



TOWN OF HILLSBORO BEACH, FLORIDA

1210 HILLSBORO MILE
HILLSBORO BEACH, FLORIDA 33062
P: 954-427-4011 • F: 954-427-4834
TOWNOFHILLSBOROBEACH.COM

SPECIAL COMMISSION MEETING AGENDA JANUARY 2, 2020 | 4:30 P.M.

MAYOR DEBORAH L. TARRANT
VICE MAYOR IRENE KIRDAHY
COMMISSIONER VICKY FEAMAN
COMMISSIONER BARBARA BALDASARRE
COMMISSIONER ANDREW R. BROWN

TOWN MANAGER WILLIAM 'MAC' SERDA, ICMA-CM
TOWN ATTORNEY DONALD J. DOODY
TOWN CLERK SHERRY D. HENDERSON, CMC

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Add, Remove or Table Agenda Items

I. RESOLUTIONS & CONTRACTS

- A. Resolution No. 2020-01** Consideration to Approve Contract Agreement Amendment with Winter Sun Investment, LLC to purchase property located at 1205 and 1206 Hillsboro Mile, Hillsboro Beach, FL 33062

II. TOWN MANAGER REPORT

III. TOWN ATTORNEY REPORT

IV. TOWN COMMISSION COMMENTS/REPORTS

- A.** Commissioner Andrew R. Brown
- B.** Commissioner Barbara Baldasarre
- C.** Commissioner Vicky Feaman
- D.** Vice Mayor Irene Kirdahy
- E.** Mayor Deborah L. Tarrant

V. PUBLIC COMMENTS

VI. ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED that if any interested person desires to appeal any decision made by the Town Commission, Special Master or any other Boards or Commissions of the Town with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. Please contact Sherry D. Henderson, IIMC-CMC, Town Clerk (954) 427-4011 Town Hall - 1210 Hillsboro Mile, Hillsboro Beach, Florida 33062. shenderson@townofhillsborobeach.com

Adopted by the Hillsboro Beach Mayor and Commission on this ____ day of January, 2020.

RESOLUTION NO. 2020- 01

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE AMENDMENT TO COMMERCIAL CONTRACT BETWEEN THE TOWN OF HILLSBORO BEACH AND WINTER SUN INVESTMENTS, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission deems it to be in the best interests of the Town to approve and authorize the appropriate Town officials to execute the Amendment to Commercial Contract between the Town of Hillsboro Beach and Winter Sun Investments, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clause is true and correct and hereby ratified and confirmed by the Town Commission. All exhibits attached hereto are hereby incorporated herein.

SECTION 2. The Town Commission of the Town of Hillsboro Beach, Florida, hereby approves and authorizes the appropriate Town officials to execute the Amendment to Commercial Contract between the Town of Hillsboro Beach and Winter Sun Investments, LLC.

SECTION 3. The appropriate Town officials are authorized and directed to execute the necessary documents to comply with this Resolution.

SECTION 4. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

SECTION 5. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its passage and adoption.

1 **ADOPTED** by the Town Commission of the Town of Hillsboro Beach, Florida this ____
2 day of January, 2020.

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TOWN OF HILLSBORO BEACH, FLORIDA

Deborah L. Tarrant
Mayor

ATTEST:

Sherry D. Henderson, CMC
Town Clerk

RESOLUTION NO. 2020-01

RECORD OF TOWN COMMISSION VOTE:

	<u>YES</u>	<u>NO</u>
MAYOR D. TARRANT	<input type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR I. KIRDAHY	<input type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER V. FEAMAN	<input type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER B. BALDASARRE	<input type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER A. BROWN	<input type="checkbox"/>	<input type="checkbox"/>

AMENDMENT TO COMMERCIAL CONTRACT

This Amendment to Commercial Contract is entered into by and between the Town of Hillsboro Beach, a municipal corporation (the "Buyer") and Winter Sun Investment, LLC, a Florida limited liability company (the "Seller")

PREAMBLE

WHEREAS Buyer and Seller have executed a Commercial Contract dated as of December 3, 2019 (the "Contract") for the purchase and sale of property described therein (the "Property"), and

WHEREAS the parties desire to amend the Contract as hereinafter set forth

NOW THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, the parties agree to amend the Contract as follows:

1. The parties acknowledge that the Buyer has given Seller documentation in accordance with Paragraph 6 of the Addendum to the Contract which identified four open cases of municipal code violations on the Property conducted by the Office of Special Magistrate of the Buyer, as follows:

Case No. 1219

Case No. 19040002

Case No. 19080003

Case No. 19080004

Buyer has recorded Releases of Lien incident to these cases in the Public Records of Broward County, copies of which are attached hereto as Composite Exhibit "A". Buyer represents that the foregoing cases constitute all of the cases the Buyer has filed against the Property, except as set forth in Paragraph 2 below.

