



Town of Highland Beach Notice of Public Meeting Protocol

The Town of Highland Beach is committed to serving the needs of the public while also working to ensure the safety and health of the town's staff, the community, and visitors alike. In accordance with the State and the County's easing of the COVID-19 restrictions, effective June 01, 2021, all town departments reopen with regular operating hours.

That said, as an added layer of protection for the safety of all attending meetings in the Commission Chambers, the wearing of facial coverings or masks are strongly encouraged. Also, until further notice, social distancing requirements and in-person meeting capacity limits remains in place. For those interested, Zoom Video Communications and telephone participation are offered.

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

PREREGISTRATION FOR IN-PERSON ATTENDANCE/PARTICIPATION AT ALL MEETINGS:

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses **must preregister** to attend/participate in a meeting by sending an email to Town Clerk Lanelda Gaskins at publiccomments@highlandbeach.us or contacting (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, etc.**) The subject matter to be discussed must be included in the preregistration request. If the meeting is a **Public Hearing Quasi-Judicial meeting**, the subject matter and application number must be included in the preregistration request.
- In-person attendance/participation will be based upon the order in which the Town Clerk's Office receives the preregistration requests. For **Public Hearing Quasi-Judicial meetings**, precedence into the Commission Chambers will be given to applicants, their representatives and/or witnesses over all others preregistered parties. The Quasi-Judicial meeting participants will also be allowed in the Commission Chambers at the time of the hearing that is relevant to their applicant/client.
- The Zoom Video Communications is an option for those individuals who are interested in participating on the meeting online or via telephone.

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.

Published: 05.26.2021 / Updated: 08.03.2021



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING AGENDA

Tuesday, April 05, 2022 AT 1:30 PM

TOWN HALL COMMISSION CHAMBERS

3614 S. OCEAN BOULEVARD
HIGHLAND BEACH, FL 33487

Town Commission

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

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

[A.](#) Water Conservation Proclamation

6. **PUBLIC COMMENTS**

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

7. **ANNOUNCEMENTS**

Board Vacancies

Natural Resources Preservation Advisory Board - One vacancy for an unexpired term ending April 30, 2024

Planning Board - One vacancy for a three-year term

Meetings and Events

April 12, 2022 - 1:00 P.M. Code Enforcement Board Regular Meeting

April 14, 2022 - 9:30 A.M. Planning Board Regular

April 19, 2022 - 1:30 P.M. Town Commission Meeting Meeting

Board Action Report

A. None.

8. ORDINANCES

[A.](#) Ordinance No. 2022-003 (Second Reading/Public Hearing)

An Ordinance of the Town of Highland Beach, Florida, amending the Town Code of Ordinances, Chapter 25, "Streets, Sidewalks, Bicycle/Walkway Path and Right-of-Way," in order to eliminate obsolete provisions pertaining to newsracks; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing an effective date. (First Reading was March 01, 2022)

9. CONSENT AGENDA

A. None.

10. UNFINISHED BUSINESS

A. Fire Rescue Implementation Update

[B.](#) Mission and Vision Statements for Strategic Plan - Vice Mayor Moore

11. NEW BUSINESS

[A.](#) Designation of the Town's Voting Delegates to Palm Beach County League of Cities for 2022/2023

[B.](#) Discussion on Town Entry Signage Design Concepts

[C.](#) Approval of Commission Meeting Minutes

February 01, 2022 Commission Meeting Minutes

February 15, 2022 Commission Meeting Minutes

12. TOWN COMMISSION COMMENTS

Commissioner John Shoemaker

Commissioner Evalyn David

Commissioner Peggy Gossett-Seidman

1. League of Cities Updates

Vice Mayor Natasha Moore

Mayor Douglas Hillman

13. TOWN ATTORNEY'S REPORT**14. TOWN MANAGER'S REPORT****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. Water Conservation Proclamation

The Town of Highland Beach, Florida

Proclamation

- WHEREAS,** water is a basic and essential need of every living creature; and
- WHEREAS,** the State of Florida, Water Management Districts and the Town of Highland Beach are working together to increase awareness about the importance of water conservation; and
- WHEREAS,** the Town of Highland Beach and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and
- WHEREAS,** The Town of Highland Beach has always encouraged and supported water conservation, through various educational programs and special events; and
- WHEREAS,** every business, industry, school, and citizen can make a difference when it comes to conserving water; and
- WHEREAS,** every business, industry, school, and citizen can help by saving water and thus promote a healthy economy and community; and
- NOW, THEREFORE, I, DOUGLAS HILLMAN, MAYOR** of the Town of Highland Beach, Florida, on behalf of Town Commission, do hereby proclaim the month of April as

Water Conservation Month

The Town of Highland Beach, calls upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

IN WITNESS WHEREFORE, I have hereunto set my hand and caused the official seal of the Town of Highland Beach, Florida to be affixed this 5th day of April 2022.

