



MINUTES

TOWN OF HILLSBORO BEACH SPECIAL ASSESSMENT PUBLIC HEARING

TUESDAY

FEBRUARY 25, 2020

9:00 A.M.

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Deborah L. Tarrant called the meeting to order at 9:00 a.m. Roll was called with the Commission members and staff present as listed below.

Town Commission:

Mayor Deborah L. Tarrant

Vice Mayor Irene Kirdahy

Commissioner Andrew R. Brown

Commissioner Vicky Feaman

Commissioner Barbara Baldasarre

Town Staff:

Town Manager Mac Serda

Town Attorney DJ Doody and James A. Cherof, Attorney
(Goren, Cherof, Doody & Ezrol, P.A. Law Firm)

Town Clerk Sherry D. Henderson, CMC

APPROVAL OF AGENDA

Town Attorney DJ Doody asked for an adjustment to the order of the Resolutions.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Baldasarre, to approve the amended agenda. In a roll call vote, the **motion** passed unanimously. (5-0)

I. SPECIAL ASSESSMENT PUBLIC HEARING

- A.** Presented by Mark E. Raymond, Attorney Bond Counsel, Mark E. Raymond Law; Hank Fishkind, Ph.D., Director PFM Financial Advisors, LLC; and Jay Glover, Managing Director, PFM Financial Advisors, LLC

Mr. Doody explained the process for public comment and the procedures which would be followed. He noted there would be an opportunity for everyone to speak and asked that a three (3) minute time limit to be observed. He stated he had instructed the Commissioner not to respond to comments individually.

Bond Counsel Mark E. Raymond presented an overview of the bond issue, explaining notice of the public hearing was mailed to all residents and published in the Sun Sentinel Newspaper. He provided a brief history of the steps taken to move forward with a Special Assessment to purchase the property at 1205 and 1206 Hillsboro Mile and stated the final step to approving that assessment would be before the Commission later in the meeting.

Mr. Raymond explained once the Resolutions were approved, the next steps would be to ask a judge to validate the Assessment to determine everything had been done in a legal manner. He noted the specific terms of the Bond would be brought to the Commission for approval at a later time.

In response to a question from Mayor Tarrant, Mr. Raymond explained the timeline is determined based on the judge's calendar.

Hank Fishkind, Ph.D., Director PFM Financial Advisors, LLC, explained his firm serves as the Town's Financial Advisor and prepared the assessment report. He spoke on behalf of himself and Jay Glover, Managing Director, PFM Financial Advisors, LLC and explained the basis of his report, including the logical benefit and equitable allocation of the assessment.

Town Manager Mac Serda asked Dr. Fishkind to speak on the timeline following the validation by the court.

Dr. Fishkind stated as soon as a hearing date is set, his firm will move forward with the next steps in advance of the hearing date to allow the bonds to be sold at the end of the 30-day appeal period following the hearing.

Mayor Tarrant asked if Dr. Fishkind foresaw any change to interest rates related to the volatility in the stock market caused by the Coronavirus (COVID-19).

Mr. Fishkind explained potential risks, noting he did not see a benefit to delaying.

II. PUBLIC COMMENTS

Mr. Doody stated the Mayor and Commission would be holding a public hearing regarding Resolution 2020-14.

David Ravinisi, 1236 Hillsboro Mile, spoke in favor of the purchase. He stated he had been a resident of Hillsboro Beach for 36 years. He said he was skeptical and did a lot of research and believed land purchase was a win-win situation, with the purchase of the property providing the Town with an asset with multiple options.

Al Shore, 1147 Hillsboro Mile (Opal Towers), spoke in favor of the measure. He stated with climate change, residents need to do all they can to protect the beach. He gave a brief history of beach protection efforts the Town had undertaken in the past and addressed the inconvenience to the neighbors and costs. He noted both were a small price to pay for the asset being protected, and asked residents to focus on the positives.

Javier Garcia, 1203 Hillsboro Mile (Shoreland), spoke in opposition of the assessment. He read a statement outlining his concerns with the purchase. He stated he did not dispute the benefit of the beach nourishment but said he did not believe the property purchase was a special benefit to the Town. He stated the use of special assessment was simply a way for the Town to avoid submitting the issue to the will of voters.

Don Macejko, 1239 Hillsboro Mile, stated he did not have a problem with the assessment, but took issue with the method. He suggested the Town consider assessing based on linear footage.

Christopher Bates, Property Tax Consultant representing the Hillsboro Club, 901 Hillsboro Mile, stated the Hillsboro Club believed it was being overcharged under the assessment. He noted it would be the hardest location to support through the nourishment, and stated the Club is self-sufficient in re-nourishment. He stated he believed the special assessment violated the legal requirements.

Jay S. Levin, Attorney representing Dennis Alter at 1111 Hillsboro Mile, stated his client is in favor of the purchase and the assessment. He stated the project is a benefit to the community to protect the beach as a community asset.

Marc Ginsberg, 1221 Hillsboro Mile (Sea Club), stated he was a practicing attorney but spoke on behalf of himself as a property owner. He said he understands the need for beach re-nourishment but saw legal issues with the assessment. He explained his concerns, and stated he perceived the methodology was weighted toward single family homeowners and against condo owners.

Bob Mayer, 999 Hillsboro Mile, spoke in favor. He said he had been building homes in Hillsboro Beach for the past 25 years and the beach had always been an issue. He stated the current Town Commission had been amazing in its forward thinking and getting things done.

Martin Zucker, 1221 Hillsboro Mile, referenced the lawsuit against Deerfield Beach regarding beach re-nourishment, and asked that staff speak to the relationship between the lawsuit and land purchase. He asked why the Town couldn't wait to determine the results of the lawsuit before moving forward.

Kim Williams, 1221 Hillsboro Mile, suggested the meeting be tabled until a larger space could be found so that everyone could participate, saying she had seen several people leave. Ms. Williams read a meeting announcement from December 2019 stating the issue would go to vote and said she did not understand why that was not allowed to happen.

Robert Gallagher, 1050 Hillsboro Mile (LeBaron), asked if there would be a public referendum on the issue and whether the Commissioners had already made up their minds on the issue. He noted the Commission represents the people of the community.

Mark Sacilla, 1194 Hillsboro Mile, stated as president of his community association, he wanted to go on record as opposed to the assessment.

Laurie Barrett, 1194 Hillsboro Mile, stated she was also opposed to the assessment. She said the fact the cost of the beach re-nourishment itself was not included was an issue and questioned the addition of public parking spaces.

Cary Bayer, 1051 Hillsboro Mile, spoke in opposition of the assessment. He asked the Commission to consider a referendum to vote on the issue.

Tony Gardner, 1207 Hillsboro Mile (Recess), stated the 16 owners in his building are in opposition to the project and would like the Commission to consider beach re-nourishment alternatives such as groins.

Jerry Krevit, 1147 Hillsboro Mile, stated the Commission was equating sand with land, using a 10-year-old formula to determine taxation. He said properties with higher assessed values should be paying more than those with lower values.

Jane Reiser, 1050 Hillsboro Mile, spoke to previous comments. She stated that those in opposition did not speak for the residents of Hillsboro Beach, but a small number of them. She said if there isn't a beach, there aren't any property values, and people seem to be forgetting that. She noted the comment the Hillsboro Club should be exempt was foolish, because eventually they would not have a beach, either.

Henry Shiet, 1069 Hillsboro Mile, stated he believed the procedure was invalid and taking away the vote of the residents. He commented on ADA and seating options in the meeting room.

Irene Giordano, 1194 Hillsboro Mile, said she would like to know more about how the property would be paid for and what the benefits are.

Jonnie Whitner, 1194 Hillsboro Mile, stated she believed the issue should be put to a vote by the community.

Yolanda Foster, 1221 Hillsboro Mile, spoke in opposition of the assessment on behalf of herself and her husband.

Rasha Hasne, 1051 Hillsboro Mile, stated he was against the assessment & purchase.

Tanya Zucker, 1221 Hillsboro Mile, stated she was against the assessment & purchase.

Mark Sibeck, 1194 Hillsboro Mile, said she is in favor of beach re-nourishment but is in opposition to the assessment. She stated it is not clear what the total use of the property will be in the future.

Edna Desuza, 1155 Hillsboro Mile, stated she is impressed at how many people showed up and are interested in the issue. She said she is strongly opposed and feels more information is needed.

Margie Ravas, 1221 Hillsboro Mile, stated she agrees with those speaking in opposition and feels it should be put to a vote of the people.

Trudy Anderson, 1221 Hillsboro Mile, said she is in opposition to what has proceeded.

Beth Griffin, 1069 Hillsboro Mile, stated she opposes the assessment.

Gabby Davula, 1221 Hillsboro Mile, said she loves this place and does not want to see it become what it will be.