2. The Buyer has notified Seller that another open case involving a municipal code violation and lien has been recorded by a Special Magistrate for Broward County, Florida under an agreement between the Buyer and the County, which is Broward County Code Lien Case Number 17-0343. Buyer and Seller agree that the lien on the Property by this case should also be dismissed by Buyer pursuant to Paragraph 6 of the Addendum. However the County has advised the Buyer that the next Code Enforcement hearing is on February 6, 2020, which is after the January 3, 2020 deadline required require for Buyer to obtain and record releases under Paragraph 6 of the Addendum. Therefore the parties agree that Buyer shall have until February 16, 2020 to provide Seller with a recorded Release of the County lien.

3. The parties acknowledge that the last sentence of Paragraph 6 of the Addendum to the Contract states that if the Buyer terminates the Contract, it will thereafter have the right to take

further action against the Property or the building in accordance with applicable town codes and ordinances. However, the Buyer acknowledges that any such action will commence with a new Notice of Violation sent to Seller, as it will be a new case filing.

4. Except as amended hereby, the Contract will remain in full force and effect. Electronic transmission of counterparts of this Amendment shall be deemed originals.

Buyer:

Town of Hillsboro Beach, a municipal corporation

By: _____
Deborah L. Tarrant, Manager

Dated: _____

Seller:

Winter Sun Investment, LLC, a Florida limited liability company

By: _____
Steven C. Cronig, Manager

Dated: 12-30-2019

THIS INSTRUMENT PREPARED BY:
Donald J. Doody, City Attorney
Town of Hillsboro Beach
1210 Hillsboro Mile
Town of Hillsboro Beach, FL 33062

RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS:

That the TOWN OF HILLSBORO BEACH, holder of a certain Claim of Lien filed by the TOWN OF HILLSBORO BEACH, against the property described below in Broward County, Florida, owned by WINTER SUN INVESTMENTS, LLC, hereby releases the following lien:

Case No. 1219 recorded October 19, 2018 in Instrument Number 115395831 of the Public Records of Broward County, Florida.

Folio Number 4843 08 CB 0010

Address: Hillsboro Castle Reef Condominium Unit 101
1205 Hillsboro Mile, Hillsboro Beach, FL 33062

in and for the consideration of Ten Dollars (\$10.00) and other valuable consideration, the TOWN OF HILLSBORO BEACH does hereby acknowledge satisfaction of said Claim of Lien and hereby cancels the same of record.

William M. Serda
Witness
William M. Serda
(Print Name)

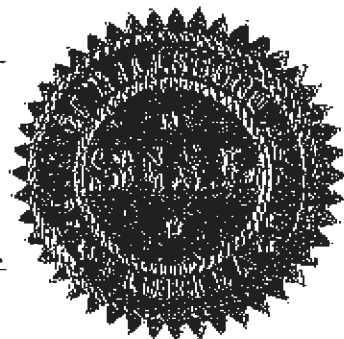
Daniela T. Joseph
Witness
Daniela T. Joseph
(Print Name)

TOWN OF HILLSBORO BEACH, FLORIDA

Irene Kirdahy
By: Irene Kirdahy
Title: Vice Mayor

ATTEST:

Sherry D. Henderson
Sherry D. Henderson, CMC Town Clerk



STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Irene Kirdahy as Vice Mayor, as authorized representative of the Town of Hillsboro Beach, Florida, who (X) is personally known to me or () has produced _____ as identification and who did (did not) take an oath, and he/she acknowledged to and before me that he/she executed the foregoing instrument for the purposes therein expressed, pursuant to due authority.
WITNESS, my hand and official seal this 18 day of DECEMBER, 2019.