DOUGLAS HILLMAN
MAYOR



File Attachments for Item:

A. Ordinance No. 2022-003 (Second Reading/Public Hearing)

An Ordinance of the Town of Highland Beach, Florida, amending the Town Code of Ordinances, Chapter 25, "Streets, Sidewalks, Bicycle/Walkway Path and Right-of-Way," in order to eliminate obsolete provisions pertaining to newsracks; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing an effective date. (First Reading was March 01, 2022)



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE April 5, 2022

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES, CHAPTER 25, "STREETS, SIDEWALKS, BICYCLE/WALKWAY PATHS, AND RIGHT-OF-WAY," IN ORDER TO PROHIBIT AND ELIMINATE OBSOLETE PROVISIONS PERTAINING TO NEWSRACKS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

SUMMARY:

At the March 1, 2022 Town Commission meeting, the Commission considered the proposed amendment to the Town Code of Ordinances on first read. Staff requested clarity from the Commission on whether their desire was to have an outright ban of newsracks or just to eliminate the newsrack provisions as provided in Chapter 25. Consensus from the Commission was to include a ban of newsracks. As a result, the Ordinance has been revised to incorporate the following language that bans newsracks (such additions are denoted by a **bolded** double underline).

25-1. - Obstruction of streets, sidewalks, right-of-way—Prohibited.

*It shall be unlawful to obstruct or cause to be obstructed any sidewalk or crossing in any way. It shall be unlawful to erect, build, construct, deposit or place, or to procure or cause to be erected, built, constructed, deposited or placed upon or in any street, or any place where the public has a right of passage, any house, cellar, stable, shed, privy, fence, enclosure, walls, foundations, **newsracks** or any other structure, or any obstruction of any kind whatsoever; or for the owner or occupant of any lots or part thereof abutting on a street to permit any obstruction to remain upon the sidewalk in front of such lot or part thereof, or for the owner or occupant of such lot or part thereof to permit any sidewalk in front of such lot or part thereof to remain in such condition as to prevent convenient and safe use thereof by the public. The provisions of this section shall not extend to canvas or wooden awnings placed in front of stores or other buildings, when such awnings are not less than eight (8) feet from the ground or sidewalk at the lowest point. It shall be unlawful to construct improvements or install trees in new locations within the public right-of-way including swales, as defined in Section 25-14, without first obtaining a right-of-way permit (right-of-way permit fee shall be waived) from the*

building department unless waived or otherwise determined as not required by the town's public works director (with the exception of telecommunication facilities which are governed by Chapter 32 of this Code). For work performed within the State Road A1A right-of-way, the permit required by this section is in addition to any permit that is required by the Florida Department of Transportation (FDOT), and the Town's issuance of a right-of-way permit shall neither impair FDOT's regulatory authority nor otherwise impact any conditions or requirements that may be imposed by FDOT. The following improvements are permitted in the public right-of-way, except as provided in Section 17-2(3), and do not require a right-of-way building department permit:

- (a) Underground sprinkler systems with flush or pop-up heads.*
- (b) Mailboxes.*
- (c) Ground cover as defined in Section 28-2.*
- (d) Replacement of existing landscaping including, but not limited to, trees, shrubs or plants greater than twenty-four inches in height so long as such landscaping is replaced in the same location. Existing landscaping located within a swale shall not be replaced.*

FISCAL IMPACT:

N/A

ATTACHMENTS:

Proposed Ordinance

March 1, 2022 Town Commission Agenda Memorandum (First read)

RECOMMENDATION:

At the discretion of the Commission.



**TOWN OF HIGHLAND BEACH
ORDINANCE NO 2022-003**

AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES, CHAPTER 25, “STREETS, SIDEWALKS, BICYCLE/WALKWAY PATHS, AND RIGHT-OF-WAY,” IN ORDER TO PROHIBIT AND ELIMINATE OBSOLETE PROVISIONS PERTAINING TO NEWSRACKS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, on December 7, 2021 the Town Commission adopted Ordinance No. 2021-018 which included amending Chapter 25, “Streets, Sidewalks, Bicycle/Walkway Paths, and Right-of-Way,” to allow for certain improvements located within the public right-of-way; and

WHEREAS, Chapter 25 “Streets, Sidewalks, Bicycle/Walkway Paths, and Right-of-Way,” Article II, “Newsracks,” provides regulations pertaining to newsracks located within rights-of-way; and

WHEREAS, the newsrack provisions have been part of the current Town Code of Ordinances since 1972 and have not been amended since then; and

WHEREAS, at the March 2, 2021 Town Commission meeting, the consensus of the Commission was to prohibit newsracks given there is no longer a need for them; and

WHEREAS, the Town Commission wishes to amend Chapter 25 of the Code of Ordinances in order to prohibit and eliminate obsolete provisions pertaining to newsracks; and

WHEREAS, the Town Commission has determined that the amendments to the Code of Ordinances are in the best interest of the Town of Highland Beach.

