



**MINUTES
TOWN OF HILLSBORO BEACH
REGULAR MEETING OF THE TOWN COMMISSION**

TUESDAY

FEBRUARY 2, 2016

9:00AM

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The Mayor called the meeting to order at 9:00 AM. The Interim Town Clerk called the roll with the Commission members and staff present as listed below, followed by the Pledge of Allegiance.

Town Commission:

Mayor Richard Maggiore
Vice Mayor Deb Tarrant
Commissioner Vicky Feaman

Commissioner Troy Link
Commissioner Carmen McGarry

Town Staff:

Town Manager Robert Kellogg
Chief Thomas Nagy
Interim Town Clerk Sandra Demarco

Town Attorney D.J. Doody
Elliot Garay, Water Plant Superintendent

BOARD OF ZONING AND APPEALS MEETING

Quasi-Judicial Hearing

1. ZONING

a. 939 Hillsboro Mile - Variance

Town Attorney Doody swore in all those that would be testifying.

Mr. Joe Arenal of Redevelopment Management & Associates reviewed the request for variance. The hardship is self-imposed.

Mr. Joseph Leone and Mr. Robert Schenkenberg addressed the Commission and reviewed the proposed plans. The Main part of the property is expected to have the Certificate of Occupancy by July of 2016. The actual site plan for the latest part of the project will not be presented until the main property is reassessed.

Mayor Maggiore opened the public hearing. Several residents commented on timing of construction and whether input was requested from neighboring properties.

Commissioner Link made a motion to approve the variance request for 939 Hillsboro Mile and Commissioner McGarry seconded the motion, which passed unanimously.

b. 1121 and 1123 Hillsboro Mile - Variance

Town Attorney Doody swore in all those that would be testifying.

Commissioner Link recused himself from the Board due to conflict of interest. The alternate, Ms. Irene Kirdahy, served as the alternate for the hearing.

Mr. Joe Arenal reviewed the request for variances. Staff recommends approval of variance number one, but not variance number two.

Mr. Clemens Schaub addressed the Commission and reviewed the proposed plans requesting a variance as required by Section 12-127 of the Hillsboro Beach Land Development Code.

Mr. Robert MacClaren, the attorney for the developer, addressed the Commission and explained the proposed plan will not adversely impact the Town.

Vice Mayor Tarrant made a motion to approve the variance as required by Section 12-127 and Commissioner McGarry seconded the motion, which passed unanimously.

Mr. Clemens Schaub addressed the Commission and reviewed the proposed plans requesting a variance as required by Section 12-122 of the Hillsboro Beach Land Development Code. He explained that other ornate fixtures could be placed on the roof, which would make it exceed the 25 inches requested.

Mr. Robert MacClaren explained to the Commission that granting this variance will not set precedence, which was confirmed by both Mayor Maggiore and Town Attorney Doody,

Commissioner McGarry made a motion to approve the variance as required by Section 12-122 and Mayor Maggiore seconded the motion. With Commissioner McGarry and Mayor Maggiore voting aye and Vice Mayor Tarrant, Commissioner Feaman and Ms. Kirdahy voting nay, the motion failed to pass.

TOWN COMMISSION MEETING

CALL TO ORDER

1. PUBLIC HEARING TO CONSIDER SURCHARGE AND WATER RATE INCREASES

a. Second Reading of Ordinance 279: Authorizing Surcharge

Town Attorney Doody read Ordinance 279 by title only.

Mayor Maggiore opened the public hearing. There were no comments from the audience and the public hearing was closed.

Mr. Stephen Bloom of Severn Trent Services reviewed the water rate analysis.

The Commission reviewed the alternatives presented by Mr. Stephen Bloom and accepted the monthly surcharge per unit, which will be \$17.65 for single family residents and \$11.03 for multi-family residence. This will generate approximately \$347,000 a year, which will pay for the anticipated annual debt service for the waterline project.

Commissioner Feaman made a motion to amend Ordinance 279 to indicate the total project cost will be \$5.7 Million and Vice Mayor Tarrant seconded the motion, which passed unanimously.

Commissioner McGarry made a motion to adopt Ordinance 279 as amended and Commissioner Feaman seconded the motion, which passed unanimously.

b. Second Reading of Ordinance 280: Authorizing Increase in Water Rates
Town Attorney Doody read Ordinance 280 by title only.

Mayor Maggiore opened the public hearing. Ms. Roberta Meschkow inquired about usage. Mr. Stephen Bloom explained the increases are to provide sufficient funds for additional maintenance expenses anticipated in the system.