(Clerk's Note: Not clear if Gabby Davula's statement is in favor or against)

Nick Taleo, no address given, stated he objects and thinks the Town should use eminent domain to obtain the 15 feet necessary for beach access.

Ann Keller, 1057 Hillsboro Mile, stated she is concerned with beach preservation and applauds the effort, but disagrees with the particular method.

Lily Bayer, 1221 Hillsboro Mile, stated she is opposed to the issue and thinks the residents should have the ability to vote.

Steve Topher, 1063 Hillsboro Mile, asked if anyone had walked the property. He stated it needs a lot of improvement and he thinks it is a bad deal.

Eric Medina, 1221 Hillsboro Mile, said he is a board member speaking on behalf of the landowner at Palm Hill in opposition. He said the residents have concerns regarding taxation and the way it is being apportioned.

Jenny (last name not provided), 1051 Hillsboro Mile, stated she is against the assessment.

Maurice Rosaro, 1057 Hillsboro Mile, stated the restriction of sand flow by surrounding communities has caused an issue. He noted concerns regarding opening the property as a public beach and said they should take the opportunity to preserve Hillsboro Beach and its character.

Tim Rutherford, 1200 Hillsboro Mile, stated he is against the purchase and said the current beach nourishment project is gone within days and is not working.

Bob Stephens, 1053 Hillsboro Mile, said his family had been enjoying the beach for more than 44 years. He stated he had investigated the Deerfield Beach position and said Hillsboro Beach does not currently have a standing because they do not own beach property. He referenced a beach nourishment project in France, and said they put rectangular rock and saved the beach. He said just pouring sand into a hole makes no sense.

Maureen Sullivan, 1207 Hillsboro Mile, stated there was a lack of transparency with the purchase, which led people to become skeptical. She asked if the State or Federal government could place stipulations on how the property could be used.

Nicole Geiser, 1203 Hillsboro Mile, spoke in opposition and stated she had spoken at several meetings. She said she understood the arguments of the Commission, but the purchase seems excessive to get 15 feet to put sand on the beach. She stated she had alternative ideas and said her property values would be impacted by a future public beach.

Marshall Geiser, 1203 Hillsboro Mile, spoke in opposition to the assessment. He said he and his wife (Nicole Geiser) would do whatever they have to from a legal standpoint to stop the property purchase. He stated he thinks it is a rush job and that is wrong.

Mayor Tarrant closed the Public Hearing/ Public Comment.

She addressed comments and questions as follows:

- The financial implications for each owner are posted on the Town's website by folio number. She noted it is completely transparent and has been posted since January 21, 2020.
- The Town forgave \$205,075 in liens, not \$300,000 as was being circulated in writing prior to the meeting in connection with a petition.
- Liens are levied in an attempt to get a property up to code, not generate revenue. It is common in a purchase transaction for liens to be forgiven to facilitate transfer to an owner that will improve the property.
- Several alternative options were seriously explored. Many of the properties being pointed to were part of projects, inadequate, or belonged to someone else.
- The urgency in making the purchase comes down to the real estate adage "location, location, location." The location of this property is right in the middle of the mile-long stretch of beach which needs sand.
- It had been five (5) months and six (6) public meetings since the discussion started, there has been no rush.
- Interest rates are currently extremely low, and the 2011 loan assessment will be completed in 2021, making it a good time to consider a purchase.
- The issue is not on the March ballot because a special assessment does not require a referendum (vote). Originally the Commission thought a vote would be necessary and communicated such.
- In response to a question asking if residents in the north mile would be assessed more heavily than those in the south, she stated that was not how the formula was currently written but could be considered.
- The layout of the property will limit access, and she believes there will be fewer trespassers once the derelict building is gone, not an increased number.
- The Hillsboro Club receives sand from re-nourishments, so needs to be included in the assessment. Mr. Serda clarified no agreements are in place requiring special handling of The Hillsboro Club in relation to the 2010 re-nourishment.
- Information regarding the beach re-nourishment project in France was forwarded to the engineers for review and discussion. (mentioned by resident Bob Stephens earlier in the meeting)
- Residents originally argued against public access, so a Resolution is on the agenda to make clear the Commission's intentions to conduct a survey of all property owners prior to designating or granting public access relative to the property located at 1205-1206 Hillsboro Mile.

- Installation of groins by the Town of Hillsboro Beach would require installation along the full coastline, not 500 feet.
- In response to the question regarding eminent domain, Mayor Tarrant stated the community does not want the Town to go there. She noted the Town would still have to pay market price, and lawsuits would be involved.

Mr. Serda asked Mr. Raymond to address whether the assessment methodology was legal and appropriate as well as whether the use of an assessment for purchase of the property for beach nourishment was legal and proper.

Mr. Raymond explained the determination of the benefit of the property being assessed is a legislative determination, which is the reason the Town is validating the debt to make sure the process has been done legally.

In response to the public comment asking the objectives of the lawsuit against Deerfield Beach, Mr. Serda explained the hope is to stabilize the beach and perhaps neutralize the groins, while maintaining harmonious cooperation.

Mayor Tarrant added that she wanted to dispel the myth that the Elected/ Appointed Officials in Hillsboro Beach and Deerfield Beach were on terrible terms. She said the Town/City Commissioners and staffs were on cordial terms, but everyone is looking out for the best interest of their residents. Continuing, Mayor Tarrant stated it appears to her that if Deerfield Beach would just do what their permits say they are required to do and mitigate downdrift damage, that would be it.

Mr. Serda clarified landscaping is planned on the property at 1205 and 1206 Hillsboro Mile to restrict outside access, and noted the project is open to ideas and input as it is developed. He stated the police proactively patrol vacant lots in Town and would continue to monitor the parcel.

Regarding the pricing of the property, Mr. Serda stated two (2) independent appraisals were conducted, and each new piece of data gathered since has reinforced the price. He addressed concerns over transparency, reading aloud text messages that were sent Town-wide inviting residents to a public meeting early in the process.

Continuing to address questions from the public comment section of the meeting, Mr. Serda stated the public had communicated loud and clear that a public beach was not wanted.

Mr. Serda stated the 15-foot beach access was critical, but space to stage and turn trucks is also a component of the need. He noted he and the contractor visited the properties which had been recommended as alternatives and noted concerns related to each.

Stephen Bloom, Inframark, gave a brief presentation regarding how and why the assessment methodology was arrived at by the Town's financial consultants. He shared sensitivity analysis and showed impact to example condos and single-family homes, as well as comparisons with other potential methods.

Mayor Tarrant explained the scenario was chosen for the same reason it was utilized for the previous re-nourishments. She pointed out a \$1 savings to condo owners would result in an extra \$259 to \$1039 a year for single-family homeowners and outlined additional examples of inequities in other approaches. She stated single-family homeowners subsidize services to the condominiums property owners in a number of other ways.

Vice Mayor Kirdahy thanked everyone for their pointed comments and stated she appreciated most people having their opinions without making it personal.

Commissioner Feaman stated the Commission had done its due diligence and looked in every corner to find alternatives that would work as well as the purchase of the neighboring property would. She said she believed most people knew that the Commission had done everything in the best interest of the Town.

Commissioner Baldasarre said she had many sleepless nights and tried to take everything into consideration. She stated the can had been kicked down the road so many times, and it couldn't be kicked anymore. Now is the time to take action. She referenced concern about the marine sea turtles, and said if there isn't a beach, there won't be any turtles.

Commissioner Brown stated the questions Mr. Serda had summed up were the things the Commissioners asked early on as they sought answers. He noted they were not rushing to judgment, and felt the purchase is necessary to the Town going forward.

III. RESOLUTIONS AND CONTRACTS

A. Resolution No. 2020-13 – Conduct Survey

Item moved to later in the agenda at the request of the Town Attorney.

B. Resolution No. 2020-14 – Assessment

Attorney James A. Cherof read Resolution 2020-14 by title only, noting the public hearing had already been opened and closed.

Motion made by Commissioner Feaman, seconded by Commissioner Brown, to approve Resolution 2020-14 as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2020-15 - Bond

Mr. Cherof read Resolution 2020-15 by title only.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve Resolution 2020-15 as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

A. Resolution No. 2020-13 – Conduct Survey

Mr. Cherof read Resolution 2020-13 by title only.

Mayor Tarrant commented the Resolution related to the public beach issue, pointing out it does not deal with something financial, but with something more important. She said she would not want to make the decision without feedback from all property owners.

Motion made by Vice Mayor Kirdahy, seconded by Commissioner Brown, to approve Resolution 2020-13 as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

IV. PUBLIC COMMENT

Ray Smutniak, 1149 Hillsboro Mile, asked how he would challenge the linear footage number utilized.

Mayor Tarrant referred him to speak with Mr. Serda outside the meeting.

Alan Spitzer, 1167 Hillsboro Mile, asked if the Town would consider hedging the interest rate by splitting the loan into two (2) pieces.