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

Section 1. The foregoing facts and recitations contained in the preamble to this Ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2. The Town of Highland Beach Code of Ordinances is hereby amended by amending Chapter 25, “Streets, Sidewalks, Bicycle/Walkway Paths, and Right-of-Way,” to read as follows (deleting is ~~stricken through~~ and adding is underlined):

25-1. - Obstruction of streets, sidewalks, right-of-way—Prohibited.

It shall be unlawful to obstruct or cause to be obstructed any sidewalk or crossing in any way. It shall be unlawful to erect, build, construct, deposit or place, or to procure or cause to be erected, built, constructed, deposited or placed upon or in any street, or any place where the public has a right of passage, any house, cellar, stable, shed, privy, fence, enclosure, walls, foundations, newsracks or any other structure, or any obstruction of any kind whatsoever; or for the owner or occupant of any lots or part thereof abutting on a street to permit any obstruction to remain upon the sidewalk in front of such lot or part thereof, or for the owner or occupant of such lot or part thereof to permit any sidewalk in front of such lot or part thereof to remain in such condition as to prevent convenient and safe use thereof by the public. The provisions of this section shall not extend to canvas or wooden awnings placed in front of stores or other buildings, when such awnings are not less than eight (8) feet from the ground or sidewalk at the lowest point. It shall be unlawful to construct improvements or install trees in new locations within the public right-of-way including swales, as defined in Section 25-14, without first obtaining a right-of-way permit (right-of-way permit fee shall be waived) from the building department unless waived or otherwise determined as not required by the town’s public works director (with the exception of telecommunication facilities which are governed by Chapter 32 of this Code). For work performed within the State Road A1A right-of-way, the permit required by this section is in addition to any permit that is required by the Florida Department of Transportation (FDOT), and the Town’s issuance of a right-of-way permit shall neither impair FDOT’s regulatory authority nor otherwise impact any conditions or requirements that may be imposed by FDOT. The following improvements are permitted in the public right-of-way, except as provided in Section 17-2(3), and do not require a right-of-way building department permit:

- (a) Underground sprinkler systems with flush or pop-up heads.
- (b) Mailboxes.
- (c) Ground cover as defined in Section 28-2.

(d) Replacement of existing landscaping including, but not limited to, trees, shrubs or plants greater than twenty-four inches in height so long as such landscaping is replaced in the same location. Existing landscaping located within a swale shall not be replaced.

* * *

Sec. 25-14. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Advertising circular* means any publication primarily designed for purposes of advertising rather than for the dissemination of news reports.~~

Bike path means that portion of a right-of-way improved, designed or ordinarily used for bicycle traffic.

~~*Distributor* means the person responsible for placing and maintaining a newsrack, the owner of the newsrack or the publisher of the newspaper vended therein.~~

~~*Newspaper* means a paper that is printed and distributed, usually daily or weekly, and contains primarily news, articles of opinion and features for which no fee has been charged for placement therein.~~

~~*Newsrack* means any coin-operated box, container, storage unit or other dispenser installed, used or maintained for the display, sale or distribution of newspapers or other news periodicals.~~

Right-of-way means all that area dedicated to public use or otherwise owned by a public agency for public street purposes and shall include roadways, swales, bike paths and sidewalks.

Roadway means that portion of a right-of-way improved, designed or ordinarily used for vehicular traffic.

Sidewalk means any surface within a right-of-way provided for the exclusive or primary use of pedestrians.

Swale means any depressed linear area within a right-of-way which is not either a bike path, sidewalk or roadway that can store and/or convey stormwater drainage from roadways and other

adjacent impervious surfaces commonly referred to as bioswales or ditches. The term shall also include any area within a roadway which is not open to vehicular traffic.

~~Sec. 25-31. Placement; location.~~

~~Any newsrack which rests in whole or in part upon, or on any portion of a right-of-way or which projects onto, into or over any part of a right-of-way shall be relocated in accordance with the provisions of this section:~~

~~(1) No newsrack shall be used or maintained which projects onto, into or over any part of any roadway or bike path, or which rests wholly or in part upon or over any portion of any roadway or bike path.~~

~~(2) No newsrack shall be permitted to rest upon, in or over any sidewalk or swale when such installation, use or maintenance endangers the safety of persons or property; or when such site or location is used for public utility purposes, public transportation purposes or other government use; or when such newsrack unreasonably interferes with or impedes the flow of pedestrian vehicular traffic, the ingress into or egress from any residence, place of business, or any legally parked or stopped vehicle, or the use of poles, posts, traffic signs or signals, hydrants, mailboxes permitted on or near such location; or when such newsrack interferes with the cleaning of any sidewalk.~~

~~(3) Newsracks located totally on private property shall be subject to and comply with the provisions of this Code and shall be placed upon the property only with the express written consent of the owner of the property.~~

~~(4) No more than one cluster of newsracks shall be located within the northerly limits of the town from the town hall north, or within the southerly limits of the town from the town hall south; the clusters shall not be closer than one mile apart. Neither shall any additional newsrack of any other publication be placed within this distance except immediately adjacent to permitted newsracks of other publications.~~

