



**MINUTES
TOWN OF HILLSBORO BEACH
REGULAR MEETING OF THE TOWN COMMISSION
JUNE 05, 2012**

TUESDAY

9:00AM

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

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

Town Commission:

Mayor Dan Dodge	Commissioner Javier Garcia*
Vice Mayor Claire Schubert	Commissioner Dick Maggiore
Commissioner Jim Lambert	* - Not present during roll call

Town Staff:

Town Clerk Jean-Marie Mark	Major Jay Szesnat
Town Attorney D.J. Doody	Stephen Bloom, Severn Trent
Walter Keller, Town Engineer/Planner	Ken Cassel, Severn Trent
Chris Weatherdon, Code Enforcement	

1. APPROVAL OF MINUTES

- a. May 1, 2012, Regular Meeting
Mayor Dodge asked if there were any additions or deletions.

Vice Mayor Schubert stated the first motion on Page 3, should include the discussion on the driveway easement.

Vice Mayor Schubert made a motion to approve the May 01, 2012, meeting Minutes as amended. Commissioner Maggiore seconded the motion, which passed unanimously.

2. ZONING

- a. 1001 Hillsboro Mile (Costello Residence) - Site Plan Amendment

Town Attorney Doody swore in those testifying.

Mr. Walter Keller, the Town Engineer, provided a brief history on this and recommended approval subject to the comments and conditions outlined.

* - Commissioner Garcia arrived at 9:17 AM

Vice Mayor Schubert made a motion to approve the 1001 Site Plan Amendment with the comments and conditions provided by Walter Keller, Town Engineer. Commissioner Maggiore seconded the motion, which passed unanimously.

- a. Future Land Use Element Recertification

Mr. Keller reported the Broward County Planning Council approved the "Recertification" of the Town of Hillsboro Beach Future Land Use Element as being in "Substantial Conformity" to the Broward County Land Use Plan.

3. BUILDING

Mr. Julio Briceno, Town of Hillsboro Beach Building Official, stated there were no problems or issues to report. Mr. Briceno distributed some information on the "Go Solar Challenge" which will go live on July 15th. The permit fee would be \$500 and contractors will be able to access the information online. Mr. Briceno indicated a presentation can be provided if the Commission was interested in having a workshop.

4. CODE ENFORCEMENT

Mr. Chris Weatherdon, of Code Enforcement, reported there were two (2) violations currently being investigated.

- 1161 - Walkover, currently being investigated
- 1223 - Walkover, currently being investigated
- 923 - Signage without a permit - Signs removed and violation closed.
- 925 - Signage without a permit - Signs removed and violation closed.

Mr. Weatherdon reported the following:

- 1045 Hillsboro Mile (Ocean Apartments) - an erosion problem is being investigated on the intercoastal side. A meeting has been scheduled for later today with the Broward County Surface Water to determine if enforcement is required to remedy the problem.
- 1057 Hillsboro Mile (Diamond Head) - is being investigated for paver work and the erecting of a Tiki Hut on the intracoastal side without the proper permitting.
- 1200 Hillsboro Mile - received a call regarding debris on the beach. Evidence indicates the Beach Rakers has been raking and leaving the debris in front of 1200 from the neighboring north and south condominiums. The Beach Rakers has been contacted - will continue to monitor.

5. FIRE SERVICES

Sheriff Al Lamberti stated he was happy to serve the Town of Hillsboro Beach and was in town on October 1st when the call regarding the carbon monoxide was received. Mr. Lamberti also spoke briefly of the accomplishments on their accreditation, in which Broward County Fire Rescue is the only Fire Service that holds an International Accreditation.

Chief Chad Brocato thanked the Mayor and Commission. He reported that last month, there were ten fire rescue calls and seventeen emergency medical service calls.

6. CITIZEN COMMENTS - NON AGENDA ITEMS ONLY/ ALLOTMENT TIME OF 3 MINUTES PER PERSON

Mayor Dodge opened the meeting for public comments at 9:26 AM

Mr. John Kennelly resident of Lighthouse Point, Florida wished to clarify on two items; that plans have been submitted to the Town Engineer and a petition has been distributed to the residents of Hillsboro Beach for support of a five-star resort and the building of a desalinization plant.

Ms. Rhea Weiss resident of 1149 Hillsboro Mile expressed her thoughts regarding the amount of sand being bypassed by the Boca Raton Inlet and what can be done.

Mr. René Males resident of 1155 Hillsboro Mile referenced the 60-year old history of the Cape Canaveral bypass issues and their findings. Mr. Males emphasized that is how the Town should concentrate on getting the Boca Raton Inlet to bypass more sand.

Mr. John Carlson resident of 975 Hillsboro Mile referenced the case of Applegate verses the United States, where 320 disgruntled residents sued the federal government as a result of construction of a large harbor at Cape Canaveral; the Applegate plaintiff's were Brevard County property owners.

Mayor Dodge closed the public comments portion of the meeting at 9:42 AM

6. CONSENT AGENDA

Commissioner Lambert requested item #7c - Close Construction Pay Application be pulled.