Mr. Serda explained a variable rate is not typically recommended in municipal settings because it cannot be planned for.

The Commissioners and staff discussed current low interest rates.

Joyce Keller, 1021 Hillsboro Mile, thanked the Commissioners for their hard work, and noted they work from a place of love for the Town. She said they are being forward looking, and construction comes with the territory.

Bob Stephens, 1073 Hillsboro Mile, thanked the Commission for the hard work and agreed there was no easy answer. He asked the Commission to put out a letter regarding what was brought up during the meeting in order to educate people on the details.

Javier Garcia, 1203 Hillsboro Mile, stated the issue was beyond letters. He read from an email sent when a vote was planned outlining deadlines for ballot verbiage. He stated it was clear to him when he received the email that he had a vote, and said it was disappointing that they did not have a vote.

Mayor Tarrant stated there are a tremendous number of property owners in Town who are not able to register to vote in Hillsboro Beach. She reiterated that the method being used to pay for the property had changed since the original discussion of a vote.

Marshall Geiser, 1203 Hillsboro Mile, asked the purpose of the survey. He noted it would not be binding.

Mayor Tarrant explained if utilized, the survey would be to gauge the interest of property owners prior to building a public access point.

Mr. Geiser questioned the purchase of the property, stating the Town could have negotiated a price because it had been on the market for a time.

Commissioner Brown stated there was a lot of false information circulating.

Mayor Tarrant stated they had said for months that the intent was not public beach access. **She closed the public comments.**

V. TOWN MANAGER REPORT

None.

VI. TOWN ATTORNEY REPORT

None.

VII. ADJOURNMENT

Motion made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adjourn the meeting at 11:34 a.m. In a roll call vote, the **motion** passed unanimously.

ADOPTED THIS 17th DAY OF April, 2020

By: Deborah L. Tarrant
Deborah L. Tarrant, Mayor

ATTEST:

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





CLERK'S NOTE: Petition to cancel
"Contract to Purchase" and written public
comments is entered into the record for the
2-25-2020 Special Assessment Public Hearing

**Petition the Town of Hillsboro Beach Florida
Commissioners to exercise a Cancellation of the
"Contract To Purchase" a Property located at 1205-1206
Hillsboro Mile, Hillsboro Beach, Florida**

<https://www.thepetitionsite.com/takeaction/359/773/062/>

Author: Hillsboro Beach

Recipient:

Petition:

We, the Undersigned, being Voters, Stakeholders and Taxpayers of Homes, Condominiums, Co-Operatives, Villas, Townhomes, Hotels and Motels located in The Town of Hillsboro Beach Florida, Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida which was executed on December 3, 2019. The Petitioners present that the Price to Purchase, the Costs to cure the defects and carry the subject Property as well as the Method to Pay these costs were hastily carried out, that not enough time was spent investigating and justifying the barrage of uses for the Property bandied about by the Commissioners. Importantly, sufficient time was not spent to discover alternate solutions to the issues cited by Commissioners to justify a \$17 Mil Bond without being voted on by the Stakeholders undersigned below.

	Name	From	Comments
1.	Nancy Thelot	Maplewood, NJ	
2.	Javier Garcia	Hillsboro beach, FL	
3.	Marshall Geisser	Hillsboro beach, FL	Ridiculous amount of money without having looked at every available option. I.e. eminent domain...
4.	Nichole Geisser	Hillsboro Beach, FL	The assessment is vague? Are the taxing only the first mile on the North Side? Because then the costs doubles, my property is right next door, this is will hurt the value tremendously. Find another solution or location that is a less expensive route.
5.	Kim Jackson	Peterboro, gb	
6.	Timothy Rowe	Hillsboro Beach, FL	1) we were told we would vote for this and that was changed 2) I want to see the long term plan / costs and tax impact of the purchase 3) I want to see alternatives. Imminent domain was brought up by a resident at one meeting. While this should be a last resort... we have the owner of this building really not caring about being a "good neighbor" as he has accumulated a \$300,000 lien in fines... taking care of his property doesn't seem like a concern- perhaps we should imminent domain 15 foot of it...?
7.	margaret and Mike carvin	Hillsboro Beach, FL	This will raised our property taxes and we have received very little information on options.
8.	Maureen Sullivan	Hillsboro Beach, FL	
9.	Catherine Sullivan	Hillsboro Beach, FL	
10.	Molly Sullivan	Hillsboro Beach, FL	
11.	Carrie Gleason	Sedalia, CO	
12.	John Sullivan	Hillsboro beach, FL	
13.	Tony and Becky G. Gardner	Hillsboro Beach, FL	
14.	Sharon Driscoll	Hillsboro Beach, FL	The spending is ill-conceived, without a proper plan with considered alternatives, and was done without the input of neighbors.
15.	Kevin Driscoll	Hillsboro Beach, FL	
16.	ed quinn	hillsboro beach, FL	corrupt vetting of purchase, start to finish
17.	ken lang	Toronto, ca	
18.	Jean Sevigny	Hillsboro Beach, FL	Cost Allocation Grossly excoriates Condo owners in favor of Mansions
19.	Anthony DelPrete	Hillsboro Beach, FL	The decision to proceed to purchase was far too rushed without a study of its long term effects, not to mention the cost. More time is needed to evaluate and EVERY neighboring resident should be heard.

	Name	From	Comments
20.	Ron Phillips	Youngsville, NC	I own a property located at 1198 Hillsboro and believe public input was not properly considered
21.	Susan Smith	Hillsboro beach, FL	don't believe this is a good investment for the town
22.	chris and betty volpe	hillsboro beach, FL	our property interests are at stake.
23.	John Scanga	Hillsboro Beach, FL	
24.	Judith mercer-falkoff	Hillsboro Beach, FL	options not explored fully
25.	Adam Link	HOLLYWOOD, FL	Cost Allocation Grossly excoriates Condo owners in favor of Mansions
26.	Joan Oksenhendler	HILLSBORO BEACH, FL	Cost sharing of the condo building vs individual property is disproportional. This is for beach renourishment, therefore the percent of cost should be related to beach front.
27.	Roberto Pettinato	Hillsboro Beach, FL	Why is the City rushing the purchase? Why they don't want the property's owners to vote? After all they are spending our money
28.	Kelly Warner	Hillsboro Beach, FL	
29.	Nancy and Chris Wackman	Hillsboro Beach, FL	
30.	Michael Pedro	Hillsboro Beach, FL	You are overtaxing the middle class condo owners. Taxes should be based on property value and the "mansions" on the mile should be taxed much more than us. This is unfair. I say cancel it !
31.	Carrie Gleason	Sedalia, CO	
32.	Allegra Almeida	Hillsboro Beach, FL	The purchase of the land has merit but the formula for funding the purchase is clearly unfair to condo owners. A more equitable payment structure would have to be devised before I could support this purchase.
33.	Lynn McIntyre	Hillsboro Beach, FL	
34.	Marc Ginsberg	Hillsboro Beach, FL	There are other vacant beach front properties that are much less expensive available that will result in lower assessments against property owners who are near the Deerfield Beach city line where the beach erosion is more severe.
35.	venus rowe	Hillsboro Beach, FL	so, they want to charge those "impacted" more?? the sand that is missing from our beach has migrated south down the island... so ALL are benefitting
36.	Leslie Levine	Hillsboro Beach, FL	
37.	Keith Levine	Hillsboro Beach, FL	
38.	Candice Vann	Hillsboro Beach, FL	
39.	Jeremy Lichaa	Hillsboro Beach, FL	Do not want to give the town any incentive to eventually turn it into a public beach or have my property devalued!

