



**MINUTES  
TOWN OF HILLSBORO BEACH  
REGULAR MEETING OF THE TOWN COMMISSION  
JUNE 04, 2013**

**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	

**Town Staff:**

Town Clerk Jean-Marie Mark	Deputy Town Clerk Irene George
Town Attorney D.J. Doody	Chief Thomas Nagy

**REGULAR TOWN COMMISSION MEETING**

Mayor Dodge opened the Regular Town Commission Meeting at 9:00 AM.

**1. APPROVAL OF MINUTES**

a. Minutes of the May 07, 2013 Regular Town Commission Meeting

Mayor Dodge asked if there were any additions or deletions to the minutes presented.

*Vice Mayor Schubert made a motion to approve May 07, 2013 minutes as presented. Commissioner Lambert seconded the motion, which passed unanimously.*

Mayor Dodge reported Mr. Julio Briceno was running late and moved onto Code Enforcement.

**3. CODE ENFORCEMENT**

Mr. Chris Weatherdon reported on the following:

- 999 Hillsboro Mile - overgrown lot
- 997 Hillsboro Mile - overgrown lot
- Seabonay - Renting water sports equipment on the Intracoastal.

All three were brought into compliance without incident. Previously reported of 1045 / 1050 west side of A1A for drainage and erosion problems is in progress. A permit has been applied for to rectify the problem - this is being monitored.

Commissioner Lambert requested item #12 Sanitation be heard after Fire. A general consensus was received for Commissioner Lambert's request.

**4. FIRE SERVICES**

Chief Chad Brocato stated there were 8 calls received, plus 1 dog call and their response vehicles are equipped with pet oxygen masks. A total of 27 EMS calls were recorded for last month.

**2. BUILDING DEPARTMENT**

Mr. Julio Briceno Building Official reported work was being done without a permit at the

following locations:

- 1169 Hillsboro Mile Unit 109
- 1189 Hillsboro Mile Unit 15

Mr. Briceno also reported the 3% rate increase for Code Enforcement, which is the only increase in the last four years.

Commissioner Maggiore inquired when the last time the Town had gone out to bid for building services.

Mayor Dodge stated the Town has never gone out to bid for these services and would consider doing so prior to the end of the contract with Broward County in two years.

## 12. SANITATION/RECYCLING

### a. Sanitation / Recycling - Update

Commissioner Maggiore reported the recycling is going well and there was only one complaint received which took place in Commissioner Garcia's building.

### b. SW Ranch / Sun Bergeron Contract

Town Attorney Doody reviewed his memo addressed to the Commission indicating the Town's Code of Ordinances does not allow piggybacking onto to other contracts. Mr. Doody explained the purpose of the proposed ordinance which would amend the charter and until this is done, the Commission cannot consider piggybacking onto any other municipal contracts.

Commissioner Maggiore questioned the difference between the Towns piggybacking on the Miramar contract verses this contract with Southwest Ranch.

Town Attorney Doody explained the Town currently has an interlocal agreement with Broward County.

Mr. Joseph Goldstein, legal counsel for Sun Bergeron stated his concern that the Town needs to amend the Charter and the current service agreement is due to expire on July 3, 2013 and under the current code there are no piggyback provisions.

Mayor Dodge stated he would prefer to call for a special meeting at the end of June and Vice Mayor Schubert and Commissioner Garcia were both in agreement.

Under general consensus, the Commission agreed to hold a special meeting on Thursday, June 27, 2013 at 8:30 AM.

### c. Procurement Code Ordinance

Town Attorney Doody read into record by title only Ordinance No. 264.

*Vice Mayor Schubert made a motion to approve Ordinance No. 264 Procurement Code as presented. Commissioner Lambert seconded the motion, which passed unanimously.*

### d. Miramar / Sun Bergeron Contract

To be reviewed at the Special Meeting scheduled for June 27, 2013

e. Sun Bergeron Draft Contract

Town Attorney Doody reported on the following changes/corrections

- Town is looking to have a flat rate of 3.5%. Mr. Lonnie Bergeron stated he would not be able to waive the CPI and explained the additional services the company also offers. Town Attorney Doody also explained the "favored nation clause"
- Section 3.2 - Renewals - Has been changed from 18 months to 12 months
- Section 4.2 - Disposal Services Charge Adjustments - Begin on July 01, 2014 and on each July 01 thereafter, the Disposal Services Charge shall be increased by 3.5%
- Section 4.5.2 - Payment Procedure - Changed from 45 days to 60 days. Also added "*Prior to the initiation of any litigation as to such disputes, the parties shall participate in mandatory mediation as a condition precedent to the filing of a lawsuit in Broward County as provided for in Section 14.6.a.*"
- Section 5.4 - Waste Receiving Facility to include "*In the event of a Tropical Storm or Hurricane event, the Waste Receiving Facility shall be open for extended hours on Monday through Saturday and also be open on Sunday until the waste collected as a result of a Tropical Storm or Hurricane is delivered and processed by the Waste Receiving Facility provided that such extended hours are permitted under Contractor's permits, licenses, or Executive Order permitting as such due to a declared emergency.*"
- Section 6.1.a - Letter of Credit - in an amount equal to six months of Disposal Costs for Town \$33,032.50. Should letter of credit is ever reduced the Town will need to receive notice 30-60 days.
- Section 8.1 - Policy Limits - should read Town Clerk not Town Manager.