~~(5) No newsrack shall be placed, installed, used or maintained:~~

- ~~a. Within fifteen (15) feet of any marked crosswalk.~~
- ~~b. Within fifteen (15) feet of the curb return of an unmarked crosswalk.~~
- ~~c. Within fifteen (15) feet of any fire hydrant, fire call box, police call box or other emergency facility.~~
- ~~d. Within fifteen (15) feet of any driveway.~~

- ~~e. Within five (5) feet ahead of and fifteen (15) feet to the rear of any sign marking a designated bus stop.~~
- ~~f. Within five (5) feet of any bus bench.~~
- ~~g. At any location whereby the clear space for the passageway of pedestrians is reduced to less than six (6) feet.~~
- ~~h. Within five (5) feet of any area improved with lawn, flowers, shrubs or trees.~~

~~Sec. 25-32. Contents; maintenance; identification of distributor.~~

~~(a) — Newsracks shall be used for the sale and distribution of newspapers. Any other publications, including advertising circulars, will not be permitted.~~

~~(b) — Each newsrack shall be maintained in a clean and neat condition and in good repair at all times. Unsightliness will not be tolerated. The type and appearance, including colors, of the newsrack facilities shall blend with the surroundings of the particular location to the extent practicable. Standards shall be determined so as to permit a reasonably wide selection of newsrack facilities on the market.~~

~~(c) — Each newsrack on the streets of the town shall have displayed on the newsrack the name, address and telephone number of the distributor in a place where such information may easily be seen.~~

~~Sec. 25-33. Addition of newsracks to enclosures erected by town.~~

~~If the town, at its expense, decides to install and maintain a cover or supporting structure for the newsracks, additional newsracks shall not be added to the adjacent area without town commission approval. The expense of enlarging the supporting structure shall be borne by the owner of the newsrack requesting the addition. No advertising or signs shall be affixed to the supporting structure.~~

~~Sec. 25-34. Abandonment.~~

~~If a newsrack remains empty for thirty (30) continuous days, it shall be deemed abandoned and may be treated in the same manner as provided in section 25-39 for newsracks in violation of this Code.~~

~~Sec. 25-35. Building permit, fee required.~~

~~A building permit with current applicable fees is required for a newsrack. The police department shall also review the plans with regard to safety. The permit holder shall pay a nonrefundable fee of one thousand dollars (\$1,000.00) per calendar year; provided, however, that if the permit is issued during the calendar year, the fee for the permit shall be prorated for any full calendar month which has expired during the calendar year.~~

~~Sec. 25-36. Indemnification of town.~~

~~An application for a newsrack permit shall be accompanied by a nonrefundable fee as established by resolution of the town commission, and shall contain a written statement, signed by the applicant, whereby the applicant agrees to indemnify and hold harmless the town, its officers, agents and employees, from any loss, liability or damages, including expenses and costs, for bodily injury and property damage sustained by any person as a result of the location, installation, use, maintenance, removal or storage of the applicant's newsracks within the town.~~

~~Sec. 25-37. Bond; insurance.~~

~~Any accidents directly attributable to newsrack usage will be the responsibility of the permit holder, distributors and owners of newspapers. The applicant shall file with the town, along with the application for a newsrack permit, a bond issued by an insurance company authorized to do business in the state in the penal sum of one thousand dollars (\$1,000.00), with the town named as obligee, conditioned for the faithful performance of the provisions of this article. The applicant shall file with the application proof of general liability insurance in the amount of three hundred thousand dollars (\$300,000.00) per person, five hundred thousand dollars (\$500,000.00) per occurrence and fifteen thousand dollars (\$15,000.00) in property damage, naming the town as coinsured.~~

~~Sec. 25-38. Enforcement.~~

~~(a) Upon determination by the town manager that a newsrack has been installed, used or maintained in violation of the provisions of this article, a citation to correct the offending condition shall be issued to the distributor of the newsrack. Such citation shall be mailed by certified mail, return receipt requested. The citation shall specifically describe the offending condition and~~

~~suggest actions necessary to correct the condition. The citation shall contain the results and any data collected from any pedestrian and vehicular traffic study that may have been performed to ascertain the offending condition. In addition, where the owner of the offending newsrack is not known or identified, a copy of the citation shall be posted on the offending newsrack.~~

~~(b) Failure to properly correct the offending condition within twenty (20) days after the mailing or posting date of the citation, whichever is later, shall result in the offending newsrack being removed by the town. If the offending newsrack is not properly identified as to the distributor and the distributor is not otherwise known, the citation shall be posted as provided herein and if the offending condition is not corrected within twenty (20) days, it shall be removed by the town. Any newsrack removed by the town hereunder shall be stored at the distributor's expense for a period of ninety (90) days. The newsrack shall be released to the distributor upon a proper showing of ownership and payment of any and all storage charges. If the newsrack is not claimed within the ninety day period, the newsrack may be sold at public auction and the proceeds applied first to storage charges and then paid into the general fund of the town. At least ten (10) days prior to the public auction, the town clerk shall publish a description of the newsrack, the location from which it was removed and notice of the auction in a newspaper of general circulation in the town and shall provide the distributor identified on the newsrack or if otherwise known, with written notification of the auction by certified mail, return receipt requested.~~