	Name	From	Comments
40.	Diane Darling	Hillsboro Beach, FL	As a resident of Hillsboro Beach since 1985, I resent that fact that owners did not have right to vote on this purchase. The whole process was rushed and no comprehensive plan or alternatives discussed or presented to owners.
41.	Marissa Rowe	Hillsboro Beach, FL	
42.	Ilene Schnall	Hillsboro Beach, FL	I think it is a waste of my taxpayer dollars. There is no transparency to this deal -- it was rushed and improper research was done prior to the commitment to buy. It is a boondoggle.
43.	Pauline Stasulas	Hillsboro Beach, FL	
44.	CANDACE CULLUM	Hillsboro Beach, FL	
45.	kathleen quinn	hillsboro beach, FL	complete lack of transparency and uncertainty about future use of the property
46.	Charles Koukoulis	Hillsboro Beach, FL	We are not in favor of this at all. We enjoy private beach access since 1976. The thought of a public access to this property is totally unacceptable. We will protest this publicly if necessary
47.	Gary Anderson	Hillsboro Beach, FL	Totally opposed to this purchase.
48.	Irene Sellas	Hillsboro Beach, FL	
49.	Tony Chamoun	Boca Raton, FL	Maintain our property value, No assessments and no public beach next door.
50.	Mark Silver	Hillsboro Beach, FL	
51.	Sandra Heilberger	Nürnberg, de	
52.	Stephen Janofsky	Hillsboro Beach, FL	Financial inequity
53.	Carl Roll	Hillsboro Beach, FL	Not allowing tax payers vote
54.	Deborah Roll	Hillsboro Beach, FL	
55.	Joseph Tartagni	Hillsboro Beach, FL	
56.	J R Fishman	Hillsboro Beach, FL	Inept McMansion Mayor overpays Negligent Property Owner in wasteful land grab to create a personal legacy in the face of her expiring term of wasted lawsuit failure. With zero experience in negotiating for land, she blundered into a bad deal because she is spending Other Peoples Money!!! She and her cherry picked band of dog walker commissioners ignored truckloads of due diligence before and after inking a Contract and ignored any investigation into cheaper alternatives and more effective solutions. Too bad we can't Impeach them all.
57.	JEROME KREVIT	Hillsboro Beach, FL	This is a corrupt and inequitable plan, There is no need to rush the process.
58.	Joseph Carvin	Port Chester, NY	
59.	Rozlyn Carvin	Port Chester, NY	

	Name	From	Comments
60.	Linds Doremus	Hillsboro Beach, FL	
61.	Brad Vogelbach	Hillsboro Beach, FL	Elected officials have an obligation to act in the best interests of the people they represent. Rushing this expensive purchase without fully exploring less-costly alternatives violates that obligation. The purchase should be put on hold until all options can be analyzed to determine the one that makes the most fiscal sense.
62.	Johanne Gagne	Saint Eustache, ca	
63.	Susan Poe	Hillsboro Beach, FL	The City has been duped into paying double the value of this property. This should be able to be solved with a one-time placement of groynes over a one-mile stretch of beach. Replenishment is risky and proven to be only temporary. 100% against this.
64.	Maria Longo	Hillsboro Beach, FL	do not want to purchase land it too much too vague of the need and the use it should be voting issue on a ballot it if the opal tower numbers are right it help the billionaire on the road and not us the condo owners
65.	Mary MacPherson	Hillsboro Beach, FL	Government transparency, public input, and financial integrity are at stake.
66.	Mark Shottenfeld	Hillsboro Beach, FL	I'm a stakeholder! It's more than important; the whole plan is ridiculous bordering on criminal!!!
67.	Marie Marino	Hillsboro Beach, FL	Much too expensive and not equally shared cost with the million dollar homes in the town. Areas of beach should be equally divided.
68.	Michele Marino	Hillsboro Beach, FL	Not equally divided by residence in town
69.	Alex Cruz	Deerfield Beach, FL	
70.	Bill N	Hillsboro Beach, FL	Our right to vote on this issue has been taken away and potential negative hit to our property values may be in the balance!
71.	Dennis Sewchuk	Hillsboro Beach, FL	Let town residents decide the fairest method of payment to all not bureaucrats. Put it to a town vote.
72.	Laurie Mazzearella	Hillsboro Beach, FL	
73.	Erin Hall	Hillsboro Beach, FL	
74.	Jacquie DeMar	Hillsboro Beach, FL	
75.	Donald Macejko	Hillsboro Bch, FL	Sell Municipal Bonds to pay for land Charge by Lineal ft at same rate would generate 4,000,000. Ayr will be paid off in 4 yrs
76.	Aline Levi	Dollard des Ormeaux, ca	
77.	Richard Swieca	Hillsboro Beach, FL	
78.	Ralph Montuoro	Hillsboro beach, FL	Its a waste of money there is other solutions
79.	Barbara Bayer	Hillsboro Beach, FL	Don't want taxes raised

	Name	From	Comments
80.	Ryan Nunes	Hillsboro beach, FL	The commission has botched the discussion With Deerfield beach causing this new tax as a byproduct of their own failure to develop a real solution. They continue to waste money whole jeopardizing the residents of Hillsboro beach.
81.	Doug Carberry	Hillsboro beach, FL	Keeping town safe. Leave the scumbags.....theft.....drugs.....crime to Deerfield. We don't want it in Hillsboro
82.	Donnal Leisher	Hillsboro Beach, FL	Other less solutions less expensive available. one is being used today (2/21/20).
83.	Cary BaYer	Hillsboro Beach, FL	
84.	Robert Allen	Toronto, ca	Way too expensive. An easement is all that is needed for beach replenishment. The cost falls inequitably on condo owners and on those whose properties are down the beach. The proposed acquisition will inevitably lead to a public beach.
85.	Jane Sabbagh	Hillsboro Beach, FL	
86.	David Sabbagh	Hillsboro Beach, FL	Many better options
87.	Raymond Coladonato	Hillsboro Beach, FL	To control wasteful spending
88.	Rick Case	Hillsboro Beach, FL	No public access to the beach wasting 25 million on a beach park
89.	Nina Montalbano	Hillsboro Beach, FL	Last Ten yrs Port De Mer has been charged 65,000 a yr for ten yrs for 300ft of beach that's 216.00 per ft per yr and no beach
90.	Frank Kolb	Hillsboro Beach, FL	
91.	Kathryn Fox	Hillsboro Beach, FL	
92.	vincent milo	Hillsboro Beach, FL	TAX THE CONDO,S AND THE MANSHIONS PAY BUT A LITTLE.NEVER VOTE FOR ANY WHO PASS THIS BOONDOGLE !
93.	Harry Stern	Hillsboro Beach, FL	Unfair distribution of assessments
94.	Robert Frick	Hillsboro Beach, FL	Too expensive and does not solve the problem to get fema to help with the sand
95.	Andre Dandeneau	Hillsboro Beach, FL	
96.	Mary Ann Sorrentino	Hillsboro Beach, FL	Because there was never taxpayers" intent to give the council and//or the Mayor to purchase property at residents' expense...this is NOT "sand replacement" but the purchase of an asset. Access to the beach could be negotiated: we don't need to own it.
97.	Yolanda Cobban	Hillsboro Beach, FL	
98.	Annette Coopersmith	Hillsboro Beach, FL	
99.	Alicia Olsen	Hillsboro Beach, FL	
100.	Brian Winning	Hillsboro Beach, FL	Waste of Money , Doesnt solve the issues,

	Name	From	Comments
101.	MaryAnn Rousseau	Hillsboro Beach, FL	Need to have a vote on purchase. Explore all aspects and implications. Methodology needs to be more fair for condo owners
102.	Winifred Chambers	Hillsboro Beach, FL	
103.	fred strok	hillsboro beach, FL	
104.	Michel Sirois	Hillsboro mile, FL	
105.	wishaa hosny	hillsboro beach, FL	By not allowing us to vote commissioners are not protecting the interest of the residents.
106.	Tim Lynch	Hillsboro Beach, FL	
107.	Bridget Hulihan	Temecula, CA	When are we going to stop pretending that we don't know climate change is going to cause a 114 million person evacuation and Florida is gonna be the first? This is ridiculous, We have a prediction of a 4 hurricane season hitting America in the next 5 years and it's a fact we would not be able to recover from that as a Country. Hundreds of nuclear Storage plants will be going under water if so. If we don't make drastic changes to support our environment and fix our waste method crisis in America we know now those hurricanes will happen. Why are we not using our money to make sustainable methods for America so we can continue to survive another 20+ years?
108.	Janet pecora	Hillsboro Beach, FL	
109.	Kim Xenakis	Hillsboro beach, FL	
110.	Janet m Pecora	Hillsboro beach, FL	
111.	Lisa Palazzo	Hillsboro Beach, FL	We own house at the recess
112.	celinda sawtelle	hillsboro beach, FL	The Mayor has no ability to negotiate. She wants things her way. This has alienated our neighbor Deerfield Beach. She misappropriated funds by using our beach budget to pay lawyers. I believe she should be releived of her position immediately-and any commissioner that stands behind her egotistical will to have a legacy. Send a responsible person to negotiate with Deerfield. If she wants to fight anymore-let her pay the lawyer fees. Shame on the Hillboro residents for electing her. When we structured the last beach norishment we used a fair systems. SHe came into the next meeting armored with the press and her lawyers. The houses dont want to pay for sand-they want the condos to pay! This regeime put sand down one time--it was during a Nor-easter and the sand was washed out before it had a chance Wake up citizens.
113.	James Kappenhagen	Hillsboro Beach, FL	Puts additional financials burden on the tax payers
114.	Steven Bova	Hillsboro beach, FL	