Vice Mayor Schubert made a motion to approve the Consent Agenda minus Item 7c - Close Construction Pay Application. Commissioner Maggiore seconded the motion, which passed unanimously.

Town Attorney Doody provided a brief overview on the meeting that took place the prior week which included; Commissioner Lambert, representatives from CH2MHill and Close Construction regarding a change order being requested by Close Construction to cover the additional time spent in obtaining the permits from the City of Pompano Beach. A Notice to Proceed was issued by the Town of Hillsboro Beach in June 2011 but the permits were not issued by the City of Pompano Beach until late January 2012. The delay was of no fault of Close Construction or the Town of Hillsboro Beach.

Commissioner Lambert reported the original change order was in the amount of \$75,000.00 but after further discussion with Close Construction, it was ultimately reduced to \$35,000.00. Commissioner Lambert recommended the approval of the change order for the amount of \$35,000.00.

Commissioner Garcia made a motion to amend the Consent Agenda Item #7c - Close Construction Pay Application to include the Change Order request for Close Construction in the amount of \$35,000.00. Vice Mayor Schubert seconded the motion, which passed unanimously.

Commissioner Garcia made a motion to approve the Consent Agenda Item #7c - Close Construction Pay Application to include the Change Order request for Close Construction in the amount of \$35,000.00 and the approval of the pay application in the amount of \$324,364.40. Vice Mayor Schubert seconded the motion, which passed unanimously.

8. BEACH

a. Beach Renourishment Project Update

Ms. Penny Cutt, of Coastal Systems International, (CSI), reported that the U.S. Army Corp. of Engineers did not accept the proposal of the ongoing beach clean up as mitigation for the sand spill that took place on March 31, 2011. Ms. Cutt stated she did speak to the Corp. on the previous day and will be meeting with Mayor Dodge and Town Attorney Doody to move forward. It is looking optimistic that we will be able to obtain a reasonable resolution. One of the potential

options the Corp. had mentioned to resolve the non-compliance issue was to have Great Lakes Dredge and Dock (GLDD) provide a presentation to a marine contractors group. Ms. Cutt reported she had been in contact with GLDD and they are willing to make a presentation at the next Florida Shore & Beach Preservation Association conference on non-compliance issues to educate other contractors on lessons learned.

Mayor Dodge requested Vice Mayor Schubert to work with Ms. Cutt on the sand bypassing issues with the City of Boca Raton, as the Town needs to take a position on this and have it placed on record.

- b. Addendum for Continuing Consulting Services Relative to the Hillsboro Beach/Deerfield Beach Renourishment Project - Part 45 DEP Local Government Funding Request.

Ms. Cutt stated resulting from the last month's Commission meeting she has prepared the addendum which she believes the value would be the same up to \$1.45 million, but cautioned there is no guarantee on the funding and reminded the Commission on the different credits for having specifics, such as, public access, parking, restrooms, hotels etc.

Mayor Dodge requested Ms. Cutt to find out if the Coast Guard beach is taken into consideration as there are public tours by boat and restrooms.

Vice Mayor Schubert made a motion to approve the Addendum for Continuing Consulting Services Relative to the Hillsboro Beach/Deerfield Beach Renourishment Project - Part 45 DEP Local Government Funding Request. Commissioner Lambert seconded the motion, which passed unanimously.

8. Water

- a. Water Plant Update - CH2MHill

Mr. Jim Rabideau, of CH2MHill, reported progress is moving steadily, equipment is arriving on a regular basis, the filters have been placed on the concrete slabs and ninety-nine percent of the concrete work has been completed. The remaining concrete work to be done is for the sidewalks.

9. FINANCE

- a. Severn Trent Update

Mr. Stephen Bloom and Mr. Ken Cassel of Severn Trent were both present. Mr. Bloom reported he has met with each department head and received their numbers which have been incorporated into the preliminary budget. Mr. Bloom also reported the 2012 Tax Rolls have been received from the Property Appraiser's office and at the July 10, 2012 meeting the Commission will be required to adopt the tentative millage rate and confirm the dates for the two budget hearings.

11. Administration

a. Hurricane Preparedness

Major Jay Szesnat reported packets of information on hurricane preparedness have been delivered to all single family homes as well as all the multi-family dwellings.

b. Employee Recognition

Major Jay Szesnat reported that on Wednesday, May 9, 2012 around midnight, the Hillsboro Police Department received a call from 911 requesting assistance behind the Rainbow Motel in reference to a 56-year old female who was in distress as she ventured out in to the ocean.

Officer Kelly arrived on the scene and without regard for his own safety, swam out approximately 50 yards and rescued a potentially drowning swimmer. Officer Kelly's quick and courageous actions saved a human life. On Thursday, May 10, 2012, Officer Kelly was awarded the Hillsboro Beach Police Life Savings Award.

c. Town of Hillsboro Beach's 75th Anniversary (2014)

Mayor Dodge reported the Town of Hillsboro Beach's 75th Anniversary will take place in 2014 and requested former Mayor and Town Historian Carmen McGarry to come forward. Mayor Dodge stated Carmen was instrumental in the 60th Anniversary celebration and stated with her expertise the Town would rely on her help with the 75th Anniversary.

