note five (5) of the seven (7) Board members conducted their observations on the Marine Patrol Unit vessel.

June 21, 2022 – Town Commission considers a discussion on a "review timeline" for proposed amendment concepts. Consensus from the Commission was to hold neighborhood meetings at the Town library in an effort to engage input from residents on the proposed changes, and that such meetings commence in October or November upon return of seasonal residents

August 16, 2022 - Town Commission considers a discussion on a "review timeline" for proposed amendment concepts. Consensus from the Commission is to hold three (3) evening meetings in early November 2022.

Note that initial Public Input Meetings were scheduled for November 9th and 10th, and December 7th. Due to Hurricane Nicole, the November 9th and 10th meeting dates were rescheduled to December 5th and 13th.

ATTACHMENTS:

List of Proposed Amendment Concepts.

Comment sheets received.

Sign-in sheets from Public Input Meetings.

RECOMMENDATION:

At the discretion of the Commission.

PROPOSED AMENDMENT CONCEPTS

- Maximum height for AMFs = BFE plus 7 feet.
- Exempt personal watercraft (PWC) lifts from the requirement that “in no case shall the lift be higher than the superstructure of the boat when lifted” OR remove requirement.
- Maximum seawall cap width = 3 feet; maximum seawall cap plus dock width = 8 feet.
- Encroachment into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line).
- 10-foot side setback for all zoning districts. For lots < 100 feet in width, setback is 10% of width; however, setback cannot be less than 5 feet.
- Require a ladder for every 50 feet of dock.

ADDITIONAL CONCEPT:

- Maximum seawall height.

COMMENT SHEETS RECEIVED

From: thomas.stevens
To: Ingrid.Allen
Subject: AMF Comment sheet submittal
Date: Wednesday, December 14, 2022 2:59:50 PM

AMF Comment Sheet

NAME: Thomas Stevens ADDRESS: 2358 South Ocean Blvd. Highland Beach, Florida EMAIL: Thomasjstevens@hotmail.com

1) Maximum height for Accessory Marine Facilities (AMF) at Base Flood Elevation (BFE) plus 7 feet.

I have no objection to this change.

2) Exempt personal watercraft (PWC) lifts from the requirement that "in no case shall the lift be higher than the superstructure of the boat when lifted" or remove requirement.

No action required. leave the code as is.

3) Maximum seawall cap width of 3 feet: maximum 8-foot width for seawall cap plus dock.

I have no objection to this change.

4) Encroachment of AMF's and seawalls into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line)

I respectfully object to any rule allowing a property owner to build any pier, seawall or structure beyond the 8 feet allowed for the seawall cap plus dock. As a waterfront property owner I am well aware the sides of the intercoastal waterway are used by Manatees as a throughfare during their migration north and south. They travel close to the seawalls to avoid being struck by boats. Any encroachment of man made structures will force the manatees to travel further out into the intercoastal where they will be in danger of serious injury or death from boat strikes. The manatees are struggling from a loss of critical habitat caused by human encroachment. I hope our town leaders would prioritize the needs of a struggling species over the whims and desires of some waterfront property owners to build needless structures out into our waterways.

5) 10 foot side setback for all zoning districts. For lots less than 100 feet in width, setback is 10% of width: however, setback cannot be less than 5 feet.

I am against any change shortening the side setbacks from 25 feet. The setbacks as they are now ensure privacy, maintain unimpeded views, and maintain a quality of life that waterfront property owners want.

6) Require a ladder for every 50 feet of dock.

I respectfully object to the addition to the code requiring a ladder every 50 feet for waterfront properties for the following reasons;

Reason 1: this rule will not grant or convey any waterfront property owner a right to install a ladder on their property that they don't already have. Any property owner who wants or feels they need a ladder can have one. There is no rule stopping them from installing a ladder.

Reason 2) It will take away a property owners right to determine if they want a ladder or not. The Town has left the decision up to the waterfront property owner for decades, I see no reason to change it.

Reason 3) The ladder requirement would be a solution to a problem that does not exist. I don't see an epidemic of deaths from falls off docks where the death was the directly attributed to the lack of a ladder present.

Reason 4) Other local municipalities of similar size and demographics (ie. Gulfstream and Manalapan) do not require a seawall ladder.

Reason 5) The presence of a ladder will increase a property owners risk of being burglarized by criminals using a boat. The ladder will facilitate easier access to the property via a ladder. My home owners insurance company does not require me to have a ladder, but does require me to have a security alarm system. Why is this? It's because my insurance company knows there is a high probability of my home being burglarized and a very very low probability of someone dying from a fall into the water.

For these reasons I urge the Town of Highland Beach to drop any addition to the code mandating a ladder be required on waterfront properties. Although a well meaning proposal the facts do not support the town mandating this requirement. Allow the waterfront property owners to continue to decide for themselves as they have throughout the towns existence.

7) Maximum seawall height.

Maximum seawall height should be the height of Base Flood Elevation.

The question in regards to giving property owners the ability to replace there seawall by building 3 feet in front of the existing wall should be allowed. It should only be allowed to be done once. A one time exemption only. This should prevent someone gaming the system and repeatedly replacing there seawall so they build further and further out into the water.

Additional Comments:

I regards to the question of where should the town determine seawall placement? Where the existing seawall is located now should be the determinate of all future seawall location placement. If you give Property owners the right to extend out to there underwater property lines you will end up with chaotic, and uneven seawalls projecting out haphazardly throughout the Town.



COMMENT SHEET

NAME Paul Gregory Babji

ADDRESS 1092 Bel Lido Drive
Highland Beach, FL 33487

EMAIL ADDRESS gregbabji@comcast.net

1. Maximum height for Accessory Marine Facilities (AMF) at Base Flood Elevation (BFE) plus 7 feet.

*I support the proposed change. Open to revisions as well, up to even 9 feet,
The goal is to stop boats lifted to extreme elevations*

2. Exempt personal watercraft (PWC) lifts from the requirement that "in no case shall the lift be higher than the superstructure of the boat when lifted" OR remove requirement.

I support the proposed change

3. Maximum seawall cap width of 3 feet; maximum 8-foot width for seawall cap plus dock.

I support the proposed change

4. Encroachment of AMFs and seawalls into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line).

I support the proposed change

5. 10 foot side setback for all zoning districts. For lots less than 100 feet in width, setback is 10% of width; however, setback cannot be less than 5 feet.

I support the proposed change

6. Require a ladder for every 50 feet of dock.

I support the proposed change, 1 ladder every 100 feet is ok as well

7. Maximum seawall height.

Defers to Jenkins (maine Expt), Base Flood Elevation or even BFE + 3 feet.