~~(c) If the distributor of the newsrack appeals the citation to correct the offending condition as provided in section 25-40, removal of the newsrack shall be stayed pending final disposition of the appeal, which final disposition shall include any judicial review. The town shall pay or reimburse to the distributor any storage charges paid pursuant to a citation to correct which is appealed as provided herein and the decision rendered favorable to the distributor.~~

~~Sec. 25-39. Appeals.~~

~~Any person or entity aggrieved by a finding, determination, notice or action taken under the provisions of this article (hereinafter, an appellant) may appeal to the code enforcement board. An appeal must be perfected within the twenty (20) days after the mailing or posting of the notice of any protested decision or action by delivering to the office of the town manager a letter of appeal briefly stating the basis for the appeal. A hearing on the appeal shall be held on a date not more than sixty (60) days after receipt of the letter of appeal. The appellant shall be given at least seven~~

~~(7) days' written notice of the time and place of the hearing. The board shall give the appellant and any other interested party a reasonable opportunity to be heard, in order to show cause why the determination of the license inspector should not be upheld. At the conclusion of the hearing, the board shall make a final and conclusive determination. The determination shall be reduced to writing and signed by the chairman of the board and filed in the office of the town clerk within twenty (20) days of the hearing and a copy shall be sent to the appellant. The decision of the board shall be effective when rendered. The decision of the board may be appealed as provided for by law.~~

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. Section 2 of the Ordinance may be made a part of the Town Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption at second reading.

The foregoing Ordinance was moved by _____, seconded by _____ and upon being put to the vote, the vote was as follows:

	AYE	NAY
Mayor Douglas Hillman	_____	_____
Vice Mayor Natasha Moore	_____	_____
Commissioner Peggy Gossett-Seidman	_____	_____
Commissioner Evalyn David	_____	_____
Commissioner John Shoemaker	_____	_____

PASSED on first reading at the Regular Commission meeting held on this _____ day of _____, 2022.

The foregoing Ordinance was moved by _____, seconded by _____ and upon being put to the vote, the vote was as follows:

	AYE	NAY
Mayor Douglas Hillman	_____	_____
Vice Mayor Natasha Moore	_____	_____
Commissioner Peggy Gossett-Seidman	_____	_____
Commissioner Evalyn David	_____	_____
Commissioner John Shoemaker	_____	_____

PASSED AND ADOPTED on second and final reading at the Regular Commission meeting held on this _____ day of _____, 2022.

ATTEST:

By: _____
Lanelda Gaskins, MMC
Town Clerk

APPROVED AS TO FORM AND LEGALITY:

By: _____
Glen J. Torcivia, Town Attorney



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE March 1, 2022

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES, CHAPTER 25, "STREETS, SIDEWALKS, BICYCLE/WALKWAY PATHS, AND RIGHT-OF-WAY," IN ORDER TO ELIMINATE OBSOLETE PROVISIONS PERTAINING TO NEWSRACKS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

SUMMARY:

At the March 2, 2021 Town Commission meeting, an introduction item regarding a revised right-of-way Ordinance triggered a brief discussion among the Commission as to why the Town needs newsracks. The proposed right-of-way Ordinance included (for formatting purposes) the renumbering of the current newsrack regulations found in Chapter 25 of the Town Code of Ordinances. These newsrack regulations have been part of the Town Code of Ordinances since 1972 and have not been amended since then. Consensus from the Town Commission was to "prohibit" newsracks given there is no longer a need for them. At the November 9, 2021 Town Commission meeting which was the first reading of the right-of-way Ordinance, Commission discussion included "removing" the newsracks. The proposed Ordinance is in line with the Commission's latter discussion which is to eliminate the newsrack provisions including newsrack-related definitions from the Town Code. If the Town Commission's intent is to outright prohibit newsracks, staff will make the necessary changes to the Ordinance upon Commission direction.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Proposed Ordinance

RECOMMENDATION:

At the discretion of the Commission.

SUN-SENTINEL

Sold To:

Town of Highland Beach - CU00398185
3614 So. Ocean Blvd.
Highland Beach, FL 33487

Bill To:

Town of Highland Beach - CU00398185
3614 So. Ocean Blvd.
Highland Beach, FL 33487

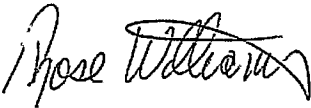
Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL,
a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the
attached copy of advertisement, being a Legal Notice in:

The matter of 11720-Notice of Public Meeting ,
Was published in said newspaper by print in the issues of, or by publication on the
newspaper's website, if authorized on Mar 26, 2022

Affiant further says that the newspaper complies with all legal requirements for
publication in Chapter 50, Florida Statutes.