Commissioner McGarry made a motion to adopt Ordinance 280 which was amended to reflect an approximate cost of \$5.7 Million and Commissioner Feaman seconded the motion, which passed unanimously.

2. APPROVAL OF MINUTES

a. Minutes of the January 5, 2016 Commission Meeting

Vice Mayor Tarrant made a motion to approve the minutes of the January 5, 2016 meeting as presented and Commissioner Feaman seconded the motion.

3. BUILDING SERVICES

COMMISSIONER LINK

a. Code Enforcement – Update (Julio Briceno)

Mr. Julio Briceno distributed and reviewed an updated report.

Mayor Maggiore addressed Building 1200 leaving concrete, which is encroaching upon the apron. Mr. Julio Briceno indicated he had given a temporary Certificate of Occupancy for 1200 Hillsboro Mile.

Town Manager Kellogg requested an update on 1075 Hillsboro Mile. Mr. Julio Briceno expects it to be done shortly. The permit has been open since 2010; however, as long as you continue to have inspections showing progress, the permit remains open.

4. CITIZEN COMMENTS – NON AGENDA ITEMS ONLY / ALLOTMENT OF 3 MINUTES PER PERSON

Ms. Rhea Weiss encouraged residents to vote in favor of amending the Town Charter to include a Town Manager. She also noted Opal Towers is hosting a candidates meeting on February 11, 2016 at 7:00 p.m.

5. LEGAL

There being no report, the next item followed.

6. WATER

COMMISSIONER MCGARRY

a. Water Treatment Plant – Update

Mr. Elliot Garay reviewed his update and addressed issues with corrosion on the beach front pump station.

Town Manager Kellogg received a quote from Aquaduct in the amount of \$14,988 for installation of an air conditioning unit and partition. There is an additional \$3,000 charge for architectural fees for plan design to submit to the Building Department for permitting. He requested the Commission consider waiving the bid process pursuant to Section 2-60d of the Town Charter .

Commissioner Feaman made a motion to waive the bid process pursuant Section 2-60d of the Town Charter and approve the contract with Aquaduct and Vice Mayor Tarrant seconded the motion, which passed unanimously.

b. Water Main Replacement – Status Report

The design is 35% complete.

c. Consideration of Resolution 2016-835, Terminating the Contract with All Florida Tree and Landscape, Inc.

Town Attorney Doody read Resolution 2016-835 by title only.

Commissioner Feaman made a motion to adopt Resolution 2016-835 and Commissioner McGarry seconded the motion, which passed unanimously.

7. CONSENT AGENDA

- a. Goren, Cherof, Doody & Ezrol - Invoice \$4,309.45
- b. Oertel, Fernandez, Bryant & Atkinson - Invoice \$7,481.96
- c. Chen-Moore & Associates - Invoice \$15,211.44
- d. Broward County Building Department Report
- e. Financial Report
- f. Fire Services Report
- g. Police Department Report
- h. Transportation Report
- i. Water Department Report
- j. RMA Invoice \$7,925
- k. Severn Trent Services Invoice - \$8,221.83

Commissioner Link made a motion to amend the consent agenda to include item 7k, Severn Trent Services invoice, and Commissioner Feaman seconded the motion, which passed unanimously.

Commissioner Feaman made a motion to approve the consent agenda as amended and Vice Mayor Tarrant seconded the motion, which passed unanimously.

Vice Mayor Tarrant asked how itemized information relating to Building and Permits is being used for cost recovery. Town Manager Kellogg explained RMA submits an itemized spreadsheet to Severn Trent Services. Severn Trent Services bills the property owner for cost recovery.

8. BEACH

VICE MAYOR TARRANT

a. Beach Update

Vice Mayor Tarrant provided a brief update. The first FS 164 meeting with Deerfield Beach is scheduled for February 3, 2016. There will also be a symposium on protecting private property on February 24, 2016 at Opal towers at 9:00 a.m. Representatives from DEP and Coastal Growers will be present. A representative from the South East Marine Renewable Energy Center affiliated with Florida Atlantic University will also be present to discuss the monitoring station located in the Town, which monitors wave energy. She recommends all property managers and HOA board members attend as well as all property owners.

b. MAC Update - René Malès

Mr. Malès provided an update on several items that will be discussed at the symposium including the emergency response plan, which will be approved at the next MAC meeting and property owner responsibility. He also highlighted the joint Broward County MAC meeting he attended with Town Manager Kellogg on January 12, 2016. Even though the Broward County MAC does not focus on beaches, it was a good opportunity to network and talk with other MAC organizations.