Additional Comments:

If you prefer, you can email your comment sheet to iallen@highlandbeach.us
THANK YOU FOR YOUR INPUT...



COMMENT SHEET

David Willens

NAME

2362 South Ocean Blvd

ADDRESS

dwillens65@gmail.com

EMAIL ADDRESS

1. Maximum height for Accessory Marine Facilities (AMF) at Base Flood Elevation (BFE) plus 7 feet.

I support the proposed change.

2. Exempt personal watercraft (PWC) lifts from the requirement that "in no case shall the lift be higher than the superstructure of the boat when lifted" OR remove requirement.

I support the proposed change.

3. Maximum seawall cap width of 3 feet; maximum 8-foot width for seawall cap plus dock.

I support the proposed change.

4. Encroachment of AMFs and seawalls into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line).

I support the proposed change, except that for properties located directly on the Intracoastal waterway, such encroachment distance should be allowed to a greater extent if and as approved and permitted by the Federal Army Corps of Engineers.

5. 10 foot side setback for all zoning districts. For lots less than 100 feet in width, setback is 10% of width; however, setback cannot be less than 5 feet.

I emphatically support the proposed change. The foremost reason residents buy navigable waterfront properties is marine access/usage, including boating at their home. The current SFR code 25' setback is grossly inconsistent with and much more restrictive than every other local town: ex. Deerfield Beach-5 ft; Gulfstream-5 ft; Boca Raton and Delray-10ft. The code makes absolutely no sense when a SFR with 70' frontage can have a 40' dock vs a SFR with 80' only permits a 30' dock?

6. Require a ladder for every 50 feet of dock.

I think one ladder for every 100 feet of water frontage is sufficient and makes better sense conceptually and from a safety perspective to measure by water frontage rather than dock length.

7. Maximum seawall height.

I would propose to allow seawalls up to a maximum height equal to the then current base flood elevation.

Additional Comments:

~~The dock set back issue is the big issue in my opinion. I live directly on the intracoastal and my property frontage is 80 ft. limiting me to a 30 ft dock. The IC is extremely busy and there are no wake restrictions. Accordingly, without a longer dock and associated "T" dock incorporating a water break design, it is impracticable to dock a boat at my home or even board or access a boat at most times due to boat traffic. A longer dock and water break (as the code amendment is proposed I would be entitled to a 64' dock) would allow a reasonable size vessel to dock within the protected area including to utilize a lift during busy IC use benefiting from reduced wave action at the lift. In fact, I have already obtained Army Corps of Engineers and DEP approval for same but the town Code prohibits my construction permit. This grossly unreasonably restrictive code therefore deprives me of the right to use my property for boating that any reasonable person would expect and materially reduces the value of my property.~~

If you prefer, you can email your comment sheet to iallen@highlandbeach.us

THANK YOU FOR YOUR INPUT...



COMMENT SHEET

Marthin De Beer

4307 Intracoastal Dr, Highland Beach

mfdebeer@mac.com

NAME

ADDRESS

EMAIL ADDRESS

1. Maximum height for Accessory Marine Facilities (AMF) at Base Flood Elevation (BFE) plus 7 feet.

I support this revision. Based on storm surge on the west coast, you may want to consider raising this further to 9 or 10 feet

2. Exempt personal watercraft (PWC) lifts from the requirement that "in no case shall the lift be higher than the superstructure of the boat when lifted" OR remove requirement.

I support this revision.

3. Maximum seawall cap width of 3 feet; maximum 8-foot width for seawall cap plus dock.

I support this revision.

4. Encroachment of AMFs and seawalls into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line).

I support this revision

5. 10 foot side setback for all zoning districts. For lots less than 100 feet in width, setback is 10% of width; however, setback cannot be less than 5 feet.

I support this as long as this revision ONLY apply to AMFs and dock extending out from the seawall. As long as this setback does NOT apply to docked vessels, I am supportive. Please ensure this does not modify the current case where vessels can extend to the property line.

6. Require a ladder for every 50 feet of dock.

I support this

7. Maximum seawall height.

Additional Comments:

If you prefer, you can email your comment sheet to iallen@highlandbeach.us
THANK YOU FOR YOUR INPUT...

From: Richard Greenwald
To: Ingrid Allen
Cc: Jeff Remas; Marshall Labadie
Subject: Marine structures
Date: Thursday, December 15, 2022 12:57:54 PM

Some first thoughts (subject to profound evolution) after public meeting Tuesday.
Information presented changed some of my ideas held going in to the meeting.
I think the Town was wise to elicit comments and discussion prior to enacting policy.

Easy ones:

1. Each dock, irrespective of length, should have a ladder. This is a life safety requirement.
2. Sea walls must meet new code, heights when reconstructed.
3. New, permanent lifts need to be high enough to get boats out of the water whether that is 7 or 7 1/2 feet.
4. The 25 foot or 25% (whichever is less) measured from the bulkhead (preferred over seawall?) is reasonable. The 8 foot total combined seawall and dock is reasonable. Continuing to artificially enlarge property by extending seawalls over the water is not reasonable.
5. Personal water craft such as jet skis, seadoos or even canoes, kayaks, paddle boards can have (should be encouraged to have) much lower profile lifts.

Harder ones:

1. The fact that “non-permanent” structures such as floating docks, floating lifts can not be regulated by the Town creates a big problem regarding establishing reasonable set backs. With improving technology, lower cost and lack of regulation the use of these items is likely to continue to increase. They have the potential to become increasing hazards and eyesores.

This knowledge has changed my thinking and I am feeling more restrictive regarding permanent structures. I now believe permitting for lifts will need to be configured to individual lots and in regard to neighbors lots. Otherwise conflict can be created.

Note: I find it hard to believe that the Town is powerless and has zero regulatory authority over these often large, imposing but “nonpermanent” structures. Can’t codes be approved based on “safety” or “impingement to forms of navigation e.g. neighbor’s ability to dock”? Would a legal opinion be helpful?

2. Some hypotheticals that occurred to me during the discussions:

A. An owner with 70 feet on the water requests a 50 foot dock. With 25 foot setbacks he could have a 20 foot dock. With 10 foot setbacks 50 feet is ok. At 10% it could be 56 feet long. Anyway, he applies for a 40 foot boat lift for his 45 foot boat. His neighbors on each side (worst case scenario and, I recognize, unlikely to occur) legally have plastic floating docks or lifts extending 15 feet into the water at their property lines. One has 2 jet skis, the other a kayak. No permits were required—maybe fill out a form.
Can our boat owner access his permitted lift? Show me how.