Commissioner Garcia inquired if Sun Bergeron has established a local facility.

Mr. Lonnie Bergeron stated the facility the waste would be transported to is located in St. Cloud.

**5. CITIZEN COMMENTS - NON AGENDA ITEMS ONLY / ALLOTMENT OF 3 MINUTES PER PERSON**

Mayor Dodge opened the meeting for public comments at 10:01 AM

Mr. John Kennelly 333 E. Key Palm Road Boca Raton, Florida spoke about his ideas of building a Ritz Carlton style resort and that he has received numerous inquiries from South America and believes by his survey, this project would be supported by the condominiums in town. Mr. Kennelly also spoke briefly about how he would assist the Town with the high cost of replacing the water lines throughout town.

Mr. John Kennelly 2884 NE 30<sup>th</sup> Street Lighthouse Point, Florida provided a handout to the Commission containing additional information on their project including a traffic study.

Mrs. Rhea Weiss of 1149 Hillsboro Mile Hillsboro Beach, Florida thanked Commissioner Garcia for being present at the Hillsboro Inlet Bridge meeting with FDOT on the upcoming bridge repair. Mrs. Weiss also expressed she was not in favor of moving the election date from March to November in spite of the cost savings and to keep the Commission terms to two years.

Ms. Gabrielle Hodges of 1147 Hillsboro Mile Hillsboro Beach, Florida expressed her concerns on where to dispose of the seaweed that is washed up onto the beach.

With no one else stepping forward Mayor Dodge closed the public comments at 10:11 AM

6. CONSENT AGENDA

Mayor Dodge pulled 6b, Close Construction Pay Application No. 20 for discussion.

*Vice Mayor Schubert made a motion to approve the Consent Agenda as presented minus item 6b. Commissioner Garcia seconded the motion, which passed unanimously.*

7. BEACH

- a. Beach Renourishment Progress Update
- b. Addendum for Continuing Consulting Services

Vice Mayor Schubert reported items "a" and "b" reflect the continuing services from Coastal Systems International (CSI) based on the surveys required by our permits. Vice Mayor Schubert inquired if another coastal engineering firm is selected, would the Town be obligated to continue with CSI.

Town Attorney Doody explained the original contract with CSI was signed in 1997 and the Town has been approving the addendums for the continued services offered by CSI. But the Town is not obligated to continue with CSI for the monitoring should another coastal engineering firm selected.

Commissioner Garcia suggested CSI be present at the Special Meeting on June 27<sup>th</sup> and provide clarity on what their services and cost would be. Mayor Dodge and the Commission all agreed representation from CSI should attend the special meeting.

- c. Beach Management Recommendation
- d. Government Funding Resolution No. 762

Town Attorney Doody read into record by title only, Resolution No. 762 - Government Funding Request

*Vice Mayor Schubert made a motion to approve Resolution No. 762 - Government Funding Request. Commissioner Lambert seconded the motion which passed unanimously.*

- e. RFQ - Engineering Services Draft

Town Attorney Doody inquired if the Commission had any questions or additions to the RFQ.

Vice Mayor Schubert suggested there should be some flexibility on pricing perhaps having an hourly rate and a pricing by the project - lump sum and for the experience must include funding, permitting and execution of the project.

Town Attorney Doody clarified the publication will be done locally through the Sun Sentinel. The response deadline date will be on August 23, 2013. Mr. Doody also reviewed the breakdown on qualifying points and the Commission was in agreement. The Town Clerk will review all proposals received and provide a recommendation to the Commission for their review at the September 10, 2013 Commission meeting.

8. WATER

Mr. Jim Rabideau of CH2MHill reported the plant is up and running. The computer system is being tested and once all testing has been completed, the plant will be completely automatic. Crew is currently working on the close out phase of the project and the punch out list.

Mr. Rabideau requested approval of \$33,624.33 which includes the amount from last month. Items covered under this request include:

- Animal and rodent screening for the pond
- Raise the flow meter
- Labor and material for bollards
- Asphalt tie-in for concrete drive
- New fencing for wells 3 and 4
- Asphalt coating for the entire project
- Additional piping for overflow
- Manhole drain
- Storm drain manhole cover
- Additional piping for tie-in
- Additional cleaning out of sewer lines required by the county

*Commissioner Lambert made a motion to approve the requested amount of \$33,624.33 for the items listed above. Commissioner Garcia seconded the motion which passed unanimously.*

Mayor Dodge reviewed item 6b - Close Construction Pay Application No 20 of the Consent Agenda. Currently there is 4.7 million in change orders and upon completion it would be close to 4.86 million.

*Vice Mayor Schubert made a motion to approve item 6b - Close Construction Pay Application No. 20 of the Consent Agenda. Commissioner Garcia seconded the motion which passed unanimously.*

9. FINANCE

a. Severn Trent - Update

Mr. Stephen Bloom of Severn Trent provided a brief overview of the current budget.

