

MINUTES

SECOND BUDGET HEARING
KEY BISCAVNE, FLORIDA

TUESDAY, SEPTEMBER 28, 2004

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 Martha F. Broucek, Carol Diaz-Castro, Mortimer Fried, James L. Peters, Robert L. Vernon, Vice Mayor Jorge Mendia and Mayor Robert Oldakowski. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.

2. **PLEDGE OF ALLEGIANCE:** Mr. Tim Stickney led the Pledge of Allegiance.

The Clerk requested the addition of a resolution regarding the site rehabilitation of 530 Crandon Boulevard as Item 6A. There was no objection to the agenda change.

3. **APPROVAL OF MINUTES:** Councilmember Fried made a motion to approve the minutes of the September 14, 2004 Regular Council Meeting. The motion was seconded by Vice Mayor Mendia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes. Councilmember Diaz-Castro was out of the room at the time the vote was taken.

Councilmember Fried made a motion to approve the minutes of the September 14, 2004 First Budget

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Hearing. The motion was seconded by Councilmember Vernon and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes. Councilmember Diaz-Castro was out of the room at the time the vote was taken.

4. **BUDGET 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, 2004 THROUGH SEPTEMBER 30, 2005 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

The Mayor and the Attorney addressed the Council regarding the procedure for the adoption of the budgets.

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Broucek.

Councilmember Broucek made a motion to table the resolution. The motion was seconded by Vice Mayor Mendia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes. Councilmember Diaz-Castro was out of the room at the time the vote was taken.

5. **BUDGET ORDINANCE:** 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, 2004 THROUGH SEPTEMBER 30, 2005 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fried made a motion to adopt the ordinance on second reading. The motion was seconded by Vice Mayor Mendia.

The Mayor opened the public hearing. Glen Waldman, 240 Woodcrest Road representing the Key Biscayne Athletic Club; Tim Stickney, 285 Woodcrest Road; Luis de la Cruz, 640 Allendale Road and Ed Meyer, 100 Sunrise Drive. The Mayor closed the public hearing.

The Mayor and the Manager addressed the Council regarding the budgets for fiscal year

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commencing October 1, 2004 through September 30, 2005.

The Manager addressed the Council recommending a 3% Cost of Living Adjustment increase for all employees for this fiscal year.

The Manager addressed the Council regarding the Budget for the Police Department deferring the addition of a Police Athletic League officer.

Chief of Police Charles Press addressed the Council.

The Budget for the Police Department was approved as amended.

The Manager informed the Council that Miami-Dade County Fire Station 15 will be staffed as of October 1, 2004.

The Budget for the Fire Department was approved as presented.

The Budget for the Building, Zoning and Planning Department was approved as presented.

Councilmember Broucek made a motion to increase the KBAC line item in the Parks and Recreation Budget to \$100,000. The motion was seconded by Mayor Oldakowski and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

It was the consensus of Council to direct the Manager to look into the Parks and Recreation Department in order to find the \$50,000 addition for KBAC without increasing this Department's budget.

Todd Hofferberth, Parks and Recreation Director addressed the Council regarding the Budget for the Parks and Recreation Department.

The Budget for the Parks and Recreation Department was approved as amended.

Councilmember Broucek made a motion to increase the budget for the Public Works Department by \$93,000. The motion was seconded by Councilmember Diaz-Castro and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

Armando Nunez, Public Works Director addressed the Council regarding the Budget for the Public Works Department.

The Budget for the Public Works Department was approved as amended.

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The Manager addressed the Council regarding the Budget for the Administration and Finance Departments.

The Budget for the Administration and Finance Departments was approved as presented.

It was the consensus of Council to direct staff to consolidate Village wide costs for electricity, water, insurance, etc. and present it to the Council at a future meeting.

It was the consensus of Council to direct the Manager to look at the relationship between the management fees and the services being managed to make sure they are balanced.

The Budget for the Village Council was approved as presented.

The Budget for the Office of the Village Clerk was approved as presented.

The Budget for the Village Attorney was approved as presented.

The Budget for the Debt Service was approved as presented.

Councilmember Broucek made a motion to add Ocean Lane Drive Improvements in the amount of \$225,000 as Item 19 to the Capital Outlay FY 2005, to be funded from various reserve items in the Capital Improvement Budget. The motion was seconded by Councilmember Peters and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

There was discussion from Council to transfer \$180,000 from the Contingency Line Item in the Manager's 2003-2004 Budget to the Parks and Recreation Department 2003-2004 Budget in order to fund the Theater component within the Community Center.

The Manager addressed the Council regarding the money set aside for the Federal Lobbyist and the Police Athletic League Officer. These positions will not be part of the 2004-2005 Budget, therefore, these monies are available for the proposed Budget amendments.

It was the consensus of Council to direct staff to draft a resolution setting up an on going reserve program for the Village.

The Capital Outlay Budget was approved as amended.

Councilmember Fried made a motion to bring the budget resolution back to the table. The motion

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was seconded by Councilmember Vernon and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

There were no speakers present to speak on the adoption of the final millage rate resolution.

The resolution adopting the final millage rate was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The budget ordinance, as amended, was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, APPROVING AGREEMENT FOR PREAPPROVED ADVANCED CLEANUP BETWEEN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF THE STATE OF FLORIDA AND THE VILLAGE OF KEY BISCAIYNE, FOR SITE REHABILITATION OF PETROLEUM CONTAMINATION ON VILLAGE OWNED PROPERTY LOCATED AT 530 CRANDON BOULEVARD, KEY BISCAIYNE, FLORIDA; PROVIDING AN EFFECTIVE DATE.

The Manager and the Attorney addressed the Council regarding this resolution.

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Peters and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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

7. **ADJOURNMENT:** The meeting was adjourned at 10:55 p.m.

Respectfully submitted:

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*Conchita H. Alvarez, CMC
Village Clerk*

Approved this 12th day of October, 2004:

*Robert Oldakowski
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.