B. A new owner buys that house that now comes with a 40 foot, 8 post lift. The new owner doesn’t have or want a boat. However his southern neighbor wants to install a similar lift for his new 45 foot boat. If granted, neither one may be able to access their lifts. How will that permit process work?

3. The longer setbacks may need to be maintained. PERHAPS LIFT SIZES CAN ONLY BE APPROVED IF THE LIFT CAN BE ACCESSED FROM WATER BEHIND THAT OWNER'S PROPERTY, NOT VIA THEIR NEIGHBORS AREA. But, that is quite restrictive for owners with limited frontage.

Play with the math for different lot sizes, setbacks, lifts and boats and see what you think.

4. I liked the "fit in the box" idea but it is seriously compromised by the use of unregulated impermanent structures. The 25 feet out also compromises neighbors' views if setbacks are reduced from the current standard for single family homes.

5. There needs to be setbacks. One wants owners to enjoy their property but not intrude on others. I like the current 25 foot setbacks and would vote for that while understanding a desire to decrease them. I could possibly be talked into 15 feet. If setbacks are decreased I would favor a "stepped" box to provide less obstructive views for neighbors. I am a big fan of setbacks and protecting neighbor's views but, in fairness, why does a home with more waterfront require bigger setbacks than a smaller lot? What is the rationale for that?

6. I think moored boats should have a setback (3-5 feet?) and not extend to the property line as is allowed currently. Theoretically, neighboring boats can now be "touching". This is a navigational safety issue. Even with whips and spring lines boats can shift position. Even with side thrusters and joy sticks many boaters are less than expert dockers, particularly on windy days.

7. For the Planning Board—they need better definitions of hardship. To me, "I need a variance so I can get a bigger boat" is not a hardship.

First thoughts. Very complicated. Need to think on it some more.

Happy Holidays.

Best to all,

Rick Greenwald
Tranquility Drive (east side of south lake)

Sent from my iPad



COMMENT SHEET

Jeffrey Kleiman	4321 Intracoastal Drive 1084 Bel Lido Drive	Jeffreyfl@gmail.com
NAME	ADDRESS	EMAIL ADDRESS

1. Maximum height for Accessory Marine Facilities (AMF) at Base Flood Elevation (BFE) plus 7 feet.

I support this

2. Exempt personal watercraft (PWC) lifts from the requirement that "in no case shall the lift be higher than the superstructure of the boat when lifted" OR remove requirement.

I support this

3. Maximum seawall cap width of 3 feet; maximum 8-foot width for seawall cap plus dock.

I support this

4. Encroachment of AMFs and seawalls into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line).

I support this

5. 10 foot side setback for all zoning districts. For lots less than 100 feet in width, setback is 10% of width; however, setback cannot be less than 5 feet.

I support this

6. Require a ladder for every 50 feet of dock.

I support this

7. Maximum seawall height.

I would think that the seawall should be allowed to be as high as a new house ground floor is allowed to be.

Additional Comments:

If you prefer, you can email your comment sheet to iallen@highlandbeach.us
THANK YOU FOR YOUR INPUT...



COMMENT SHEET

robert spahr

NAME

4225 Tranquility

ADDRESS

rspah50@gmail.com

EMAIL ADDRESS

1. Maximum height for Accessory Marine Facilities (AMF) at Base Flood Elevation (BFE) plus 7 feet.

suggest 8 ft

2. Exempt personal watercraft (PWC) lifts from the requirement that "in no case shall the lift be higher than the superstructure of the boat when lifted" OR remove requirement.

yes

3. Maximum seawall cap width of 3 feet; maximum 8-foot width for seawall cap plus dock.

yes

4. Encroachment of AMFs and seawalls into water at 25 feet or 25% of waterway width, whichever is less (measured from the shortest distance adjacent to property line).

needs some work on wording

5. 10 foot side setback for all zoning districts. For lots less than 100 feet in width, setback is 10% of width; however, setback cannot be less than 5 feet.

Yes

6. Require a ladder for every 50 feet of dock.

One ladder per lot/dock

7. Maximum seawall height.

i dont know

Additional Comments:

If you prefer, you can email your comment sheet to iallen@highlandbeach.us
THANK YOU FOR YOUR INPUT...



SIGN-IN SHEET

AMF Public Input Meeting 12-5-22

NAME	ADDRESS	EMAIL	PHONE #
ERIC GOLDBERG	3412 S. Ocean Blvd #1102 Highway Beach	goldberg@gmail	610-2420 613-2420
DAVID STEAR	2901 S Ocean Ave #804 #9	dstear1043@gmail.com	561 202-3205
Catherine Woff Jerry Woff	1005 Russell Dr 4	woff@tckc.col.com	561 444-4985
Jordan Gulate	402. S. Ocean Blvd 3912 Highlan Beach	midasy@aol.com	201 704-0344
ADICK HERNANDEZ	3914 So Ocean Blvd HB V Par 469	desenrai133@gmail.com	848 661 3642
EUGENE GARRETT	1070 Red Lick Dr HB	turnaway@aol.com	561 274.8769
JOSEPH LOEFFLER	4318 S OCEAN BL	JAY.SEA@verizon.net	431 921 8522
Mark Carter	7316 S. Ocean Blvd.	MOUTER1569@gmail.com	713-205-3894
THOMAS STEARNS	2358 S Ocean Blvd	THOMASSTEARNS@att.net	561 563-4975



SIGN-IN SHEET

AMF Public Input Meeting 12-5-22

NAME	ADDRESS	EMAIL	PHONE #
Karl Eric Johnson	2358 S Ocean Blvd	ketmdpc@hotmail.com	561 563 4458 561
Robert Spahr	4225 Tanager Ct	rsbarr50@gmail.com	350 3028
Ted I. Allman	3912 S. Ocean Blvd	ted.allman@gmail.com	919- 264-8607
Kyle Martin	2860 NE 1651	Ted Allman	561 809 5701



SIGN-IN SHEET

AMF Public Input Meeting 12-5-22

NAME	ADDRESS	EMAIL	PHONE #
Greg Babij	1092 Belvid Dr	gregbabij@yahoo.com	
David Wilkins	2362 S. Ocean Blvd	d.wilkins55@gmail	
Mike Jenkins	11814 9th St WFB FL	mjenkins@cpw.net	561-377-8213
Maggie Chappelle	1015 Bel Air Dr #1	contactmaggiechappelle@gmail.com	571-438 2099