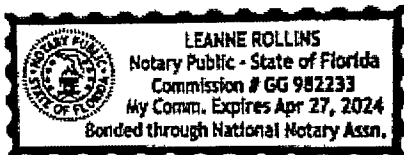


Signature of Affiant

Sworn to and subscribed before me this: March 28, 2022.



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ()

Affidavit Delivery Method: E-Mail

Affidavit Email Address: lgaskins@highlandbeach.us
7168212

**TOWN OF HIGHLAND BEACH
NOTICE OF PUBLIC HEARING**

YOU ARE HEREBY NOTIFIED that the Town Commission of the Town of Highland Beach will conduct a Public Hearing on Tuesday, April 05, 2022, at 1:30 P.M. in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following:

ORDINANCE NO. 2022-003

AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES, CHAPTER 25, "STREETS, SIDEWALKS, BICYCLE/WALKWAY PATHS, AND RIGHT-OF-WAY," IN ORDER TO PROHIBIT AND ELIMINATE OBSOLETE PROVISIONS PERTAINING TO NEWSRACKS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

A copy of the ordinance will be available for inspection by contacting the Town Clerk's Office at (561) 278-4548, Monday through Friday, during normal business hours 8:30 A.M. to 4:30 P.M. and on the Town's webpage at <https://mmportal6.teamunicode.com/> no later than Friday, April 1, 2022.

Public participation will be in the forms of in-person, Zoom or telephone call. Persons desiring to participate in the meeting must preregister by contacting Town Clerk Lanelda Gaskins at email address publiccomments@highlandbeach.us or by submitting public comment to the Town of Highland Beach's Agendas and Meetings webpage <https://mmportal6.teamunicode.com/>. At the top of the webpage, click on "Public Comments" complete the electronic form and click submit. The submitted comment will be read into record during the corresponding portion of the meeting. All requests will be accepted up until 11:00 A.M. on Monday, April 04, 2022.

Any person that 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 of the proceeding is made, which includes the testimony and evidence upon which the appeal is based. The Town of Highland Beach does not provide such a record. In accordance with the Americans with Disabilities Act, persons who need special accommodation to attend or participate in this meeting should contact the Town Clerk's Office at (561) 278-4548 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 or 1-800-955-8771.

Lanelda Gaskins, MMC

File Attachments for Item:

B. Mission and Vision Statements for Strategic Plan - Vice Mayor Moore

Meeting Date: 4/5/2022
Submitted by: Natasha Moore, Vice Mayor – Commissioner
Subject: Mission and Vision Statements for Strategic Plan

Summary:

The current mission and vision statements in our strategic plan are...

VISION: A residential community striving to provide the highest quality of living standards for present and future residents.

MISSION: Maintain and improve the focus of Highland Beach as premier beachside residential community providing excellence in government and services to protect our “unique sense of place”.

Recommendation:

Review the mission and vision statement in our Strategic Plan. Discuss if any changes are necessary.

Mission and Vision Statements

Key concepts: safety, excellence in utilities and municipal services, spend money wisely that optimizes value for residents, optimizes financials to benefit residents, reflects input by residents, harmony, paradise, plan for future.

Town of Highland Beach

Consider the following as an alternative to our current vision:

The Town of Highland Beach is a harmonious community that is a safe harbor in paradise.

Consider the following as an alternative to our current mission:

We provide exceptional municipal services that residents want while optimizing our financial budget and responsibly planning for the future.

Mission and vision statements from other municipalities:

City of Boca Raton

Vision: a beautiful, prosperous, safe, and vibrant coastal community.

Mission: The mission of the City of Boca Raton is to responsibly provide outstanding services to enhance our unique quality of life.

City of Delray Beach

Vision: Delray Beach is a charming, vibrant city of dynamic and diverse communities with a bright future. We proudly celebrate our heritage and provide a welcoming, healthy hometown for residents and visitors.

Mission: To foster an authentic and inspiring community that celebrates our history while building toward the future.

Jupiter

Vision: Jupiter is a distinctive coastal community committed to preserving its unique character and history and vibrant, small town feel.

Mission: We provide exceptional municipal services that add value to resident's lives, while ensuring a long term, sustainable community

File Attachments for Item:

A. Designation of the Town's Voting Delegates to Palm Beach County League of Cities for 2022/2023



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission

MEETING DATE 04/05/2022

SUBMITTED BY: Lanelda Gaskins, Town Clerk's Office

SUBJECT: Designation of the Town's Voting Delegates to Palm Beach County League of Cities for 2022/2023

SUMMARY:

Every year the Palm Beach County League of Cities, encourage each municipality to designate elected officials as a voting delegate and alternate(s) to the Palm Beach County League of Cities, Inc. to vote on behalf of the municipality at any League of Cities general membership meetings and/or function of the general membership. The League of Cities is requesting each municipality to nominate their voting delegates and provide the information to them by April 15.