Nicole S. Spradlin
NOTARY PUBLIC

My Commission Expires:

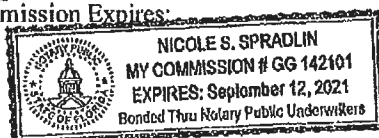


EXHIBIT "A" - 1

THIS INSTRUMENT PREPARED BY:
Donald J. Doody, City Attorney
Town of Hillsboro Beach
1210 Hillsboro Mile
Town of Hillsboro Beach, FL 33062

RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS:

That the TOWN OF HILLSBORO BEACH, holder of a certain Claim of Lien filed by the TOWN OF HILLSBORO BEACH, against the property described below in Broward County, Florida, owned by WINTER SUN INVESTMENTS, LLC, hereby releases the following lien:

Case No. 19040002 recorded July 15, 2019 in Instrument Number 115927632 of the Public Records of Broward County, Florida.

Folio Number 4843 08 CB 0010

Address: Hillsboro Castle Reef Condominium Unit 101
1205 Hillsboro Mile, Hillsboro Beach, FL 33062

in and for the consideration of Ten Dollars (\$10.00) and other valuable consideration, the TOWN OF HILLSBORO BEACH does hereby acknowledge satisfaction of said Claim of Lien and hereby cancels the same of record.

William M. Serpa
Witness
WILLIAM M SERPA
(Print Name)

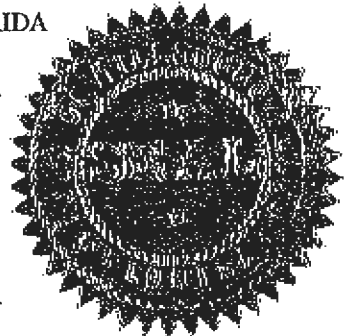
Daniela T. Joseph
Witness
Daniela T. Joseph
(Print Name)

TOWN OF HILLSBORO BEACH, FLORIDA

Irene Kirdahy
By: Irene Kirdahy
Title: Vice Mayor

ATTEST:

Sherry D. Henderson
Sherry D. Henderson, CMC Town Clerk



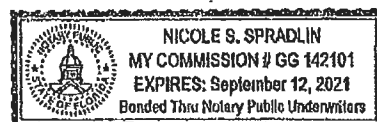
STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Irene Kirdahy as Vice Mayor, as authorized representative of the Town of Hillsboro Beach, Florida, who (X) is personally known to me or () has produced _____ as identification and who did (did not) take an oath, and he/she acknowledged to and before me that he/she executed the foregoing instrument for the purposes therein expressed, pursuant to due authority.

WITNESS, my hand and official seal this 18 day of DECEMBER, 2019

[Signature]
NOTARY PUBLIC

My Commission Expires:



THIS INSTRUMENT PREPARED BY:
Donald J. Doody, City Attorney
Town of Hillsboro Beach
1210 Hillsboro Mile
Town of Hillsboro Beach, FL 33062

RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS:

That the TOWN OF HILLSBORO BEACH, holder of a certain Claim of Lien filed by the TOWN OF HILLSBORO BEACH, against the property described below in Broward County, Florida, owned by WINTER SUN INVESTMENTS, LLC, hereby releases the following lien:

Case No. 19080003 dated September 10, 2019

Folio Number 4843 08 10 0010

Address: 1206 Hillsboro Mile, Hillsboro Beach, FL 33062

in and for the consideration of Ten Dollars (\$10.00) and other valuable consideration, the TOWN OF HILLSBORO BEACH does hereby acknowledge satisfaction of said Claim of Lien and hereby cancels the same of record.

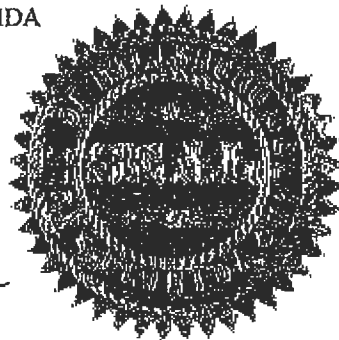
William M. Beer
Witness
William M. Beer
(Print Name)

Daniela T. Joseph
Witness
Daniela T. Joseph
(Print Name)