9. FINANCE

COMMISSIONER MCGARRY

a. Severn Trent Financial Report Update

Mr. Stephen Bloom reviewed the December financials.

- Total water fund revenue is 27.7% of annual budget. Water usage billings were up 30.24% compared to last year. There was \$163,000 surplus through December.
- Total general fund revenue is 66.1% of annual budget. Ad valorem assessments are 76.8% collected and non-ad valorem assessments are 77% collected through December. Total expenditures through December were at 21.5% of the annual budget.

Town Manager Kellogg reviewed the administrative portion of the budget with the Commission and requested approval for the continued use of the temporary employee until the referendum on the Town Manager is decided at the March election.

Commissioner McGarry made a motion to approve the continued use of the temporary employee and Commissioner Feaman seconded the motion, which passed unanimously.

b. Investment Update

Mr. Stephen Bloom reviewed the investment portfolio provided in the financial report and indicated the annual yield is 1.56%.

10. POLICE

MAYOR MAGGIORE

a. Department - Update

Chief Nagy reviewed his report. They continue to educate Town residents about security, being mindful of their surroundings and to report any suspicious activity. There are 11 buoys missing. They already have the replacement buoys, which need to be installed. The four training sessions held in January were successful.

b. Discussion of Consolidation of the E911 System

Chief Nagy provided an overview of the E911 system.

c. Consideration of Resolution 2016-836, Supporting the Joint Position Statement of the Broward County Chiefs of Police Association and the Fire Chiefs Association of Broward County

Town Attorney Doody read Resolution 2016-836 by title only.

Commissioner McGarry made a motion to adopt Resolution 2016-836 and Commissioner Link seconded the motion, which passed unanimously.

Vice Mayor Tarrant noted this resolution is different than ones passed by other municipalities because the final *whereas* indicates the Director of Public Safety position should be funded from reallocated resources.

11. ADMINISTRATION

MAYOR MAGGIORE

a. Town Manager Report

There were no questions or comments on the report provided to the Commission.

b. Discussion of Contribution to Relay for Life

Vice Mayor Tarrant felt that contributions to non-profit charities should be left to individual residents and not decided by the Commission using tax money. Commissioner Feaman agreed.

Mayor Maggiore explained he received the request and put it on the agenda as he does not have authority to make a decision on such a request.

There was consensus that contributions to non-profit organizations should be left to the individual residents going forward.


- 12. SANITATION/RECYCLING** **COMMISSIONER FEAMAN**
a. Sanitation/Recycling - Update
Commissioner Feaman provided an update and stated issues with trash pickup at 1169 Hillsboro Mile are in the process of being resolved.
- 13. TRANSPORTATION** **COMMISSIONER FEAMAN**
a. Community Bus - Update
There have been no issues reported.
- 14. METROPOLITAN PLANNING ORGANIZATION (MPO)** **MAYOR MAGGIORE**
a. General Update
Mayor Maggiore and Town Manager Kellogg will attend the next meeting. The MPO is hosting informative meetings and soliciting support as they are trying to get a surcharge on sales tax to be used for transportation and infrastructure improvements. The MPO is anticipated to make a recommendation to the Broward County Commission to consider putting this on the November election ballot for voter approval.
- 15. CONSERVATION/ENERGY** **COMMISSIONER FEAMAN**
a. General Update
Commissioner Feaman reported she has been discussing building upgrades with Town Manager Kellogg.
Town Manager Kellogg met with an architect. A second floor cannot be added to this building as it is; however pillars can be added outside the existing building to support a second floor.
There was discussion regarding an RFP to contract with an architect and there was consensus to come up with a five year plan before going out for an RFP.
- 16. MISCELLANEOUS ITEMS - INFORMATIONAL ONLY**
There being none, the next item followed.
- 17. COMMISSIONER'S COMMUNICATION - NON AGENDA ITEMS ONLY**
There being none, the next item followed.

ADJOURNMENT

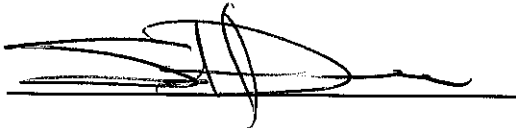
Commissioner McGarry made a motion to adjourn the meeting at 11:10 a.m. and Vice Mayor Tarrant seconded the motion, which passed unanimously.

ADOPTED THIS 1ST DAY OF MARCH, 2016

By:


Richard Maggiore, Mayor

ATTEST:



Sandra H. Demarco, Interim Town Clerk