Staff is requesting the Town Commission to designate a voting delegate and alternate(s) to participate on behalf of the Town of Highland Beach for 2022/2023.

FISCAL IMPACT:

Mileage Reimbursement

ATTACHMENTS:

Palm Beach County League of Cities Voting Delegate Form

RECOMMENDATION:

Recommend Town Commission nominate a voting delegate and alternate(s) to participate on behalf of the Town at the Palm Beach League of Cities meetings for 2022/2023.



Took the official action and designated the following voting delegate and alternate(s) to vote on behalf of the above named municipality at any League of Cities general membership meeting, special general membership meeting and/or function of the general membership. This designation applies **ONLY** to weighting voting items for the General Membership.

Email:

Beach, FL 33401

File Attachments for Item:

B. Discussion on Town Entry Signage Design Concepts



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE *April 5, 2022*

SUBMITTED BY: Town Manager's Office

SUBJECT: Discussion on Town Entry Signage Design Concepts

SUMMARY:

The Commission has expressed the desire to update the entry signs on the North and South ends of Town. This project is included in the FY 2022 strategic priorities. To begin the process, attached are a few designs concepts for the Commission to review.

FISCAL IMPACT:

\$150,000 budgeted in Discretionary Sales Tax – Improvements Other Than Bldg. (103-574.000-563.000)

ATTACHMENTS:

Entry Sign Design Concepts

RECOMMENDATION:

Commission discussion.

CONCEPT 1

Off Center Sign - Natural Textures -
Dark blue plastic pin lettering over white
washed wood slats supported by faux
stone podium.



CONCEPT 1A

Off Center Sign - Natural Textures -
Dark blue plastic pin lettering over white
washed wood slats supported by faux
stone podium.



CONCEPT 1B

Off Center Sign - Natural Textures -
Dark blue plastic pin lettering over white
washed wood slats supported by faux
stone podium.



CONCEPT 2A

Upright rounded side -
Natural Textures - Dark blue plastic pin
lettering over white washed wood slats
supported by faux stone podium.



TOWN OF

Highland Beach

CONCEPT 3A

Off Center Sign - Natural Textures -
White plastic pin lettering over teak wood slats
supported by faux stone podium.



CONCEPT 3A

Off Center Sign - Natural Textures -
White plastic pin lettering over teak wood slats
supported by faux stone podium.



CONCEPT 5

Sculptural Element -
3D lettering supported by thick wood frame
in blue. Above is a metallic wave sculptural
element.



CONCEPT 5A

Sculptural Element -
3D lettering supported by thick wood frame
in blue. Above is a metallic wave sculptural
element.



CONCEPT 6

Sculptural Element 2 -
3D lettering supported by thick wood frame
in blue. Opaque blue backer. Above is a
metallic wave sculptural element.



CONCEPT 7

Pylon Wave - 15 wood pylons of varying heights, representing waves with white pin lettering.

HIGHLAND BEACH

File Attachments for Item:

C. Approval of Commission Meeting Minutes

February 01, 2022 Commission Meeting Minutes

February 15, 2022 Commission Meeting Minutes



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.municodemeetings.com/>.



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

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

Date: February 15, 2022
Time: 1:30 P.M.

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
Commissioner Peggy Gossett-Seidman
Vice Mayor Natasha Moore
Mayor Douglas Hillman
Town Manager Marshall Labadie
Town Attorney Glen T. Torcivia
Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

MOTION: David/Moore - Moved to approve the agenda as presented, which passed unanimously 5 to 0.

5. PRESENTATIONS / PROCLAMATIONS

A. Florida Association of City Clerks 50th Anniversary Proclamation

Mayor Hillman read the proclamation.

6. PUBLIC COMMENTS

Mayor Hillman called for public comments.

Mr. Barry Donaldson of 3700 So. Ocean Blvd. expressed thanks to the Town Commission for their expeditious approach regarding the Fire Rescue project.

7. ANNOUNCEMENTS

Mayor Hillman read the announcements as follows:

Board Vacancies

Natural Resources Preservation Advisory Board - One vacancy for an unexpired term ending April 30, 2024

Planning Board - One vacancy for a three-year term

Meetings and Events

February 16, 2022 - 1:30 P.M. Town Commission Special Meeting

March 01, 2022 - 1:30 P.M. Town of Commission Meeting

March 09, 2022 - 1:00 P.M. Code Enforcement Board Regular Meeting

March 10, 2022 - 9:30 A.M. Planning Board Regular Meeting

Board Action Report

A. None.

8. ORDINANCES

A. None.

9. CONSENT AGENDA

A. None.

10. UNFINISHED BUSINESS

A. Continued discussion on the Fund Balance Guidelines. Vice Mayor Moore

Mayor Hillman read the title of item 10.A.

Vice Mayor Moore presented a PowerPoint of the Fund Balance Guidelines. She talked about increasing the disaster recovery reserves, using the total amount of the remaining unassigned reserves toward the Fire Rescue implementation, considering the timing of expenditures, and avoiding the costs of a loan or bond. Following the presentation Town Commission, discussions ensued about the Fund Balance Guidelines.

