



TOWN OF HILLSBORO BEACH
1210 Hillsboro Mile, Hillsboro Beach, FL 33062

Thursday,
September 29, 2016

Charter Review Committee

2:00 P.M.

M I N U T E S

CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 P.M. with a roll call by Deputy Town Clerk Basler, and the Pledge of Allegiance.

Present: Chairman Ambrose, Vice Chair Schubert, Members Germano, and Reiser Absent: Members Weiss and Maggiore

Also present: Attorney Doody, Attorney Wallen, and Deputy Town Clerk Basler

1. Approval of September 22, 2016 Minutes

A motion was made by Vice Chair Schubert to approve the September 22, 2016 minutes, seconded by Ms. Reiser. A roll call vote followed. All in favor. (4-0)

2. Report from Town Counsel

Atty. Doody asked for direction from the Committee as to what they would like to recommend to the Town Commission for consideration and adoption and for placing on the referendum in March 2017. It was decided to review all documents and then indicate the Committee's position on the proposed ordinances.

• **Proposed Ordinance – Amending Town Manager's Authority to Hire and Fire all Personnel -**
(Version 2 of this proposed ordinance was distributed to the Committee at the meeting.)

Vice Chair Schubert questioned page 2, SECTION 2, Section 5 (g) – and whether there should have been an “exception” inserted after the words ‘Town personnel except’: “all department heads and town attorney”. A handout was given by Mr. Germano which he explained, and after discussion around the hiring/firing by the Town Manager as a single entity, terms/definitions of ‘department heads’, contracted employees, litigation, etc., it was decided to go forward with Version 1 of this proposed ordinance and leave (g) as was presented. Ms. Reiser asked for an opinion from Atty. Doody who declined to give one saying he was “here to guide, this is a policy matter”. There was a stalemate of 2-2, but a compromise was reached and a motion was made by Mr. Germano to adopt Version 1 of the Proposed Ordinance, Amending Town Manager's Authority to Hire and Fire all Personnel, seconded by Vice Chair Schubert. The Ballot Question was brought up and to be consistent see page 4, SECTION 4, line 4 – remove the words “... including the Police Chief”. Vice Chair Schubert made a motion to amend the motion on the floor and include changing the Ballot Question by removing the words “including the Police Chief”, seconded by Mr. Germano. A roll call vote followed. (3-1) Ms. Reiser voted “no.”

• **Proposed Ordinance – Article VII Police**

The only change in this proposed ordinance was to the title of the Ballot Question, change as follows: “Police Chief is responsible for enforcement of the law under direction of Town Manager.” Vice Chair Schubert made a motion to accept this version of the proposed ordinance as presented, seconded by Ms. Reiser. A roll call vote followed. (4-0) All in favor.

- **Proposed Ordinance – Authorizing Town Manager to Appoint Town Clerk**
The only change in this proposed ordinance was to make the Ballot Question consistent with the new Charter, i.e., see SECTION 2, Article IV, entitled “Form of Government” (14). The Ballot Question was changed to read as follows: “Town Manager’s Authority to Appoint the Town Clerk and Employees in the Town Clerk’s Office.” A motion was made by Vice Chair Schubert to accept the proposed ordinance as indicated, seconded by Mr. Germano. A roll call vote followed. (4-0) All in favor.
- **Proposed Ordinance – Emergency Situations**
NEW. SECTION 2, (9) Administration of the Town During Emergencies, Page 3: change the order of the designated members of the Emergency Task Force to be consistent with (a) Executive Director: “(a) Mayor (b) Commissioners (c) Town Manager (d) Police Chief (e) Town Clerk (f) Department Heads.” It was also unanimously decided to refer to the “Executive Director” as “Emergency Director” throughout the document as it pertains to “emergencies.” A motion was made by Vice Chair Schubert to approve the change in order of the designated members of the Emergency Task Force and change the words “Executive Director” to “Emergency Director” throughout the document as it pertains to “emergencies”, seconded by Mr. Germano. A roll call followed. (4-0) All in favor.
- **Proposed Ordinance – Amending Charter Terms for Members of the Town Commission**
Terms of office changed to three 3-year terms and an election will not be necessary every third year, due to such change. A motion was made by Ms. Reiser to approve the three 3-year terms, seconded by Vice Chair Schubert. A roll call vote followed. (4-0) All in favor.
- **Proposed Ordinance – Town Treasurer**
Page 2, SECTION 2, Section 1. The only change was in the first sentence which should read: “There shall be a Town Treasurer who is a member of the Town Commission ...”. A motion was made by Mr. Germano to approve the language change “There shall be a Town Treasurer who is a member of the Town Commission ...”, seconded by Vice Chair Schubert. A roll call vote followed. (4-0) All in favor.
- **Proposed Ordinance – Bonds**
The only change in this proposed ordinance was the wording of the Ballot question, see page 5, SECTION 4, line 3 – Change the word “authority” to “flexibility”. Vice Chair Schubert made a motion to approve the proposed Bonds as amended, seconded by Ms. Reiser. A roll call vote followed. (4-0) All in favor.
- **Proposed Ordinance – Housekeeping Amendment to Charter & Exhibit “A” Charter of the Town of Hillsboro Beach, Florida**
The only suggestion was to clarify “Town Commission/Town Manager form of government.” See page 6, Article III, Section 1, line 1. A motion was made by Vice Chair Schubert to approve the proposed language change “Town Commission/Town Manager form of government ...”, seconded by Ms. Reiser. A roll call vote followed. (4-0) All in favor.

3. **New Business**

Charter Review Board’s Report to the Town Commission

Vice Chair Schubert made a motion to recommend to the Town Commission for approval, all of the ordinances submitted for adoption at this meeting, seconded by Ms. Reiser. A roll call vote followed. (4-0) All in favor.

4. **Public Comments –**

None. No one in attendance.

5. **Adjournment – 3:50 P.M.**

Respectfully submitted,



Ann-Marie S. Basler, Deputy Town Clerk