	Name	From	Comments
115.	john carlson	hillsboro beach, FL	Voting is one of the hallmarks of our democracy. Jerking it away from us in such an underhanded way is without precedent and crosses the line.
116.	Thomas Malone	Hillsboro Beach, FL	
117.	Jingles Theclown	Miami, FL	
118.	Flemming Wedel	Hillsboro beach, FL	Can anyone sign this petition or do you have to live or own a property in Hillsboro Beach, FL? What is a stakeholder?
119.	suzanne carlson	hillsboro beach, FL	
120.	rita case	Hillsboro Beach, FL	Very disappointed at the manner in which this matter was handled, namely the residents were not given a chance to vote. It was seemingly all decided by our commissioners. Also their lack of interest in pursuing other options.
121.	Michelle Murphy	Hillsboro Beach, FL	
122.	Thomas Murphy	Hillsboro Beach, FL	
123.	Joyce Rice	Hillsboro Beach, FL	
124.	Daniel Rice	Hillsboro Beach, FL	
125.	Janice Hotchkiss	Hillsboro Beach, FL	
126.	Daniel Henry Rice	Hillsboro Beach, FL	
127.	Greg & Melissa Smith	Hillsboro Beach, FL	
128.	Nasrat Hakim	Hillsboro Beach, FL	
129.	Jamie Saganey	Hillsboro Beach, FL	
130.	Pamela DeDonna	Hillsboro Beach, FL	We support the acquisition for our town but not the proposed cost allocation methodology (10% FF/90%ERU). As the cost relates almost entirely to enhancing the physical beach the allocation should be 90% FF/10% ERU. In the spirit of continuing our harmonious community can we split the baby and go with 50% ERU/50% FF?
			We need to evaluate such an important issue, understand the impact and vote on it before we proceed.
			Waste of money, we already have enough traffic and it may bring some unsavory characters onto the mile. Public beaches bring loitering, trash and possibly criminal activity. We paid too much for our properties to allow this to happen.
131.	Jake Hewitt	Hillsboro Beach, FL	
132.	Scott J. Corcoran	Milford, CT	
133.	Andy Matriciano	Hillsboro Beach, FL	
134.	Gary Ecoff	Hillsboro Beach, FL	
135.	Sara Ecoff	Hillsboro Beach, FL	
136.	Mark Heinrich	Hillsboro Beach, FL	
			Not given a chance to vote. Tax payers paying enough as it is. Where's FEMA ? Army Corps of Engineers ? My permanent residence the above groups are involved along with the city and the sand is Pumped in with dredgers (Company in New Jersey). Put the sand back from the ocean to the beaches where the sand was eroded from. (continues on next page)

	Name	From	Comments
136.	Mark Heinrich	Hillsboro Beach, FL	<i>(continued from previous page)</i> Land is not needed to be purchased to complete this task. Incorrect approach-incorrect allocation of money at taxpayers expense.
137.	J. Casey Gunther	Hillsboro Beach, FL	
138.	Catherine Marder	Boca Raton, FL	
139.	Sherry Sauve	Sebastian, FL	
140.	John M	Hillsboro Beach, FL	Assessing this improvement on a per capita basis is not the appropriate way to fund this acquisition. I give the commissioners credit for being innovative and seeking ways to improve the Hillsboro Beach community, especially its beachfront. But one must focus on the value added to the beachfront that will result from this improvement. That value does not attach to every single individual from a monetary standpoint but is associated solely with the linear footage of oceanfront property for each owner. The value add to property with an improved beachfront is substantially higher than what one would attach to a condominium complex. While each unit owner technically receives a value add to their unit, it is nowhere near the increase in value to the more substantial single-family homes along the Mile. When you do sewerage improvements you do not assess the local improvement based upon how many people are using their toilet and to pass along this considerable cost to individual unit owners on the false premise that they each enjoy the beach and should therefore pay for it proportionately with a one-family homeowner with similar ocean frontage is simply unfair. When improvements are made to the Hillsboro inlet you do not just assess those boat operators that use it do you?

To the attention of the Town of Hillsboro Beach.
On behalf of its Residents our points are as follow.

- A valid special assessment must satisfy a two prong test: (1) whether the services at issue provide a special benefit to the assessed property; and (2) whether the assessment for the services is properly apportioned. *City of N. Lauderdale v. SMM Properties, Inc.*, 825 So. 2d 343, 345 (Fla. 2002).
- We do not dispute that beach renourishment provides a special benefit to assessed properties and therefore, the cost of beach renourishment may be funded by a special assessment.
- Rather, we dispute that the purchase of the property at issue has anything to do with beach renourishment, and dispute that any property subject to this special assessment derives any special benefit from the Town's acquisition of the property.
- Beach renourishment occurs every few years, so the property will either lay dormant for the time during which it is not being actively used for beach renourishment or the property will be used for something else that does not provide a special benefit to the assessed properties.
- Resolution No. 2020-07 does not fund beach renourishment at all.
- No case has ever upheld the use of a special assessment for a municipality to purchase property.
- The use of special assessment is simply a way for the Town to avoid submitting the issue to the will of the voters.
 - Bonds payable by ad valorem taxes must be approved by referendum; see Fla. Const. art. VII, § 12.
 - Bonds payable by special assessments may be approved without referendum.
- We hereby demand that Because this is not a valid special assessment this is an unlawful pact
 - each member of the Town Council individually declare that neither they, nor any member of their family have any interest, whether director or indirect, in the property being purchased; and
 - that the Town Attorney expressly declare that the proposed special assessment to fund the City's purchase of the land is valid under Florida law, and that in the event that a Court of law determines otherwise, the firm of Goren, Cherof, Doody & Ezrol, P.A., will assume all costs and expenses incurred by the Town and individual property owners as a result of the Town's actions to purchase the property and specially assess for the cost of the property.

Sincerely your residents of Hillsboro Beach.

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

PURPOSE:

We, the Undersigned, being Voters, Stakeholders and Taxpayers of Homes, Condominiums, Co- Operatives, Villas, Townhomes, Hotels and Motels located in The Town of Hillsboro Beach Florida, Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida which was executed on December 3, 2019. The Petitioners present that the Price to Purchase, the Costs to cure the defects and carry the subject Property as well as the Method to Pay these costs were hastily carried out, that not enough time was spent investigating and justifying the barrage of uses for the Property bandied about by the Commissioners. Importantly, sufficient time was not spent to discover alternate solutions to the issues cited by Commissioners to justify a \$17 Mil Bond without being voted on by the Stakeholders undersigned below.

Name

Address

Phone

JORGEN JACOBSEN 1147 Hillsboro Mile apt. 708 S 516 213 0838

02/27-2020

Jorgen Jacobs — 561-609-5116
Laila Thompson 1147 Hillsboro Mile

Franco Volante 1147 HILLSBORO MILE APT 904S

X Joanna Volante 1147 Hillsboro Mile apt # 904

Angela Lucia 1149 Hillsboro Mile apt 311N

There are too many unanswered questions!

- What are the financial implications for each unit owner?
- Had the property been put on the public market, would it have sold and for how much? Perhaps that should be tested.
- The Commission forgave \$300,000. of liens and put down a \$350,000. Escrow. Does that make sense?
- The Commission has raised several ideas for use of the property: a fire department, parking for Town Hall, public parking, a conference center, a staging area, etc., but the **ONLY concrete proposal is a place to add sand to the beach**
- Were **less expensive alternatives SERIOUSLY explored**? These might include purchasing a 15 foot easement from a property, using eminent domain for 15 feet, purchasing a different property (a one acre vacant lot at 1105 Hillsboro Mile is listed for \$8.9 million and would not require demolition costs)
- **The Commission promised that stakeholders would get a vote in the March referendum on whether the Town would purchase the property**, and reneged on that in January because it was so urgent to make the purchase.
- **What is the urgency?** Did another offer come through on that property? **Why does it have to be THAT property** at such a huge cost to taxpayers? For the convenience of Commissioners? Any property could house a fire dept. or provide an easement to the beach.
- A letter from the Commission to property owners dated 01/21/2020 states that **“The assessment for each parcel of real property is based on the benefit that it will receive as a result of the Project”**. Does that mean that owners at the northern mile will pay more than those further south because the nourishment will start on the northern edge?

Again, way too many unanswered questions, a distorted sense of urgency, and the refusal of the Commission to let those who are paying for the project for the next 30 years to vote on the matter.

We are not being properly represented No taxation without representation!