11. NEW BUSINESS

- A. Approve and authorize Town Staff to execute an Agreement with Airgas USA, LLC for the purchase and delivery of carbon dioxide for the Water Treatment Plant. (Piggyback St. Johns County, Florida, Contract # 21-MCC-AIR-13407).**

Town Manager Labadie presented this item. He mentioned that Town Attorney Torcivia would prepare an addendum to the agreement.

MOTION: David/Shoemaker - Moved to approve the contract to purchase the carbon dioxide from Airgas USA, LLC with the amendment, which passed unanimously 5 to 0.

- B. Approve and authorize the Mayor to execute an Interlocal Agreement for Fire-Rescue Dispatch Services between Palm Beach County and the Town of Highland Beach.**

Consultant Glenn Joseph with GC Joseph & Associates, LLC presented this item.

MOTION: David/Gossett-Seidman - Moved to approve and authorize the Mayor to execute the Interlocal Agreement for the Fire-Rescue Dispatch Services with Palm Beach County, which passed unanimously 5 to 0.

12. TOWN COMMISSION COMMENTS

Commissioner John Shoemaker commented about the COVID-19 home test kits. He inquired about the trespass signs (temporary signs) on the beach, and Town Manager Labadie explained that the temporary sign matter might be added to the strategic priorities plan list.

He talked about the Veteran's webpage, the crosswalk lights not turning on at night, Highland Beach TV Channel 99 not working, the positive and negative comments made about the five referendum questions, and the point of the five referendum questions. He also spoke about trust, transparency, teamwork, and the decisions of the Town Commission. Lastly, he encouraged the residents to look at the referendum questions and try to understand the questions.

Town Manager Labadie mentioned that he would have Chief Hartmann evaluate the crosswalk lighting matter.

Vice Mayor Natasha Moore mentioned that the Food Truck event was excellent. She talked about email communications regarding the referendum questions, referendum elections held between November 1 through April 1 per the Town's charter, the Vice Mayor's letter regarding the spending limits (funding limitation), 95 days to submit the

referendum ballot language to the Palm Beach County Supervisor of Elections Office, and the costs associated with having an election.

Commissioner Evalyn David talked about a temporary sign. She also spoke about the referendum question about increasing the funding limitations.

Vice Mayor Moore left the dais at 3:26 p.m.

Commissioner Peggy Gossett-Seidman was in Tallahassee last week and provided an update on the following:

The State appropriations.

Florida Senator Jennifer Bradley, District 5, is sponsoring the fire and rescue bill and recertification bill.

She spoke about the handwritten letters that she drafted and gave the letter to Florida House Representative Jay Trumbull, District 6, and Florida Senator Kelli Stargel, District 22.

Florida representatives, Florida senators, and Commissioners/Council members from the Palm Beach County area attended various sessions held by the League. They expressed wanting assistance with Home Rule in terms of Airbnb's and the ability to continue to manage ordinances.

The League supported the no-smoking ban on public parks and beaches, the sovereign immunity bill, the PTSD workers compensation bill, and the financial disclosures changes.

Mayor Douglas Hillman mentioned that the Town Commission would be ranking the Strategic Priorities Plan on February 16, 2022.

13. TOWN ATTORNEY'S REPORT

Town Attorney Torcivia had nothing to report.

14. TOWN MANAGER'S REPORT

Town Manager Labadie reported the following:

He clarified that the Veteran's webpage was private and restricted for private view by Commissioner Shoemaker before making the webpage active.

He mentioned that Highland Beach TV Channel 99 was working as of last week. Town staff will continue to investigate and work with Comcast regarding this matter.

The Town will be soliciting bids for the Construction Manager at Risk for the exiting Fire Station. He explained the Consultants' Competitive Negotiation Act (CCNA)

process related to bidding. He also said that Building Official Jeff Remas, Chief Craig Hartmann, and Consultant Glenn Joseph would be the committee members involved in this process.

Mr. Jerry Ford with Ford & Associates, Inc., Financial Advisors, will be the Town's Financial Advisor.

He met with Sam Ferreri of PGAL, Inc. and stated that the Fire Rescue design is moving forward.

The Investment Policy was added to the Strategic Priorities Plan.

Mayor Hillman asked Chief Hartmann about the boat. Chief of Police Hartmann explained that they would take delivery of the boat next week and would evaluate the vessel. The board will be operational the first week of March, and the ribbon-cutting may be on March 1, 2022.

There was a conversation about the community feedback on how great the Food Truck event was last week and the possibility of having similar events in the future.

15. ADJOURNMENT

The meeting adjourned at 3:49 P.M.

APPROVED on April 05, 2022, Town Commission Meeting.

ATTEST:

Douglas Hillman, Mayor

Transcribed by Ganelle Thompson
Administrative Support Specialist
and
Lanelda Gaskins, Town Clerk

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.municodemeetings.com/>.