SIGN-IN SHEET

AMF Public Input Meeting 12-7-22

NAME	ADDRESS	EMAIL	PHONE #
Garfield Bue	Recovery H. 617A 11D		610-613-2426
④ Johnson of 324	3420 So OCEAN		617-775-2305
Tom Lohkrogg	4740 S. OCEAN BLVD 206 BREEMAR		561-236-9194
Lyle Mendelson	3740 S Ocean BLVD #121D	msirm1@gmail.com	561-2514965
Wanda Cortez	4311 S. Ocean Bvda.		713-705-3894



SIGN-IN SHEET

AMF Public Input Meeting 12-13-22

NAME	ADDRESS	EMAIL	PHONE #
Lindsay Trivento	1103 + 1105 Russell Dr.	Lindsay.Trivento@gmail	954 899 7889
Marea P Anderson	4201 Tranquility	7	561-901 7684
Jose Andria	4201 TRAND. DR.		
Lyndee Lee Foecking	1041 Boca Cove Ln	l.foecking@comcast.net	815-731-5532
Robert Evans	3420 So. M Ocean Blvd.	ROBERTA YERLL@me.com	917-658-2380
Silvio Blaskovic	1118 A Highland Beach Dr.	Sailorpa@gmail.com	561-573-4137
Boban Bida	1120 Highland Beach Dr.	C.m.bida@comcast.net	561-573-4139
Milena Bida	1120 Highland Beach Dr.	Milena.bida@comcast.net	561-573-4140
Sara Fegnier	1083 Bel Lido Dr.	Saraeric@yahoo.com	954 328 2737



SIGN-IN SHEET

AMF Public Input Meeting 12-13-22

NAME	ADDRESS	EMAIL	PHONE #
Glenn Parsons	3912 S. Ocean Pk Highland Beach	gpinwyd@gmail.com	307-690-3558
Tom Ruote	3400		
Wickham	4304 SEANAVILTY DR.	ragreynald@bellsouth.net	
DEB & Mark Simon	3420 S Ocean 9X HB		

File Attachments for Item:

A. Resolution 2023-002

A Resolution of the Town Commission of the Town of Highland Beach, Florida, relating to membership into the Florida Retirement System for the Fire Rescue Employees, providing for conflicts; and providing for an effective date.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE February 7, 2023

SUBMITTED BY: Town Manager's Office

SUBJECT: Resolution 2023-002

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, RELATING TO MEMBERSHIP INTO THE FLORIDA RETIREMENT SYSTEM FOR THE FIRE RESCUE EMPLOYEES PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

SUMMARY:

The Town of Highland Beach is a participant in the Florida Retirement System (FRS). As a result of creating a new Fire Rescue Department, the Town needs to establish Fire Rescue Department Membership in FRS. The attached resolution and agreement once approved, will allow the Town and Fire Rescue Department staff to make contributions to FRS.

FISCAL IMPACT:

N/A

ATTACHMENTS:

FRS Agreement

Resolution No. 2023-002

RECOMMENDATION:

Commission approval of resolution No. 2023-002 and the execution of the FRS agreement.

The Department of Management Services, Division of Retirement, of the State of Florida, under the authority of Chapter 121, Florida Statutes, and Town of Highland Beach of the State of Florida, in order to extend to Firefighters of said Town of Highland Beach (except such as are hereinafter excluded) the benefits of the Florida Retirement System established by Chapter 121, Florida Statutes, hereby agree as follows:

1. Definitions:

For the purpose of the Agreement -

(a) The definitions, words and phrases as set out in Section 121.021, Florida Statutes, shall have the respective meanings set forth therein.

2. Services Covered:

The agreement includes and covers all services performed by Firefighters of this Town of Highland Beach except any service, position, employee, or official excluded by Chapter 121, Florida Statutes, the rules and regulations of the Florida Retirement System, or resolution/ordinance No. _____ adopted by the Town of Highland Beach on the 7th day of February 2023. The Florida Retirement System is not responsible for nor does it assume any local retirement plan liabilities.

3. Contributions by Employees:

The Town of Highland Beach agrees to impose upon its employees covered by this Agreement the required contributions with respect to wages if such services constituted employment within the meaning of Chapter 121, Florida Statutes, and to deduct the amount of such required contributions from the wages as and when paid. Contributions so collected shall be paid to the Administrator of the Florida Retirement System in partial discharge of the liability of said Town of Highland Beach, said payments to be made in accordance with rules and regulations relating to the Florida Retirement System. It is agreed and understood that the failure of said to deduct such contributions shall not relieve it of liability therefore.

4. Contributions by the Town of Highland Beach:

(a) The Town of Highland Beach represents that it has duly and legally adopted, and that there is now in full force and effect, a resolution/ordinance requiring an appropriation from available funds in its general or special funds derived from ad valorem tax or other sources, which shall be in an amount not less than the sums withheld as the contributions of employees covered by the Agreement, the sum to equal the total amount due from said Town of Highland Beach (employer's and employee's contributions) under applicable provisions of Chapter 121, Florida Statutes.

(b) As assurance of its ability to pay its share of the contributions which will become due and payable to the Administrator under the terms of this Agreement and as assurance that said contributions will be adequate, the Town of Highland Beach hereby obligates itself to maintain, and represents that at all times hereafter there will be maintained, in the appropriation provided in paragraph 4.(a), above, a sum fully sufficient to pay its share of the contributions: and that same (together with contributions deducted from salaries, wages, etc., of employees) will be paid promptly when due.

5. Reports-Compliance and Regulations:

The Town of Highland Beach agrees that it will make such reports, in such form and containing such information, as the Administrator may require. The Town of Highland Beach further agrees that it will comply with all provisions of Chapter 121, Florida Statutes, and with all rules and regulations adopted and promulgated by the Administrator of the Florida Retirement System necessary to carry out the purposes of Chapter 121, Florida Statutes. It is further understood and agreed that late payments come under provisions of Section 121.061, paragraphs (2) (a), (b) and (c), Florida Statutes.

6. Termination:

Once this agreement is made and approved it may not be revoked and all present Firefighters electing coverage under this agreement and all future Firefighters shall be compulsory members of the Florida Retirement System.

7. Past Service of Covered Group:

The Town of Highland Beach hereby elects and agrees to provide benefits for past service from 09/01/2022 to 02/28/2023, for its Firefighters covered by the Agreement, who were in its employ on 09/01/2022, in accordance with provisions of Chapter 121, Florida Statutes.