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PETITION

<http://bit.ly/39HPyoW>

1149 H. 11560 #0 Mile H307N 561-400
8871

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
Cary Bayer	1051 Hillsboro mile #604 Hillsboro Beach	845-6 954-788- 3380
Winfred Goffe	1239 Hillsboro Beach	
Paula	1259 Hillsboro Beach	954-412-4128
Tania Zucker	1221 Hillsboro	561-390-096
Valerie Foster	1221 Hillsboro Mile 436	954-257-8880
Rafael Eguliste	1221 Hillsboro Mile 436	305-606-1617
Daniel Bruno	1221 Hillsboro Mile 37A	561-929-9969
Raul Soto	1051 Hillsboro mile	561-789-6776
Lora Quenry	1051 Hillsboro mile	561-789-6777

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
Ron Ajello	1149 Hillsboro	814-649-0094
SANDY SATULLO	1013 HILLSBORO	954-942-1781
JENNY FRENCH	1050 Hills. Mile	561-381-4651
MARTIN FINKEL	1203 HILLSBORO MILE	339 364 0531
MARTIN Lucken	1221 Hillsboro Mile	954-295-3590
STEVEN Topor	1063 Hills ⁷⁰³ boro Mile	954-993-1357
John Brandano	1189 Hillsboro mile	954-461-4907
Hillsboro Club	901 Hillsboro Mile	954 941 2220

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
JOHNNIE WAGNER	1194 HILLSBORO MI, #43	816-419-2874
LORIE BERRICK	1194 HILLSBORO MI, #44	412-298-4367
GARY ANDERSON	1203 Hillsboro Mile P-3	301-717-9652
Nubia Conessore	1069 Hillsboro Mile #102	954-609-1346
N. B. Keller	1057 Hillsboro Mile #424	317-753-2799
Marie CONDELLO	1149 Hillsboro Mile	914-355-6984
Giuseppe CONDELLO	1147 Hillsboro Mile	914-355-6984
Rolando Salda	1194 Hillsboro Mile #6	215-432-3192
MARIA CORRE	1194 Hillsboro Mile #67	954-360-9317
Ara de Souza	1155 Hillsboro Mile 108	954-657-8455
Deby de Souza	1155 HILLSBORO MI # 108	954-657-8455
Freddie Albano	1147 Hillsboro Mile 5142 Hillsboro	954-422-5688

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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Name

Address

Phone

Joyce Rice 1200 hillsboro Mile

Unit 2102

201-788-4821

10bbvg10965
-Yahoo.com
Robert Gilly

1050 Hillsboro Mile

845-499-4288

GEORGE JANKOWSKI 1149 HILLSBORO MILE

943)882-2423

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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Name

Address

Phone

Kathleen Coppola	1147 Hillsboro Mile	954-428-9728
Rene Cordeiro	1147 Hillsboro Mile	914-3556884
Giuseppe Cordeiro	1147 Hillsboro Mile	914-3556883
William Foy	1147 Hillsboro Mile	216-522-2343
Milagro & Ralph Amato	1194 Hillsboro Mile #46	954-629-0324
Christine Zuccharello	1169 Hillsboro W. #111	954-360-7222
Matthew Hanrahan	1169 Hillsboro W. #115	2

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
Sulafa Roumaysa	1149 Opal Towers	248 225 5291
CYNTHIA MOOREHEAD	Apt 508 N 1149 OPAL TOWERS 807 N	412-719-6724
Jo Ann Ferrante	1149 Opal Towers	954-418-6584
Phyllis M. Muntz 701 N	Apt 204 N 1149 Hillsboro Mile	954-481-7170
Mary Kehoe	1149 Hillsboro Mile Apt 604 N	802 236-6164

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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Name

Address

Phone

ROBERTO PERINATO	1212 HILLSBORO MILE	SEA 504 7055
Tammy Waelbidge	1212 Hillsboro Mile	574-528-0492
Craig Pietrick	1212 Hillsboro Mile	954-263-6140
Catherine Blumen	" "	954-478-5504
William Stone	" "	954-478-5507
Clare A Mackey	" "	954-427-5949
Cullen M. McLary	" "	954 327-9259
Mindi F. Salas	" "	954-234-8396
Lyeth W.A.	" "	319-533-7400
Mariette Reendean	" "	514-894-3703

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

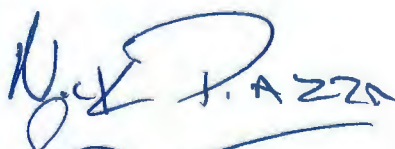
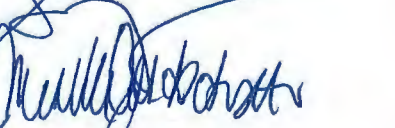
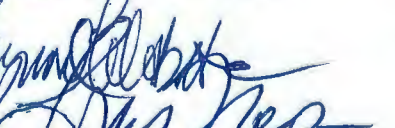
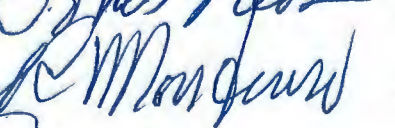
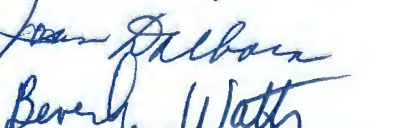
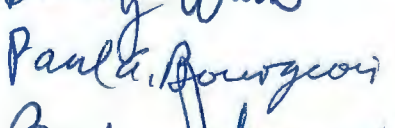
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Name

Address

Phone

	1160 Hillsboro Mile	914-403-3600
	1160 Hillsboro Mile	347-677-2860
	1160 Hillsboro Mile	914-755-8832
	1160 Hillsboro Mile	914-447-3493
	9 11 17	917-681-5046
	1155 Hillsboro Mile	646-423-0483
	1160 Hillsboro Mile	954-803-0141
	1160 Hillsboro Mile #405	612-962-4837
	1160 Hillsboro Mile #603	401-316-8266
	1160 Hillsboro Mile	842 533-8081

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PETITION

<http://bit.ly/39HPyoW>

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
Lenny Cebini	1160 Hillsboro Mile	914 960 3439
Craig Bengen	1160 HILLSBORO MILE	714-893-3199
M. S. T. A.	1160 Hillsboro Mile	617-590-4940
Bruce Warren	1160 Hillsboro Mile	508-962-6734
Nancy Kule	1160 Hillsboro Mile	609-602-3883
Joanne R. Carter	1160 Hillsboro Mile #802	609 442 7466
Emogene Abner	1160 Hillsboro Mile	954 654-4009
Linda McRee	1160 Hillsboro Mile	954-346-6627
Bob Brown	1160 Hillsboro Mile	845-406-8787
Joe B. H.	1160 Hillsboro Mile	914-403-3601

WWW.HILLSBOROBEACH.INFO

PETITION

<http://bit.ly/39HPyoW>

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

PURPOSE:

We, the Undersigned, being Voters, Stakeholders and Taxpayers of Homes, Condominiums, Co- Operatives, Villas, Townhomes, Hotels and Motels located in The Town of Hillsboro Beach Florida, Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida which was executed on December 3, 2019. The Petitioners present that the Price to Purchase, the Costs to cure the defects and carry the subject Property as well as the Method to Pay these costs were hastily carried out, that not enough time was spent investigating and justifying the barrage of uses for the Property bandied about by the Commissioners. Importantly, sufficient time was not spent to discover alternate solutions to the issues cited by Commissioners to justify a \$17 Mil Bond without being voted on by the Stakeholders undersigned below.

<u>Name</u>	<u>Address</u>	<u>Phone</u>
Mary U. Sadek	1221 Hillsboro Mile #44A	954-573-7920
Debra Sami	1221 Hillsboro Mile #45A	847-778 7026
Tom Sami	1221 Hillsboro Mile #45A	847-343-1415
Jon H Graham	1221 Hillsboro Mile #27A	201-887-7982
Dominic Man	1221 Hillsboro Mile #26A	803-640-0035
Colin Graham	1221 Hillsboro Mile #29A	732-604-7019
Phil / Wendy	1221 Hillsboro Beach #22	761-210 5739
Wendy M. Kelly	1221 Hillsboro Mile #23	317 641 7098
Charles Lindorff	1221 Hillsboro Mile #20L	418-657-0948
Charles Barber	" " #18A	708 308-6425

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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Name

Address

Phone

Elizabeth Bulfinch	1221 Hillsboro Mile 30B	847-542-8021
Elizabeth Bulfinch	1221 Hillsboro Mile #20A	847-602-9643
Elizabeth Bulfinch	#18C	301-299-3328
Elizabeth Bulfinch	1221 Hillsboro Mile 16A	905-401-3003
Elizabeth Bulfinch	1221 Hillsboro Mile #30A	937-469-2450
Margaret Lucas	1221 Hillsboro Mile #21C	903-763-0945
Germania Anderson	1221 Hillsboro Mile 21C	513-675-6930
John H. H. H.	1221 Hillsboro Mile 40A	954-570-8607
John H. H. H.	1221 Hillsboro Mile 38B	330-719-9640
Nicholas P. Todorov	1221 Hillsboro Mile 44A	954-513-7920

ten big a project to be so vague

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

PURPOSE:

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Name

Address

Phone

Jim Williams	1221 Hillsboro Mile	954-630-5935
Ally McLeod	1221 Hillsboro Mile	937-367-6583
Jim Bowes	1221 Hillsboro	708-602-9647
Shane Markon	1221 Hillsboro	301-922-4231
John Markon	1221 Hillsboro	301-922-4231
Lyne Herbert	1221 Hillsboro mile	646-479-6573
GWA Jowers	1221 Hillsboro 18B	617-905-5575
MARCIA FLANNERY	1221 Hillsboro Mile	847-840-5879
Ugo Samuel Salazar	21 st 15 th Hillsboro	954-421-1589
Jennie Gamm	1221 Hillsboro Mile 42B	309-368-2720

