

MINUTES

FIRST BUDGET HEARING  
KEY BISCAVNE, FLORIDA

TUESDAY, SEPTEMBER 11, 2012

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:00 p.m. Present were Councilmembers Michael W. Davey, Enrique Garcia, Robert Gusman, Mayra P. Lindsay, James S. Taintor, Vice Mayor Michael E. Kelly and Mayor Franklin H. Caplan. Also present were Village Manager John C. Gilbert, Acting Village Clerk Jennifer Duque and Village Attorney Stephen J. Helfman.

2. **PLEDGE OF ALLEGIANCE:** Mayor Caplan lead the Pledge of Allegiance.

Mayor Caplan addressed the Council reminding everyone that today is the Eleventh Anniversary of the 9/11 terrorist attacks against the United States.

3. **SPECIAL PRESENTATIONS:** Michele Estevez and Melissa White, on behalf of the 4th of July Parade Committee, addressed the Council requesting that the funds in the budget remain at \$30,000. The Committee reported a \$10,000 surplus which will be returned to the Village.

Ed Stone, on behalf of the ASK Club, addressed the Council requesting \$15,000 for a transportation study. Melissa McCaughan White addressed the Council regarding the budget for the ASK Club.

*September 11, 2012*

Rosa de la Cruz and Gloria Kahn addressed the Council regarding the activities of the Art in Public Places Board and reported that the Committee is working now in conjunction with the Key Biscayne Foundation to promote art and art history in our community.

Robert Brooks, on behalf of the Rotary Club Art Festival, addressed the Council requesting that the funds in the budget remain the same.

Bob Bristol, on behalf of the Historical Society, addressed the Council requesting that the funds in the budget remain the same.

Karen Llorente, on behalf of the Chamber of Commerce, addressed the Council thanking the Village for the Partnership with the Chamber.

Department of Parks and Recreation Director Hofferberth addressed the Council regarding the budget for the Lighthouse Run and Walk Committee.

Melissa McCaughan White, on behalf of the Key Biscayne Community Foundation, addressed the Council.

4. **APPROVAL OF MINUTES:** There were no minutes considered by Council.

5. **BUDGET RESOLUTION:** The Attorney 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, 2012 THROUGH SEPTEMBER 30, 2013 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.**

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Lindsay.

Councilmember Davey made a motion to table the resolution. The motion was seconded by Councilmember Gusman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

6. **ORDINANCES:** The Attorney read the following ordinance on first reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; ADOPTING THE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Garcia made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Davey.

The Manager addressed the Council giving an overview of the budget.

The goal of the proposed budget for FY2012-13, as in previous years, is to not impact the level of services the Village provides to its residents and visitors while minimizing and/or reducing expenditures and to be able to maintain the same Village millage rate. The Manager commended all employees and Department Heads for continuing to deliver quality services more effectively and efficiently.

Property Values increased approximately 4.63%. Last year we experienced a decrease of 8.6%. The Village experienced an increase of 1.71%. The budget maintains the same millage rate of 3.2. Budgetary figures have been updated since the June Budget Workshop to include current information from the state share revenues, as well as, the ongoing needs and review of Departmental line items.

The Consumer Price Index ("CPI") for all Wage Earners for this region in April/May 2012 is used as the benchmark, as per Council Resolution 2002-49, to determine a Cost of Living Adjustment ("COLA") for Village employees. This CPI is 1.9%. However, due to the expiration of "all" Employee Labor Contracts and no valid Collective Bargaining Agreement's ("CBA's") in effect on October 1<sup>st</sup>, 2012; no COLA is being recommended for employees covered by a CBA. A 1.9% COLA is being recommended for eligible nonunion exempt employees.

Salary step increases of 5% for Fire and Police have been included in their budgets. A 4% merit increase for General Employees has also been included in their budgets. This is the maximum amount that can be received, but the actual amount would range between 0 - 4% based on their annual performance evaluation. Those eligible nonunion exempt employees will receive a 5% salary step increase or a 5% longevity salary increase, as per Resolution 2001-3.