The cost to purchase past service credit is estimated to be \$21,493.20 which the Town of Highland Beach agrees to pay in the following manner: lump sum upon execution of the Agreement. It is further agreed that if an application for retirement benefits or a request for refund is received based in part on past service years, that the total amount of payments for past service credit to be refunded to said employee, shall be made from the payments made by said Town of Highland Beach and if the payments of the Town of Highland Beach are insufficient at the time said benefits or refunds are requested or are due to be paid, the Town of Highland Beach will be required to make an additional payment sufficient to meet these demands prior to the processing of the request or warrant. This will be applicable until the total past service liability has been paid in full. It is understood and agreed that the above described method for liquidating past service liability of the Town of Highland Beach does not preclude payment in part or in full of any amounts prior to the scheduled due dates. The Town of Highland Beach by making this election shall have no right at any time in the future to purchase additional past service credit for its Firefighters. Such statement of intent shall be binding and irrevocable effective with the date of coverage in the Florida Retirement System.

Clerk
(SEAL)

Town of Highland Beach

By _____

Title: _____

This Agreement shall be effective as of the ____ day of _____, 20____.

Approved this ____ day of _____ 20____.

Director of the Division of Retirement



RESOLUTION NO. 2023-002

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, RELATING TO MEMBERSHIP INTO THE FLORIDA RETIREMENT SYSTEM FOR THE FIRE RESCUE EMPLOYEES PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

The Town of Highland Beach of Florida, in lawful session and in regular order of business properly presented, finds that:

WHEREAS, the policy and purposes of the Town of Highland Beach of, Florida, to extend to the Firefighters of said Town of Highland Beach, not excluded by law, the benefits of the Florida Retirement System, on the basis of applicable State laws and amendments thereto, and rules and regulations, authorizing and directing the Chairman (or other chief executive officer) to execute agreements thereto with the Department of Management Services, for coverage of said Firefighters; providing for withholding from salaries and wages of Firefighters of Town of Highland Beach so covered to be made and paid over as provided by applicable State laws or regulations; providing that said Town of Highland Beach shall appropriate and pay over employer's contributions and assessments as provided by applicable State laws or regulations; providing that said Town of Highland Beach shall keep records and make reports as required by applicable State laws or regulations:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:

Section 1. It is hereby declared to be the policy and purpose of the Town of Highland Beach, Florida that all its Firefighters except those excluded by law, shall participate in the Florida Retirement System as authorized by Chapter 121, Florida Statutes.

All Firefighters shall be compulsory members of the Florida Retirement System as of the effective date of participation in the Florida Retirement System so stated herein.

Section 2. The Chairman (or other chief executive officer) is hereby authorized and directed to execute all necessary agreements and amendments thereto with the Administrator of the Florida Retirement System for the purpose of extending the benefits provided by the Florida Retirement System to the Firefighters of this Town of Highland Beach as provided by Section 1 & 2 hereof, which agreement shall provide for such methods of administration of the plan by said Town of Highland Beach as are found by the Administrator of the Florida Retirement System to be necessary and proper, and shall be effective with respect to any employment covered by such agreement for serviced

performed on and after the 1st day of September, 2022.

Section 3. Withholding from salaries, wages, or other compensation of Firefighters for the purport provided in Section 1 hereof are hereby authorized to be made, and shall be made, in the amounts and at such times as may be required by applicable State laws or regulations, and shall be paid over to the Administrator designated by said laws or regulations to receive such amounts.

Section 4. There shall be appropriated from available funds, derived from the General Fund such amounts and at such times as may be required to pay promptly the contributions and assessments required of the Town of Highland Beach of , Florida, as employer, by applicable State laws or regulations, which shall be paid over to the lawfully designated Administrator of the Florida Retirement System at the times and in the manner provided by law and regulation.

Section 5. The Town of Highland Beach of, Florida, shall keep such records and make such reports as may be required by applicable State laws or regulations, and shall adhere to all laws and regulations relating to the Florida Retirement System.

Section 6. The Town of Highland Beach of , Florida, does hereby adopt the terms, conditions, requirements, reservations, benefits, privileges, and other conditions thereunto appertaining, of the Florida Retirement System, for and on behalf of all Firefighters of its departments and agencies to be covered under the agreement.

Section 7. The Finance Director of the Town of Highland Beach of Florida, is hereby designated the custodian of all sums withheld from the compensation of Firefighters as authorized herein and of the appropriated funds for the employer's contributions as provided in Section 5 hereof. Also, the Finance Director is hereby designated the withholding and reporting agent and charged with the duty of maintaining records for the purpose of this resolution.

Section 8. This Resolution shall take effect upon its approval and publication as required by law.

BE IT FURTHER RESOLVED that a copy of this Resolution fully executed as in original, duly attested by the Secretary, be furnished to the Administrator of the Florida Retirement System.

DONE AND ADOPTED by the Town Commission of the Town of Highland Beach, Florida, this
____ day of _____, 2023.

ATTEST:

Douglas Hillman, Mayor

**REVIEWED FOR LEGAL
SUFFICIENCY**

Lanelda Gaskins, MMC
Town Clerk

Glen Torcivia, Town Attorney
Town of Highland Beach

VOTES:

YES NO

Mayor Douglas Hillman
Vice Mayor Natasha Moore
Commissioner David Stern
Commissioner Evalyn David
Commissioner John Shoemaker

File Attachments for Item:

B. Approval of Meeting Minutes

January 17, 2023 - Commission Meeting Minutes

January 31, 2023 - Commission Special Minutes



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

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

Date: January 17, 2023
Time: 1:30 PM

1. CALL TO ORDER

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

2. ROLL CALL

Commissioner David Stern
Commissioner John Shoemaker
Commissioner Evalyn David
Vice Mayor Natasha Moore
Town Manager Marshall Labadie (joined virtually)
Town Clerk Lanelda Gaskins

ABSENT

Mayor Douglas Hillman

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United State of America. Followed by a moment of silence for Beverly Hillman, the beloved wife of Mayor Douglas Hillman.

4. APPROVAL OF THE AGENDA

Vice Mayor Moore removed Item 11.A, Amendment No. 5 to the Tower Siting Lease Agreement with Sprint, and Item 12.1., Beach Condo Association Presentation by Mayor Hillman from the agenda.

MOTION: David/Stern - Moved to approve the agenda as amended, which passed unanimously 4 to 0.

5. PRESENTATIONS / PROCLAMATIONS

None.

6. PUBLIC COMMENTS

There were no public comments.

7. ANNOUNCEMENTS

Vice Mayor Moore read the announcements as follows.