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

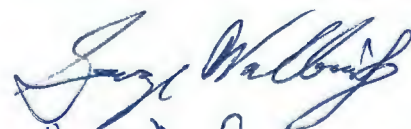
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Name

Address

Phone

	1212 Hillsboro Mile Villa #24	574-528-0364
	1212 Hillsboro Mile	561-881-6919
	1212 Hillsboro mile 617	592-7224
	1212 Hillsboro mile 617	799-1346
Carol Bura	1212 Hillsboro H. 12	978 590 2180.
Mike Allan	1212 Hillsboro Mile Villa #26	617-519-0322
Bob Rex	1212 Hillsboro mile	610-715-8388
Tom Hoyt	1212 Hillsboro mile	319-533-4698
Jean Aletho	1212 HILLSBORO MILE	230-445-3859
Conrad White	1212 Hillsboro Mile #23	561-445-2523

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

PURPOSE:

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
John T. Ah	1160 Hillsboro Mile	860-836-7161
Karen Olsen	1160 Hillsboro Mile #501	908-507-1347
Abrina S. Kelly	1160 Hillsboro Mile 105	954-427-7068
John J. Kelly	1160 Hillsboro Mile 105	954-427-7068
Betty Wood	1207 HILLSBORO MILE	
Ted Wood	1207 HILLSBORO MILE	
Vina Mib	1236 Hillsboro Mile 108	954-596-6656
Maureen Sullivan	1207 Hillsboro Mile	516-435-3844
PETE SKLUT	1238 HILLSBORO MILE	
[Signature]	1221 Hillsboro Mile	

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PETITION

<http://bit.ly/39HPyoW>

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<u>Name</u>	<u>Address</u>	<u>Phone</u>
CEDRIC MILLER	1221 HILLSBORO MILE UNIT 23A	416 801 1541
JANET MILLER	"	"
Spence Watson	1221 45B	954-573-7621
Nancy f Smith	1223	954-428-3026
Dr and Mrs Chris Duff	37C -1221	
Richard and Carol Kuefer	26B -1221	
ALICE LAZOWSKI	28C -1221	

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PETITION

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Name

Address

Phone

JOE FERAGINE	1221 HILLSBORO MILE	503 724 6096
Margaret Delfy	1221 Hillsboro Mile	954-695-3433
Patricia Delfy	" "	618-457-5800
Chyllis Talrie	1221 Hillsboro Mile	847-751-0847
T. Pauls	1221 Hillsboro Mile	508-746-4123
James Talrie	1221 HILLSBORO MILE	847-751-0847

Petition the Town of Hillsboro Beach Florida Commissioners to exercise a Cancellation of the "Contract To Purchase" a Property located at 1205-1206 Hillsboro Mile, Hillsboro Beach, Florida

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Name

Address

Phone

THEODORE V Woods 1207 Hillsboro Mile GB 954-427-7199

Bobby WOOD 1207 Hillsboro Mile GB 954-427-7199

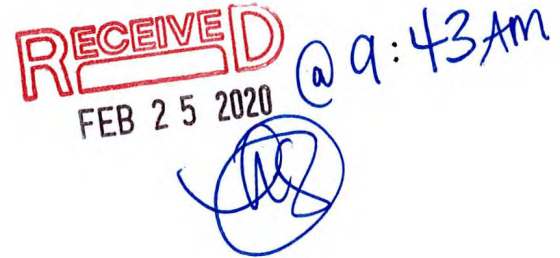
CHRISTOPHER M. BATES, INC.

Property Tax Services

521 NE 11th Avenue
Fort Lauderdale, Florida 33301
Phone 954-527-4016
Cell 954-292-5456

February 24, 2020

Honorable Debra L. Terrant, Mayor
Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062



RE: Resolution No. 2020-07, 2020-13, 2020-14 & 2020-15
Special Assessments – Beach Re-nourishment Project

Honorable Terrant:

We respectfully submit our written comments and/or questions concerning the referenced adopted local Resolutions, which create a significant financial burden on the **Hillsboro Club**, a private and not-for-profit property within the Town of Hillsboro Beach.

Pursuant to the Special Assessment Public Hearing, please consider the following factors that influence our decision to appeal the prior assessments, object to additional and increased special assessments, and request complete removal from further funding the land acquisition and bond costs associated with the purchase of the two land parcels (1205 and 1206).

Furthermore, we request a refund for the Special Assessments paid “in error” in prior tax years for the **Hillsboro Club**, Folio 484329080010.

- The Hillsboro Club (the Club) has a very long history in the town of Hillsboro Beach, founded in 1925. Over the years, the Club has spent hundreds of thousands of dollars toward beach area maintenance for its 976.50 feet of beachfront. Access to the privately owned and operated beach is made available through the subject property, as needed. The subject property is located at the southernmost point of the town, with the exception of the 2.74 acres owned by the United States Coast Guard and occupied by the Historical Hillsboro Lighthouse.

The proposed plan to acquire access to the beach for the re-nourishment project does not benefit the subject property or its members. The subject property is literally located at the furthest point from the proposed access point and is self-sufficient in its beach nourishment and maintenance programs.

We believe the Specific Bonds in this case may violate the requirements for a Special Assessment because they do not provide a "Direct Special Benefit" to the Private Property or violate the "Public Purpose" test because they are not for a predominantly Public Purpose. Florida Law requires a special assessment to meet the following two-pronged test: (1) The property burdened by the assessment must derive a "special benefit" from the services provided by the assessment; and (2) the assessment for the services must be properly apportioned.

Currently, there are no public access points for Hillsboro Beach. However, By law, all of Florida's beaches are open to the public, but how to enjoy Hillsboro Beach's mile-long slice of it has never been obvious to passers-by. There's no public parking or restrooms for the beach in Hillsboro; and some of it has been posted with "private" and "no trespassing" signs. However, neighboring Deerfield Beach erected signs on its border saying "Hillsboro Beach Access." It also replaced a fence on the border with a gate that opens into the sandy backyard of Port De Mer, a Hillsboro condominium. Hillsboro's homeowners, who own the sandy stretches between their homes and the tide's reach, aren't happy.

Hypothetically, the new proposed access may lead to lower property values due to the ability for greater "public use" of the otherwise private beaches. Therefore, if the project fails to provide a special benefit to assessed properties, property values may decline.

Alternatively, the Town of Hillsboro may continue leasing its beach access from nearby land owner, Dezer Hillsboro LLC. The development consists of vacant land, 40% smaller than the subject, has approximately 600 feet of beachfront, and an equal amount of frontage on the Intracoastal Waterway. Hundreds of units could be developed here along with a marina on the west side. Would the current proposed expenses be adjusted upon the addition of new construction during the period? The total projected assessment for this project is currently \$104,849 versus \$763,221 for the subject.

Therefore, the proposal would require Dezer to pay only (22.3%) \$175 per foot for 600 feet of beachfront versus the subject's cost of \$782 per foot for its 976.5 feet on the beach. Based on this review, the Hillsboro Club is being seriously overcharged while other property owners who will benefit from the project are receiving significant discounts.

In summary, the Hillsboro Club **does not** receive any direct special benefit from the project and Florida law requires there be a "paramount public purpose" with respect to issuance of bonds. We do not wish to participate in the Project as it is currently proposed.

A copy of my professional biography is attached. With over 30-years working in the property tax practice, significant experience with special assessments is included.

General Questions

1. How is the individual benefit measured?
2. Who selected the formula for the individual assessments?
3. What type of oversight is in place for monitoring cost of the project?
4. What are ultimate plans for the two lots (1205 & 1206)?
5. What alternate remedies for the beach re-nourishment have been considered?
Dredging?
Installing Groins?
6. How long should it take to complete the project and pay for the bonds?
7. Most public beach projects are funded, in part, through local government or Federal programs; why is there no government authority involvement other than the Town of Hillsboro Beach?
8. Is the Ultimate use as a fire station? If so, why is the fire station not mentioned in the Project summary?

We appreciate the opportunity to address the issues. Please, feel free to contact us anytime.

Sincerely,

CHRISTOPHER M BATES, INC.

Chris Bates

Christopher M. Bates
President

CHRISTOPHER M. BATES, INC.