- Water Fund - Currently at 60% of budget - doing a very good job
- General Fund - also in good shape - revenue is under 80%
- Total Expenditure is below 65% - overall all departments are doing very well.

Vice Mayor Schubert inquired what percentage of the property taxes has not been collected.

Mr. Bloom stated the uncollected taxes would be 12% which equates to approximately \$383,000, which is a little less from this time last year.

Mayor Dodge inquired with a total revenue of 5.1 million, what is the cash flow on hand?

Mr. Bloom stated there is \$2.1 million through April 2013 (7 months).

b. Budget Meeting Dates

Mr. Bloom reviewed the preliminary tentative calendar for the upcoming budget process.

- July 09, 2013 - Set the proposed millage rate
- September 11, 2013 - 1<sup>st</sup> budget meeting to begin at 6:00 PM

There was a brief discussion on meeting dates, times and availability. Commissioner Lambert stated he would do his best to be here on September 10<sup>th</sup> but would be unavailable from September 11<sup>th</sup> through the 20<sup>th</sup>.

c. Draft Audit Report

Mr. Bloom provided an overview of the audit and overall it is a very good report with positive trends. Mr. Bloom also indicated Ms. Michelle Blackstock from Grau & Associates was present if the Commission had any questions.

It was determined not all Commissioners received a copy of the audit and Mr. Bloom sent an electronic copy of the audit report during the meeting for their review.

*Commissioner Maggiore made a motion to move forward with the Audit Report as presented by Mr. Stephen Bloom of Severn Trent. Commissioner Garcia seconded the motion which passed unanimously.*

10. POLICE DEPARTMENT

a. Community Bus - Update

Chief Nagy reported the issues from last month have all been resolved.

b. Emergency Management Debris Removal - Phillips & Jordan

c. Emergency Management Monitoring - True North

Town Attorney Doody stated the piggyback on debris removal and debris management will need to be postponed until next month after the passing of the ordinance. Mr. Doody also reported the contract provided does not indicate when and/or how quickly Phillips & Jordan would show up.

d. Nixel System E911

Chief Nagy stated this state of the art system will also be used by Town Hall and the Water Department. The system will be set up to send a text message and email message to all residents. The startup cost is \$2500 with an annual \$2,000 renewal.

*Commissioner Maggiore made a motion to approve the \$2,500 startup expenditure for the Nixel System with a \$2,000 annual renewal rate. Commissioner Garcia seconded the motion which passed unanimously.*

11. ADMINISTRATION

a. IT Services Consultant - RFP Responses

Mayor Dodge stated the Town only received one response and needs more than one for consideration.

b. Florida League of Cities FMIT Crime/Bond Coverage

Mayor Dodge provided a brief overview of the coverage.

13. TRANSPORTATION

a. Community Bus - Update

Commissioner Garcia stated all is going well with the Community Bus service.

b. Metropolitan Planning Organization (MPO)

Commissioner Garcia stated there was nothing to report

b. Bascule Bridge Rehabilitation over the Hillsboro Inlet - Update

Commissioner Garcia thanked Mayor Dodge for speaking to the City of Pompano Beach and advising them the Town is interested in being a part of this project.

Commissioner Garcia reported the worst case scenario the bridge would be closed for one month in April 2015 after Passover. Construction is scheduled to begin June or July 2015. Commissioner Garcia stated he would be willing to be a part of the art selection committee for this project.

*Commissioner Lambert made a motion to appoint Commissioner Javier Garcia as the representative for the Town of Hillsboro Beach on the Art Committee. Mayor Dan Dodge seconded the motion which passed unanimously.*

After a brief discussion on the hardship to the Town if the bridge was completely closed, Mayor Dodge suggested a resolution be drafted defining the hardship on the Town in an event there were an emergency such as a fire or storm. Based on the general consensus, Town Attorney Doody was requested to draft a resolution for the next meeting.

**14. CONSERVATION/ENERGY**

Commissioner Garcia will provide the contact information to the Town Clerk to coordinate a meeting with TECO Peoples Gas.

**15. LEGAL**

Town Attorney Doody stated he had nothing to report

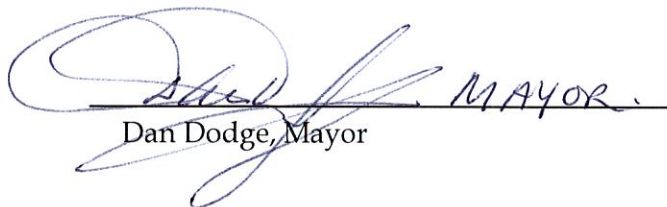
**COMMISSIONER'S COMMUNICATION - NON AGENDA ITEMS ONLY**

Commissioner Garcia referenced an earlier comment made by a resident on the disposal of seaweed and stated it is best to leave it on the beach.

Having no further business, the meeting adjourned at 12:10 PM

**ADOPTED THIS 9<sup>th</sup> DAY OF July 2013.**

By:

  
\_\_\_\_\_  
Dan Dodge, Mayor

ATTEST:

  
\_\_\_\_\_  
Jean-Marie Mark, Town Clerk