Board Vacancies

Board of Adjustment and Appeals:	Two (2) vacancies for three-year terms
Financial Advisory Board:	One (1) vacancy for an unexpired term ending April 30, 2023
	One (1) vacancy for an unexpired term ending April 30, 2024
Natural Resources Preservation Advisory Board:	Two (2) vacancies for unexpired terms ending April 30, 2024

Meetings and Events

January 24, 2023 -	9:00 A.M.	Coffee with the Mayor
January 26, 2023 -	11:30 A.M.	Financial Advisory Board Regular Meeting
January 31, 2023 -	1:30 P.M.	Town Commission Special Meeting
February 07, 2023 -	1:30 P.M.	Town Commission Meeting

Board Action Report

A. None.

8. ORDINANCES

A. None.

9. CONSENT AGENDA (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group).

A. None.

10. UNFINISHED BUSINESS

A. Fire Rescue Implementation Update

Town Manager Labadie provided an update on the Fire Rescue Implementation as follows:

Fire Chief Joseph applied for the state emergency medical services, the Town has taken receipt of the two pieces of equipment, and the Town took position of the EMS rescue vehicle. The ladder truck will be stored in Pennsylvania for a reasonable price until January 2024. A quote will be obtained for painting the vehicle. The building design is moving progressing. Everything is on track with budget and final budget numbers should be back in the next 4-6 weeks for Board review.

Next steps are to begin writing the internal policies and procedures manual for the Fire Rescue Department. Fire Chief Joseph will be looking at other vendors as it relates to new equipment. The project is on schedule. Advertising for hiring staff for the Fire Department will begin mid-April.

There was discussion about possibly breaking ground on time, operations beginning May of 2024, status of a Fire Marshall, and design/color of the fire rescue vehicles.

B. Consideration to approve the proposed graphic design for the Fire Rescue Department EMS Vehicle and Fire Truck.

Fire Chief Joseph presented this item including a PowerPoint presentation depicting the design for the Fire Rescue Department EMS Vehicle and Fire Truck. There was discussion about changing the font style on vehicles and bring the design back at the next meeting.

C. Recommendation of Website Design Template.

Management Analyst Skender Coma presented this item and indicated that the Town staff selected option 1 for the design template.

There was discussion about ease of navigation of the future Town website.

Commissioner Stern agreed with option 1.

Vice Mayor Moore suggested option 1 with the social media display similar to option 2.

This will be brought back at a future meeting.

11. NEW BUSINESS

A. Consideration to approve and authorize the Mayor to execute Amendment No. 5 to the Tower Siting Lease Agreement between the Town of Highland Beach and Sprint. (Item removed from the Agenda)

B. Approval of Meeting Minutes

January 03, 2023 - Commission Meeting Minutes

Motion: Stern/David - Moved to approve the January 03, 2023 Commission Meeting Minutes, as amended, which passed unanimously 4 to 0.

12. TOWN COMMISSION COMMENTS

Commissioner John Shoemaker spoke about an interview he had with Ron and Peggy Brown.

Commissioner Evalyn David had no comments.

Commissioner David Stern extended condolences to Mayor Hillman on the loss of his wife.

Vice Mayor Natasha Moore reminded the public to submit their idea regarding the Town Entry Sign contest.

Mayor Douglas Hillman

1. Beach Condo Association Presentation (Item removed from the Agenda)

13. TOWN ATTORNEY'S REPORT

Town Attorney Glen Torcivia extended condolences to Mayor Hillman.

14. TOWN MANAGER'S REPORT

A. Notice of Breach of Contract by City of Delray Beach

Town Manager Labadie reported the following:

Assistant Town Manager Terisha Cuebas will contact each Town Commissioner to schedule a one-on-one meeting with the Town Manager regarding this matter.

He spoke about a notice he received from the City of Delray Beach regarding non-payment of Fiscal Year 2021 True-up costs. He indicated the Town requested records from the City of Delray Beach regarding the True-up costs. They have not provided these readily available documents to show how the numbers reconcile. He

is recommending not making payment until that proof has been provided to the Town. It is not fiscally responsible for the Town to pay without documentation.

He spoke about a rumor that The Town of Highland beach was going back to the City of Delray Beach for Fire Rescue service. He mentioned that he could draft a letter to the City of Delray Beach City Commissioners about the Town starting its own department. He emphasized that The Town of Highland Beach will succeed and have its own Fire Rescue department.

There were discussions about the documentation/information regarding the True-up, payment, and sending a letter to the City of Delray Beach.

Collective bargaining is starting. Finance Director DiLena is working on a five-year forecasting and hopes to get it to the Town Commission at a future meeting.

Making progress with all projects, tracking on budget, meeting deadlines and timelines. The Town is making great strides.

15. ADJOURNMENT

The meeting adjourned at 2:20 PM.

APPROVED February 07, 2023, Town Commission Meeting.

ATTEST:

Douglas Hillman, Mayor

Transcribed by
Lanelda Gaskins and Jaclyn DeHart

Lanelda Gaskins, MMC
Town Clerk

02/07/2023
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.municodemeetings.com/>.

Ruot



TOWN OF HIGHLAND BEACH TOWN COMMISSION SPECIAL MEETING MINUTES

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

Date: January 31, 2023
Time: 1:30 PM

1. CALL TO ORDER

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

2. ROLL CALL

Commissioner David Stern
Commissioner John Shoemaker
Commissioner Evalyn David
Vice Mayor Natasha Moore
Mayor Douglas Hillman
Town Manager Marshall Labadie
Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

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

4. PUBLIC COMMENTS

Ms. Maggie Chappellear provided comments as it relates to the Strategic Priorities Plan.

Mr. Timothy Ruotolo commented about riding his bicycle along the pathway in Highland Beach.

5. 2023 STRATEGIC PRIORITIES PLAN

A. Rank and approve the 2023 Strategic Priorities Plan

Mayor Hillman provided a brief background about the onset of the Strategic Priorities Plan.

The Town Commission had a comprehensive discussion about the Strategic Priorities Plan such as combining related items by subject, deleting items, ranking items, and adding new projects.

Town Manger Labadie will present an updated Strategic Priorities Plan to the Town Commission at a future meeting.

6. TOWN COMMISSION COMMENTS

Commissioner David Stern had no comments.

Commissioner Evalyn David had no comments.

Commissioner John Shoemaker had no comments.

Vice Mayor Natasha Moore had no comments.

Mayor Douglas Hillman had no comments.

7. ADJOURNMENT

The meeting adjourned at 2:54 pm.

APPROVED February 7, 2023, Town Commission Meeting.

ATTEST:

Douglas Hillman, Mayor

Transcribed by
Lanelda Gaskins and Jaclyn DeHart

Lanelda Gaskins, MMC
Town Clerk

02/07/2023

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.municodemeetings.com/>.