Former Mayor McGarry agreed to work on planning of the 75th Anniversary celebration worthy of the Town of Hillsboro Beach and recommended the Commission to consider adding this expense to the budget. With the 60th celebration a book was created and ads were sold and ultimately the proceeds from the book paid for the weekend long celebration, which included dinner at the Hillsboro Club. The total cost for the 60th celebration was approximately \$15-\$20,000.00. Ms. McGarry suggested all ideas be forwarded to the Town Clerk.

12. SANITATION/RECYCLING

a. Recycling Update

Commissioner Maggiore reported he has not received any complaints in regards to the recycling program.

b. Waste RFP

Commissioner Maggiore reported he had met with Tony Spadaccia and Luigi Pace Government Affairs representatives of Waste Management in regards to the contract with the Town of Hillsboro Beach. Commissioner Maggiore stated the current contract offers a rarity of unlimited trash collection, very few complaints have been received on the service that is provided, the price is very reasonable and the contract expires on September 30, 2012. Commissioner Maggiore also spoke briefly about the contract with Broward County and the Resource Recovery Board will be ending next year in July 2013 and at that time, the tipping fees will be going down. Commissioner Maggiore stated the Town had gone out for a RFP two years ago; Waste Management came in well below of all other bids and recommended the Commission move forward in negotiating a renewal

contract.

Mr. Tony Spadaccia of Waste Management located at 2700 N. Wiles Road in Deerfield Beach, Florida reiterated how the tipping fees will be reduced when the interlocal agreement expires in July 2013. Mr. Spadaccia reviewed the current contracted charges with the Commission.

Commissioner Garcia made a motion to approve the RFP for Waste Collection and Recycling Services with the submission deadline date of July 2, 2012. Commissioner Lambert seconded the motion, which passed 4/1 with Commissioner Maggiore voting against.

13. TRANSPORTATION

- a. Bus – Interlocal Agreement with Broward County Transportation Services.

Commissioner Lambert made a motion to approve the Interlocal Agreement with Broward County Transportation Services. Commissioner Garcia seconded the motion, which passed unanimously.

- b. Bus Survey

Mayor Dodge requested Commissioner Garcia to look into the cost to add Saturday bus service.

- c. Metropolitan Planning Organization (MPO) - Update

Commissioner Garcia reported the modern street car verses the bus system which will run through Ft. Lauderdale to the airport. This will be voted on next week and this is in conjunction with the Broward County 30-Year Plan use. Commissioner Garcia handed out the ridership report to all Commissioners.

Mayor Dodge requested Commissioner Garcia to look into the bicycle rental program for the Town.

14. CONSERVATION/ENERGY

- a. Solar – Interlocal Agreement with Broward County

Commissioner Garcia reported this Interlocal Agreement with Broward County is for the permitting process Julio Briceno spoke about earlier in the meeting. With the Town's agreement, this would make the application process a one-step for Broward County.

Vice Mayor Schubert made a motion to approve the Solar Challenge Interlocal Agreement with Broward County. Commissioner Maggiore seconded the motion, which passed unanimously.

- b. Natural Gas – Update

Commissioner Garcia reported in the last five (5) years there have only been three (3) permitting requests for the Town and a records request has been sent to the City of Deerfield Beach to find out how many permits had been applied for in the past five years along A1A. Commissioner Garcia stated he had spoken to two different companies and both companies indicated if the demand was not there, they would not consider taking on the project due to the

high maintenance costs involved to maintain the lines.

15. LEGAL

- a. Resolution No. 745 - Authorization of the Beach Renourishment Project; Equalizing, Approving, Conforming, Imposing and Levying Certain Non-Ad Valorem Special Assessments on Property Specially Benefitted by Project.

Town Attorney Doody read Resolution No. 745 into record by title only.

Vice Mayor Schubert made a motion to approve Resolution No. 745 - Authorization of the Beach Renourishment Project; Equalizing, Approving, Conforming, Imposing and Levying Certain Non-Ad Valorem Special Assessments on the Property Specially Benefitted by Project. Commissioner Maggiore seconded the motion, which passed unanimously.

COMMISSIONER'S COMMUNICATION-NON AGENDA ITEMS ONLY

Vice Mayor Schubert announced a Certificate of Appreciation was received from the organization Relay for Life.

Commissioner Lambert thanked Town Attorney D.J. Doody for his assistance with the meeting involving CH2MHill and Close Construction. Commissioner Lambert also reported there were some problems at the water plant last weekend and he did go over to the water plant. There was no contamination; the contractors are allowing us to use their equipment.

Having no further business, the meeting adjourned at 11:30 AM.

ADOPTED THIS 10th DAY OF July 2012.

By:



Dan Dodge, Mayor

ATTEST:



Jean-Marie Mark, Town Clerk