521 NE 11th Avenue

Fort Lauderdale, FL 33301

(954) 292-5456 cell

(954) 527-4016 phone

MyFloridaPropertyTaxes.com

Property Tax Consulting

Christopher M. Bates

Consultant & Negotiator

Partial Client Experience

- Swire Properties - Brickell CityCentre
- Publix Super Markets, Inc. - Since 2006
- SIMON PROPERTIES - Since 2012
- The Related Group - Since 2015
- Developers Diversified Realty - Since 2008
- Altman Development Corp - Since 2009
- Continental Real Estate Companies (CREC)
- Cushman & Wakefield - Since 2004
- CB Richard Ellis - Southeast Florida
- Mandarin Oriental Miami Hotel - Since 2001
- Keiser University - Since 2012
- Beachwold Residential - Since 2014
- Various Industrial Projects- South Florida
- Prudential Real Estate Investors - Since 2008
- Lauderdale Marine Center - Since 2016
- AMLI Residential (REIT) - Since 2012
- The Atlantic Hotel Condos - Since 2005
- Starwood Capital Partners (REIT)
- PNC Bank - Since 2015
- Marriott International, Inc.
- Richman Group - Since 2015
- Ritz Carlton of Fort Lauderdale 2005-2012
- University of Central Florida 2005-2012
- Starwood Hotels & Resorts 2005-2011
- US Foods - 2008-2016
- WP Glimcher - since 2016

Bates began his career in property tax consulting in 1982; for the past 35 years he has successfully reduced assessments for virtually every type of commercial and residential real estate. Special training and unique abilities provide a strong foundation for successful valuation techniques and effective negotiation skills.

Property Tax Estimating provides investors and lenders with sound underwriting support. Bates specializes in mixed-use, special purpose or otherwise complicated real estate and tangible personal property issues.

Bates personally prepares and presents tax appeals on behalf of all clients. Before starting his own practice in 2004; he was an equal partner of a local property tax practice for several years. Prior to that, he was the Director of the Property Tax Practice for Arthur Andersen LLP in the State of Florida. Prior to joining Andersen, Bates worked for Marvin F. Poer & Company, a national property tax consulting firm.

Bates holds an active Florida Real Estate Associate's License and has served on several board positions, which include (ICSC) International Council of Shopping Centers, (NAIOP) National Association of Office and Industrial Properties (IPT) Institute of Property Taxation and (IAAO) International Association of Assessing Officers.

E-mail: chris@myfloridapropertytaxes.com

Web site: www.myfloridapropertytaxes.com

Subject Beach Funding
From Donald Macejko
To: Don Macejko <dwmacejko@bellsouth.net>
Date Tue, Feb 25 2020 at 5:48 AM

Tax Assessment Port De Mer 209 units taxes at
315.00 each yr = 65,835 each yr.
300 ft. Of Beach 219.45 per ft
16,896 lineal ft of land in Hillsboro Beach generates
around 3.8 million each yr
4 yrs be paid off not 30 yrs.

Why not Municipal Bonds to pay for project,
everybody in town would invest in there community
and make a return

Don Macejko
Sent from my iPad

Sherry D. Henderson

From: Joseph V. Germano <jvgermano@gmail.com> on behalf of Joseph V. Germano
Sent: Monday, February 24, 2020 8:44 PM
To: shenderson@townofhillsborobeach.com
Subject: Attachment
Attachments: TOHB MEETING PROPERTY PURCHASE 2 5 2020.docx

Dear Ms Henderson,

I am unable to attend the February 25, 2020 public hearing on the land acquisition and improvement project. However, I would like to participate.

Re: your January 21, 2020 letter to property owners, if it is permissible to file by email, attached are my comments regarding the project.

Thank you,
Joe Germano

**If received in error call
Joseph V. Germano 954-270-4666.
Delete the email & any attachments.
THANK YOU**

TOHB MEETING 2/25/2020
PURCHASE OF PROPERTY ADJACENT TO AND ACROSS FROM TOWN HALL

Comments for the public record regarding the acquisition of the land and improvement project.

I support the acquisition of the 1205 and 1206 property for the following reasons;

1. Its location relative to town hall is ideal and provides a range of uses in addition to beach maintenance and other possibilities that will significantly benefit the community.
2. The property borders the intracoastal waterway, the east and west sides of state road A1A, direct access to the beach and Atlantic Ocean. Its location, cost and proximity to town hall could not be easily, if at all, duplicated.
3. Vacant land in Hillsboro Beach is limited. This makes it highly unlikely that property value will decrease anytime soon or in foreseeable future.
4. Lastly, should it become necessary, the town could re-sell the property and control who it is sold to and for what use.

Thank you for the opportunity to comment on this matter.

Joseph V. Germano
1160 Hillsboro Mile, Apt. 806
Hillsboro Beach, FL 33062
(H) 954-960-5966
(M) 954-270-4666

TOWN OF HILLSBORO BEACH
Analysis on Lot 1205/1206 Purchase - Assessment Methodology Comparison
Breakdown by Unit

Comparison of 10% versus 15% Front Footage

			10% Front Footage		15% Front Footage		Difference	
Unit Type	Address	FF **	Annual Cost (per unit)	30 year Total (per unit)	Annual Cost (per unit)	30 year Total (per unit)	Annual Cost (per unit)	30 year Total (per unit)
Single-Family	989	100	\$1,014	\$30,412	\$1,273	\$38,180	\$259	\$7,768
Single-Family	1087	200	\$1,581	\$47,436	\$2,124	\$63,715	\$543	\$16,280
Single-Family	1097	300	\$2,149	\$64,459	\$2,975	\$89,251	\$826	\$24,792
Single-Family	1125	375	\$2,574	\$77,227	\$3,613	\$108,402	\$1,039	\$31,175
Ocean Grande	1063	399.76	\$476	\$14,284	\$466	\$13,988	(\$10)	(\$296)
Sea Club	1221	404.95	\$472	\$14,146	\$459	\$13,781	(\$12)	(\$365)
Le Baron (East)	1051	435.16	\$473	\$14,194	\$462	\$13,853	(\$11)	(\$341)
Port De Mer	BLDG A-1;A-2	302.64	\$463	\$13,884	\$446	\$13,388	(\$17)	(\$496)
Opal Towers East	1147-1149	800.44	\$465	\$13,954	\$450	\$13,493	(\$15)	(\$461)

Comparison of 10% versus 100% Front Footage

			10% Front Footage		100% Front Footage		Difference	
Unit Type	Address	FF **	Annual Cost (per unit)	30 year Total (per unit)	Annual Cost (per unit)	30 year Total (per unit)	Annual Cost (per unit)	30 year Total (per unit)
Single-Family	989	100	\$1,014	\$30,412	\$5,675	\$170,236	\$4,661	\$139,824
Single-Family	1087	200	\$1,581	\$47,436	\$11,349	\$340,471	\$9,768	\$293,036
Single-Family	1097	300	\$2,149	\$64,459	\$17,024	\$510,707	\$14,875	\$446,248
Single-Family	1125	375	\$2,574	\$77,227	\$21,279	\$638,384	\$18,705	\$561,157
Ocean Grande	1063	399.76	\$476	\$14,284	\$4	\$133	(\$472)	(\$14,151)
Sea Club	1221	404.95	\$472	\$14,146	\$298	\$8,954	(\$173)	(\$5,192)
Le Baron (East)	1051	435.16	\$473	\$14,194	\$253	\$7,575	(\$221)	(\$6,618)
Port De Mer	BLDG A-1;A-2	302.64	\$463	\$13,884	\$268	\$8,052	(\$194)	(\$5,832)
Opal Towers East	1147-1149	800.44	\$465	\$13,954	\$165	\$4,954	(\$300)	(\$9,000)

Comparison of 10% FF versus Property Taxes

			10% Front Footage		Property Taxes		Difference	
Unit Type	Address	FF **	Annual Cost (per unit)	30 year Total (per unit)	Annual Cost (per unit)	30 year Total (per unit)	Annual Cost (per unit)	30 year Total (per unit)
Single-Family	989	100	\$1,014	\$30,412	\$6,364	\$190,921	\$5,350	\$160,509
Single-Family	1087	200	\$1,581	\$47,436	\$11,957	\$358,704	\$10,376	\$311,268
Single-Family	1097	300	\$2,149	\$64,459	\$7,849	\$235,471	\$5,700	\$171,012
Single-Family	1125	375	\$2,574	\$77,227	\$13,074	\$392,206	\$10,499	\$314,979
Ocean Grande	1063	399.76	\$476	\$14,284	\$9,613	\$288,377	\$9,136	\$274,093
Sea Club	1221	404.95	\$472	\$14,146	\$1,089	\$32,675	\$618	\$18,529
Le Baron (East)	1051	435.16	\$473	\$14,194	\$151	\$4,530	(\$322)	(\$9,664)
Port De Mer	BLDG A-1;A-2	302.64	\$463	\$13,884	\$273	\$8,188	(\$190)	(\$5,696)
Opal Towers East	1147-1149	800.44	\$465	\$13,954	\$239	\$7,181	(\$226)	(\$6,773)

Notes

* Equivalant Residential Unit (ERU) = taxable resident or folio

** The total Front Footage (FF) of a Condomuin building is divided by the total number of units.