File Attachments for Item:

C. Consideration to approve and authorize the Town Manager to purchase one (1) 2023 Ford Explorer XLT from Garber Fleet Sales through the Florida Sheriffs Association (FSA) Cooperative Bid No. FSA22-VEL30.0. in an amount of \$39,215.55 for the Building Department (ADDENDUM).



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING AGENDA **ADDENDUM**

Tuesday, February 07, 2023 AT 1:30 PM

TOWN HALL COMMISSION CHAMBERS

3614 S. OCEAN BOULEVARD
HIGHLAND BEACH, FL 33487

11. NEW BUSINESS (ADDENDUM)

- C. Consideration to approve and authorize the Town Manager to purchase one (1) 2023 Ford Explorer XLT from Garber Fleet Sales through the Florida Sheriffs Association (FSA) Cooperative Bid No. FSA22-VEL30.0. in an amount of \$39,215.55 for the Building Department.

Posted: February 06, 2023



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE February 7, 2023

SUBMITTED BY: Town Manager's Office

SUBJECT: Authorize the Town Manager to purchase a 2023 Ford Explorer XLT for the Building Department.

SUMMARY:

The Building Department is requesting to purchase a vehicle. The vehicle is being purchased utilizing the Florida Sheriffs Association contract number FSA22-VEL30.0.

FISCAL IMPACT:

\$43,705 GL # 106-524.000-564.000 - Machinery and Equipment

ATTACHMENTS:

Garber Fleet Sales Quote

RECOMMENDATION:

Approve the Town Manager to purchase a 2023 Ford Explorer XLT for the Building Department.



Vehicle: [Fleet] 2023 Ford Explorer (K7D) XLT RWD





Vehicle: [Fleet] 2023 Ford Explorer (K7D) XLT RWD (Complete)

Selected Model and Options

MODEL		
CODE	MODEL	MSRP
K7D	2023 Ford Explorer XLT RWD	\$38,570.00
COLORS		
CODE	DESCRIPTION	
YZ	Oxford White	
ENGINE		
CODE	DESCRIPTION	MSRP
99H	Engine: 2.3L EcoBoost I-4 -inc: auto start-stop technology (STD)	\$0.00
TRANSMISSION		
CODE	DESCRIPTION	MSRP
44T	Transmission: 10-Speed Automatic (STD)	\$0.00
OPTION PACKAGE		
CODE	DESCRIPTION	MSRP
202A	Equipment Group 202A -inc: Heated Steering Wheel, SecuriCode Keyless Entry Keypad, LED Fog Lamps, silver-painted front skid plate elements, Remote Start System	\$3,540.00
PRIMARY PAINT		
CODE	DESCRIPTION	MSRP
YZ	Oxford White	\$0.00
SEAT TYPE		
CODE	DESCRIPTION	MSRP
S6	Ebony, ActiveX Captain's Chairs -inc: 10-way power driver (power function for tilt, lumbar and recline), 8-way power passenger w/manual recline and 2-way manually adjustable driver and front passenger head restraints	\$0.00
Options Total		\$3,540.00

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Data Version: 18577. Data Updated: Jan 29, 2023 7:22:00 PM PST.



Vehicle: [Fleet] 2023 Ford Explorer (K7D) XLT RWD ( Complete)

Price Summary

PRICE SUMMARY		MSRP
	Base Price	\$38,570.00
	Total Options	\$3,540.00
	Vehicle Subtotal	\$42,110.00
	Destination Charge	\$1,595.00
	Grand Total	\$43,705.00

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Vehicle: [Fleet] 2023 Ford Explorer (K7D) XLT RWD (Complete)

Standard Equipment

Mechanical

Engine: 2.3L EcoBoost I-4 -inc: auto start-stop technology (STD)

Transmission: 10-Speed Automatic (STD)

3.58 Non-Limited-Slip Rear Axle Ratio

50 State Emissions System Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles with the 3.3L Ti-VCT V6 FFV engine.

Transmission w/Driver Selectable Mode

Rear-Wheel Drive

Battery w/Run Down Protection

Regenerative Alternator

Towing Equipment -inc: Trailer Sway Control

GVWR: TBD

Gas-Pressurized Shock Absorbers

Front And Rear Anti-Roll Bars

Electric Power-Assist Speed-Sensing Steering

17.9 Gal. Fuel Tank

Quasi-Dual Stainless Steel Exhaust

Strut Front Suspension w/Coil Springs

Multi-Link Rear Suspension w/Coil Springs

4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist, Hill Hold Control and Electric Parking Brake

Exterior

Wheels: 18" 5-Spoke Silver-Painted Aluminum

Tires: P255/65R18 AS BSW -inc: mini spare

Steel Spare Wheel

Spare Tire Mounted Inside Under Cargo

Clearcoat Paint

Body-Colored Front Bumper

Body-Colored Rear Bumper w/Black Rub Strip/Fascia Accent

Black Side Windows Trim, Black Front Windshield Trim and Black Rear Window Trim

Chrome Bodyside Insert, Black Bodyside Cladding and Black Wheel Well Trim

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Exterior

Body-Colored Door Handles
Black Power Heated Side Mirrors w/Manual Folding
Fixed Rear Window w/Fixed Interval Wiper, Heated Wiper Park and Defroster
Deep Tinted Glass
Speed Sensitive Variable Intermittent Wipers
Galvanized Steel/Aluminum Panels
Lip Spoiler
Grille w/Chrome Bar
Power Liftgate Rear Cargo Access
Tailgate/Rear Door Lock Included w/Power Door Locks
Roof Rack Rails Only
Autolamp Auto On/Off Aero-Composite Led Low/High Beam Auto High-Beam Daytime Running Lights Preference Setting Headlamps w/Delay-Off
LED Brakelights
Headlights-Automatic Highbeams
Perimeter/Approach Lights

