MINUTES

SECOND BUDGET HEARING
KEY BISCAYNE, FLORIDA

TUESDAY, SEPTEMBER 24, 2013

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, Theodore Holloway, Michael E. Kelly, Edward London (arrived at 7:20 p.m.), James S. Taintor, Vice Mayor Mayra Lindsay and Mayor Franklin H. Caplan. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorneys Stephen J. Helfman and Chad Friedman.

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

3. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the September 3, 2013 Regular Council Meeting. The motion was seconded by Councilmember Kelly and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes.

Councilmember Davey made a motion to approve the minutes of the September 11, 2013 First Budget Hearing. The motion was seconded by Councilmember Kelly and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes.

Councilmember Taintor addressed the Council regarding the First Budget Hearing, which he was not able to attend. At this time Councilmember Taintor made some recommendations regarding the Budget.

4. **MILLAGE RATE RESOLUTION:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; ADOPTING THE FINAL MILLAGE RATE OF THE VILLAGE OF KEY BISCAYNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Davey made a motion to table the resolution to be heard after the budget hearing. The motion was seconded by Vice Mayor Lindsay and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes.

5. **ORDINANCES:** The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; ADOPTING THE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding the Transportation Special Revenue Fund, the Stormwater Fund, recommending to refinance this fund and also addressed the Council regarding the Solid Waste Fund.

Lourdes Abadin, with Estrada Hinojosa, Financial Consultant for the Village of Key Biscayne addressed the Council.

Director of Building, Zoning and Planning addressed the Council regarding the Business Tax Receipt Program.

The Mayor opened the public hearing. Alan Fein, 525 Allendale Road; Gwen Wuen, 131 Buttonwood Drive; Julie Dick, 151 Crandon Boulevard and Brett Moss, 731 Crandon Boulevard addressed the Council. The Mayor closed the public hearing.

During the First Budget Hearing, Council reviewed and discussed all Departmental Budgets. The remaining three (3) sections of the Proposed FY2013-14 Budget to be reviewed and discussed by Council are: the Transportation, Stormwater and Solid Waste Enterprise Funds.

The Manager addressed the Council regarding the proposed budgets. The following are changes that have been made to the FY2013-14 Budget since the First Budget Hearing on September 11th: 1.) In the Council's budget the Local Relations Representative budget line item was decreased by $23,000 (new total: $12,000); 2.) The Subscriptions and Memberships budget line item was decreased by $2,400 (new total: $6,100); 3.) The Capital Outlay-Equipment budget line item was decreased by $16,700 (new total: $12,000).

The Attorney's budget reflects the following revisions: 1.) An increase of $20,000 to the Labor Relations line item (new total: $100,000); 2.) A decrease of $25,000 to the Land Development line item (new total: $75,000) and a reduction of $15,000 to the Bond Counsel line item (new total: $10,000).

The Parks and Recreation portion of the budget reflects a reduction of $1,000 to the Promotional Events-General line item (new total: $58,600).

The Police Department budget reduced the Rental & Leases line item by $5,000 due to the removal of the Marine Patrol boat dockage costs (new total: $12,775).

A decrease to the Public Works budget Vehicle Fuel line item of $6,000 (new total: $14,000).

In conclusion of the Departmental Budget discussions, the Manager is recommending that the Excess (Revenues)/Expenditures in the amount of $1,787,752 (as seen in the General Fund Budget-Summary page) be transferred to the Capital Improvement Fund to fund future Capital needs.

It was the consensus of Council to move the Key Biscayne Chamber of Commerce line item from the Council's budget to the Manager's budget and also move the Business Tax Revenue line item from the BZP Department's budget to the Manager's budget.

At this time, the proposed FY2014-2018 Capital Improvement Plan was discussed.

The Manager addressed the Council regarding the Five (5) Year Capital Improvements Plan for FY2014-2018. The Operational and Non-Operational projects are separated within each of the eight (8) categories. The Non-Operational projects identified in the applicable categories were prioritized

numerically by Staff; one (1) being the most important.

Councilmember London made a motion to eliminate the purchase of a new bus from the CIP Improvement Plan. The motion was seconded by Councilmember Kelly and failed by a 3-4 voice vote. The vote was as follows: Councilmembers Kelly, London and Vice Mayor Lindsay voting Yes. Councilmembers Davey, Holloway, Taintor and Mayor Caplan voting No.

Additional, there is a newly created category entitle, "Capital Projects". This encompasses projects mentioned during the Strategic Planning process. The Manager is recommending that the Council prioritize this list of projects in order to incorporate the necessary projects into the FY2014 Capital Improvement Plan to properly identify and allocate funding.

The amount of total funds needed for the FY2014 CIP is $3,020,666. The funding will be obtained from the General Fund Reservations-Reserved Carry Forward and Working Capital line items.

There was extensive discussion from Council regarding the proposed FY2014-2018 Capital Improvement Plan.

The following projects were added to the CIP: Amphitheatre, K-8, MAST Gym, Library and Strategic Planning for Storms.

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

Councilmember Kelly made a motion to reduce the millage rate to 3.0. The motion was seconded by Vice Mayor Lindsay.

There was extensive discussion from Council regarding the millage rate.

Councilmember London made an amendment to Councilmember Kelly's amending motion to reduce the millage rate to 2.7. The motion was seconded by Councilmember Davey and failed by a 2-5 roll call vote. The vote was as follows: Councilmembers Davey and London voting Yes. Councilmembers Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting No.

The Kelly motion to reduce the millage rate to 3.0 was approved by a 5-2 roll call vote. The vote was as follows: Councilmembers Davey, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes. Councilmembers Holloway and London voting No.

> The Mayor opened the public hearing on the millage resolution. There were no speakers present. The Mayor closed the public hearing.

The Attorney read into the record that the final millage rate is hereby fixed at the rate of 3.0 mills which is $3.00 dollars per thousand dollars of assessed property value within the Village of Key Biscayne. That the rolled-back rate is 2.9789 mills and the final millage rate is 3.0 mills which is 0.708% over the rolled-back rate.

The motion to approve the resolution adopting the proposed millage rate, as amended, for fiscal year commencing October 1, 2013 through September 30, 2014 was approved by a 6-1 roll call vote. The vote was as follows: Councilmembers Davey, Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes. Councilmember London voting No.

The motion to approve the budget ordinance on second reading, as amended, was approved by a 6-1 roll call vote. The vote was as follows: Councilmembers Davey, Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes. Councilmember London voting No.

6. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE 5 YEAR CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2014-2018 ATTACHED AS EXHIBIT "A;" PROVIDING FOR VILLAGE MANAGER AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The resolution, as amended, was approved by a 6-1 roll call vote. The vote was as follows: Councilmembers Davey, Holloway, Kelly, Taintor, Vice Mayor Lindsay and Mayor Caplan voting Yes. Councilmember London voting No.

7. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was provided to the Council.

8. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A list of future meetings and events was presented to the Council.

9. **ADJOURNMENT:** The meeting was adjourned at 10:35 p.m.

September 24, 2013

Respectfully submitted:

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Conchita H. Alvarez, MMC
Village Clerk

Approved this ____ day of _____ 2013:

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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.