

MINUTES

SPECIAL COUNCIL MEETING  
KEY BISCAWAYNE, FLORIDA

FRIDAY, SEPTEMBER 18, 2015

COUNCIL CHAMBER

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The Mayor called the meeting to order at 6:00 p.m. Present were Councilmembers Luis de la Cruz, Theodore Holloway, Edward London, James S. Taintor, Vice Mayor Franklin H. Caplan and Mayor Mayra Lindsay. Councilmember Michael E. Kelly was absent. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Lindsay led the Pledge of Allegiance.
3. The Attorney addressed the Council regarding the process that took place on September 8th approving the proposed millage rate. The Attorney explained that pursuant to Florida Statute 200.065 “prior to the adoption of the tentative budget each taxing authority shall compute a proposed millage rate necessary to fund the tentative budget other than the portion of the budget to be funded from sources other than ad valorem taxes.”

The Attorney further stated that the Statutes also states that “prior to the conclusion of the hearing, the governing body of the taxing authority shall amend the tentative budget as it sees fit, adopt the amended tentative budget, recompute its proposed millage rate, and publicly announce the percent, if any, by which the recomputed proposed millage rate exceeds the rolled-back rate computed pursuant to subsection (1).” This process was not completed on September 8, 2015.

There was extensive discussion from Council regarding the process to approve the millage rate and the budget.

The Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; ADOPTING THE PROPOSED MILLAGE RATE OF THE VILLAGE OF KEY BISCAYNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Caplan made a motion to adopt Resolution 2015-40 as originally presented to the Council on September 8, 2015 in lieu of the item that was voted upon. The motion was seconded by Councilmember Holloway and approved by a 4-2 roll call vote. The vote was as follows: Councilmembers de la Cruz, Holloway, Vice Mayor Caplan and Mayor Lindsay voting Yes. Councilmembers London and Taintor voting No.

At this time the Mayor announced that on Monday, September 21st the Council will open the meeting and the recess it until probably Monday, September 28, 2015 at 6:00 p.m.

4. **ADJOURNMENT:** The motion was adjourned at 6:35 p.m.

*Respectfully submitted:*

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*Conchita H. Alvarez, MMC  
Village Clerk*

*Approved this 13th day of October, 2015:*

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*Mayra Peña Lindsay  
Mayor*

**IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**