Entertainment

Radio w/Seek-Scan, Clock, Steering Wheel Controls and Internal Memory
Radio: AM/FM Stereo -inc: MP3 capability, 6 speakers, speed-compensated volume and SiriusXM, if equipped, includes a 3 month prepaid subscription, Service is not available in Alaska and Hawaii, All SiriusXM services require a subscription, sold separately by SiriusXM after the trial period, Your SiriusXM service will automatically stop at the end of your trial unless you decide to subscribe, If you decide to continue service, the subscription plan chosen will automatically renew and be charged according to your chosen payment method at the then-current rates, Fees and taxes apply, See the SiriusXM Customer Agreement & Privacy Policy at https://www.siriusxm.com/ www.siriusxm.com for full terms and how to cancel, which includes online methods or calling 1-866-635-2349, Available in the 48 contiguous United States, D.C, and Puerto Rico (w/coverage limits and capable receiver), Visit http://www.siriusxm.com/FAQS for most current service area information, Availability of some services and features is subject to device capabilities and location restrictions, All fees, content and features are subject to change, SiriusXM, Pandora and all related logos are trademarks of Sirius XM Radio Inc, and its respective subsidiaries
Streaming Audio
Integrated Roof Antenna
SYNC 3 Communications & Entertainment System -inc: enhanced voice recognition, 8" LCD capacitive touchscreen in center stack w/swipe capability, AppLink, 911 Assist, Apple Car Play and Android Auto compatibility and 1 "A" and 1 "C" USB ports in the media hub,
Bluetooth Wireless Phone Connectivity

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Entertainment

2 LCD Monitors In The Front

Interior

Bucket Front Seats w/Cloth Back Material

Driver Seat

Passenger Seat

Bucket Folding Captain Front Facing Manual Reclining Fold Forward Seatback Premium Cloth Rear Seat w/Manual Fore/Aft

Front Center Armrest and Rear Seat Mounted Armrest Outboard Only

Manual Tilt/Telescoping Steering Column

Gauges -inc: Speedometer, Odometer, Engine Coolant Temp, Tachometer, Oil Level, Trip Odometer and Trip Computer

Power Rear Windows and Fixed 3rd Row Windows

Fixed 50-50 Bench Premium Cloth 3rd Row Seat Front, Manual Fold Into Floor, 2 Manual and Adjustable Head Restraints

Leather/Metal-Look Steering Wheel

Front Cupholder

Rear Cupholder

Compass

Remote Keyless Entry w/Integrated Key Transmitter, Illuminated Entry, Illuminated Ignition Switch and Panic Button

Remote Releases -Inc: Power Cargo Access

Proximity Key For Doors And Push Button Start

Cruise Control w/Steering Wheel Controls

Voice Activated Dual Zone Front Automatic Air Conditioning

Rear HVAC w/Separate Controls

HVAC -inc: Underseat Ducts and Headliner/Pillar Ducts

Locking Glove Box

Driver Foot Rest

Interior Trim -inc: Metal-Look/Piano Black Instrument Panel Insert, Metal-Look/Piano Black Door Panel Insert, Piano Black Console Insert and Chrome/Metal-Look Interior Accents

Full Cloth Headliner

Cloth Door Trim Insert

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Vehicle: [Fleet] 2023 Ford Explorer (K7D) XLT RWD (Complete)

Interior

Unique Cloth Captain's Chairs -inc: 10-way power driver's seat w/power function for tilt, lumbar and recline, 4-way power front passenger seat w/fore/aft and manual recline and 2-way manually adjustable driver and front passenger head restraints

Day-Night Rearview Mirror

Driver And Passenger Visor Vanity Mirrors w/Driver And Passenger Illumination, Driver And Passenger Auxiliary Mirror

Full Floor Console w/Covered Storage, Mini Overhead Console w/Storage and 4 12V DC Power Outlets

Front And Rear Map Lights

Fade-To-Off Interior Lighting

Full Carpet Floor Covering -inc: Carpet Front And Rear Floor Mats

Carpet Floor Trim

Trunk/Hatch Auto-Latch

Cargo Area Concealed Storage

Cargo Space Lights

FOB Controls -inc: Cargo Access

Smart Device Remote Engine Start

FordPass Connect -inc: 4G LTE Wi-Fi hotspot connects up to 10 devices w/wireless data trial that begins upon AT&T activation and expires at the end of 3 months or when 3GB of data is used, whichever comes first, but cannot extend beyond the trial subscription period for remote features, To activate, go to www.att.com/ford, remotely start, lock and unlock vehicle, schedule specific times to remotely start vehicle, locate parked vehicle and check vehicle status (FordPass Connect, the Ford Pass App, and Complimentary Connected Services are required for remote features (see FordPass terms for details), Connected Service and features depend on compatible AT&T network availability, Evolving technology/cellular networks/vehicle capability may limit functionality and prevent operation of connected features, Connected services excludes Wi-Fi hotspot.), Note: Ford Telematics and data services prep included for fleet only: FordPass Connect 4G Wi-Fi modem provides data to support telematics and data services including but not limited to vehicle location, speed, idle time, fuel, vehicle diagnostics and maintenance alerts, Device enables telematics services through Ford or authorized providers, Activate at www.fleet.ford.com or call 833-FCS-Ford, (833-327-3673)

Driver / Passenger And Rear Door Bins

Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down

Delayed Accessory Power

Power Door Locks w/Autolock Feature

Systems Monitor

Trip Computer

Outside Temp Gauge

Analog Appearance

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Interior

Redundant Digital Speedometer
Manual Adjustable Rear Head Restraints
2 Seatback Storage Pockets
1st Row Heated Seats
Securilock Anti-Theft Ignition (pats) Immobilizer
Perimeter Alarm
Air Filtration
4 12V DC Power Outlets

Safety-Mechanical

AdvanceTrac w/Roll Stability Control Electronic Stability Control (ESC) And Roll Stability Control (RSC)
ABS And Driveline Traction Control

Safety-Exterior

Side Impact Beams

Safety-Interior

Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Reverse Sensing System Rear Parking Sensors
BLIS (Blind Spot Information System) Blind Spot
Pre-Collision Assist with Pedestrian Detection and Cross-Traffic Alert
Lane Keeping Alert Lane Keeping Assist
Lane Keeping Alert Lane Departure Warning
Collision Mitigation-Front
Driver Monitoring-Alert
Tire Specific Low Tire Pressure Warning
Dual Stage Driver And Passenger Front Airbags
Safety Canopy System Curtain 1st, 2nd And 3rd Row Airbags
Airbag Occupancy Sensor
Driver And Passenger Knee Airbag
Mykey System -inc: Top Speed Limiter, Audio Volume Limiter, Early Low Fuel Warning, Programmable Sound Chimes and Beltminder w/Audio Mute
Rear Child Safety Locks
Outboard Front Lap And Shoulder Safety Belts -inc: Height Adjusters and Pretensioners

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Safety-Interior

Back-Up Camera w/Washer

WARRANTY

Basic Years: 3
Basic Miles/km: 36,000
Drivetrain Years: 5
Drivetrain Miles/km: 60,000
Corrosion Years: 5
Corrosion Miles/km: Unlimited
Roadside Assistance Years: 5
Roadside Assistance Miles/km: 60,000