In order to maintain a consistent vehicle policy for eligible non-union exempt employees, only Public Safety eligible non-union exempt employees (Fire: 3-Chief/Deputy's and Police: 2-Chief/Deputy) will be entitled to a take home vehicle. All other eligible non-union exempt employees currently with a take home vehicle will be replaced with a car allowance (Parks Director, Building, Zoning and Planning Director, Finance Director and Public Works Superintendent). This will produce an annual

*September 11, 2012*

cost savings of approximately \$7,000 per take home vehicle.

The actual column figures are from end of July 31, 2012. The second budget hearing will have the updated figures as of end of August.

Finance Director Vivian Parks addressed the Council regarding the budgets.

The Manager also addressed the Council regarding the budgets for the Village Council, the Administration and Finance Departments and the Office of the Clerk.

It was the consensus of Council to increase the Village Clerk's salary line item reflecting a 5% Twenty (20) Year Longevity and a 1.9% COLA adjustment.

The Attorney addressed the Council regarding the budget for the Village Attorney.

The Manager addressed the Council regarding the Debt Service.

Jud Kurlancheek, Director of Building, Zoning and Planning addressed the Council regarding the budget for the BZP Department.

Chief of Police Charles Press addressed the Council regarding the budget for the Police Department.

Chief of Fire Rescue Eric Lang addressed the Council regarding the budget for the Fire Rescue Department.

The Manager addressed the Council regarding the budget for the Public Works Department.

Todd Hofferberth, Parks and Recreation Director addressed the Council regarding the budgets for the Parks and Recreation Department, the Community Center and the Youth Athletics Program.

Finance Director Parks also addressed the Council regarding the Transportation Special Revenue Fund, the Capital Projects Fund, the Stormwater Enterprise Fund and the Solid Waste Enterprise Fund.

Councilmember Garcia made a motion to extend the meeting to 11:15 p.m. The motion was seconded by Councilmember Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

It was the consensus of Council to increase the Historical Society line item by \$1,500; to transfer \$5,000 from the Operating Supplies line item and \$1,300 from the Capital Outlay line item into a

*September 11, 2012*

newly created line item entitled "TRAVEL PER DIEM"; to add \$15,000 to fund the Key Biscayne Community Foundation's Citizen Scientist Project matching grant to a newly created line item entitled "GRANTS"; a decrease of \$25,000 to the Bond Counsel line item in the Attorney's portion of the Budget and an increase of \$125,816 for the proposed Motorcycle Unit (two Police Officers) in the Police's portion of the budget, which includes Retirement Contributions and Payroll Taxes.

Councilmember Davey made a motion to remove from the table the proposed millage rate resolution. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

The Attorney announced that the proposed millage rate for the Village of Key Biscayne for fiscal year commencing October 1, 2012 through September 30, 2013, be and is hereby fixed at the rate of 3.2 mills which is \$3.2 dollars per \$1,000.00 of assessed property value within the Village of Key Biscayne. That the rolled-back rate is 3.0093 mills and the proposed millage rate is 3.2 mills which is 6.34% over the rolled-back rate.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The motion to approve the resolution, as amended, adopting the proposed millage rate for the fiscal year commencing October 1, 2012 through September 30, 2013 was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The motion to approve the budget ordinance, as amended, on first reading was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

The Attorney announced the second reading of the ordinance will be on Tuesday, September 25, 2012.

The Manager addressed the Council recommending to review the Five Year CIP in order for the Council to approve it at the Second Budget Hearing on September 25, 2012.

7. **SCHEDULE OF FUTURE MEETINGS AND EVENTS:** A schedule of future meetings and events was presented to the Council.

September 11, 2012

8. **ADJOURNMENT:** The meeting was adjourned at 11:16 p.m.

*Respectfully submitted:*

---

*Conchita H. Alvarez, MMC  
Village Clerk*

*Approved this \_\_ day of \_\_, 2013:*

---

*Franklin H. Caplan  
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.***