TOWN OF HILLSBORO BEACH, FLORIDA

Irene Kirdahy
By: Irene Kirdahy
Title: Vice Mayor

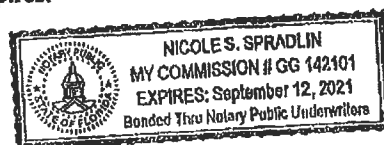
ATTEST: Sherry D. Henderson
Sherry D. Henderson, CMC Town Clerk



STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Irene Kirdahy as Vice Mayor, as authorized representative of the Town of Hillsboro Beach, Florida, who (X) is personally known to me or () has produced _____ as identification and who did (did not) take an oath, and he/she acknowledged to and before me that he/she executed the foregoing instrument for the purposes therein expressed, pursuant to due authority.
WITNESS, my hand and official seal this 18 day of DECEMBER, 2019.

[Signature]
NOTARY PUBLIC
My Commission Expires:



THIS INSTRUMENT PREPARED BY:
Donald J. Doody, City Attorney
Town of Hillsboro Beach
1210 Hillsboro Mile
Town of Hillsboro Beach, FL 33062

RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS:

That the TOWN OF HILLSBORO BEACH, holder of a certain Claim of Lien filed by the TOWN OF HILLSBORO BEACH, against the property described below in Broward County, Florida, owned by WINTER SUN INVESTMENTS, LLC, hereby releases the following lien:

Case No. 19080004 dated October 8, 2019 .

Folio Number 4843 08 CB 0010

Address: Hillsboro Castle Reef Condominium Unit 101
1205 Hillsboro Mile, Hillsboro Beach, FL 33062

in and for the consideration of Ten Dollars (\$10.00) and other valuable consideration, the TOWN OF HILLSBORO BEACH does hereby acknowledge satisfaction of said Claim of Lien and hereby cancels the same of record.

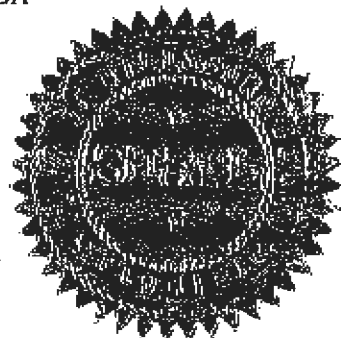
William M. Serra
Witness
William M. Serra
(Print Name)

Daniela T. Joseph
Witness
Daniela T. Joseph
(Print Name)

TOWN OF HILLSBORO BEACH, FLORIDA

Irene Kirdahy
By: Irene Kirdahy
Title: Vice Mayor

ATTEST:
Sherry D. Henderson
Sherry D. Henderson, CMC Town Clerk

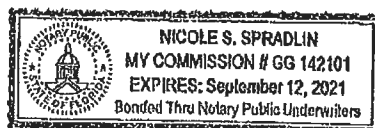


STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Irene Kirdahy
Vice Mayor, as authorized representative of the Town of Hillsboro Beach, Florida, who (X) is
personally known to me or () has produced _____ as identification and who did (did not) take an
oath, and he/she acknowledged to and before me that he/she executed the foregoing instrument for the
purposes therein expressed, pursuant to due authority.
WITNESS, my hand and official seal this 18 day of DECEMBER, 2019

[Signature]
NOTARY PUBLIC

My Commission Expires:



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN

The Mayor and Commission of the Town of Hillsboro Beach, Florida will hold a Special Commission Meeting **Thursday, January 2, 2020 at 4:30 p.m.** to allow for Consideration of Approval for Contract Agreement Amendment with Winter Sun Investment, LLC to purchase real property located at 1205 and 1206 Hillsboro Mile, Hillsboro Beach, Florida 33062.

WHAT: SPECIAL COMMISSION MEETING

WHEN: Thursday, January 2, 2020 @ 4:30 p.m.

WHERE: Hillsboro Beach Town Hall
Commission Chambers
1210 Hillsboro Mile
Hillsboro Beach, FL 33062

NOTICE IS FURTHER GIVEN

This is an **OPEN MEETING**.

The **PUBLIC** is encouraged to **ATTEND**.

Florida Statutes 286.011

QUESTIONS AND/OR CONCERNS SHOULD BE DIRECTED TO THE TOWN CLERK
SHERRY D. HENDERSON, CMC 954-427-4011


12/30/2019