

MINUTES

FIRST BUDGET HEARING  
KEY BISCAVNE, FLORIDA

TUESDAY, SEPTEMBER 14, 2010

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:15 p.m. Present were Councilmembers Michael W. Davey, Robert Gusman, Michael E. Kelly, Jorge E. Mendia, Thomas Thornton, Vice Mayor Enrique Garcia and Mayor Robert L. Vernon. Also present were Village Manager Genaro “Chip” Iglesias, Village Clerk Conchita H. Alvarez and Village Attorneys Stephen J. Helfman and Brett Schneider.
2. **PLEDGE OF ALLEGIANCE:** Mayor Vernon led the Pledge of Allegiance.
3. **APPROVAL OF MINUTES:** Vice Mayor Garcia made a motion to approve the minutes of the September 7, 2010 Regular Council Meeting. The motion was seconded by Councilmember Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.
4. **BUDGET RESOLUTION:** The Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE OF KEY BISCAVNE, FLORIDA; ADOPTING THE PROPOSED MILLAGE RATE OF THE VILLAGE OF KEY BISCAVNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011 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 Vice Mayor Garcia.

The Manager addressed the Council recommending the adoption of a 3.2 millage rate.

Councilmember Davey made a motion to table the resolution adopting the proposed millage rate.

The motion was seconded by Vice Mayor Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

5. **ORDINANCES:** The Clerk 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, 2010 THROUGH SEPTEMBER 30, 2011 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.**

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

The Mayor opened the public hearing. Ed Meyer, 798 Crandon Boulevard; Nancy Davis, 250 Cypress Drive; Charles Viscito, 141 Crandon Boulevard and Betty Sime Conroy, 785 Crandon Boulevard addressed the Council. The Mayor closed the public hearing.

The Manager addressed the Council regarding the accomplishments for Fiscal Year 2009-2010. The proposed budget has no Cost of Living Increase and Merit Step increases are only included for eligible bargaining unit members. Labor negotiations are ongoing and the final outcome of those negotiations could impact these two items.

Acting Director of Finance and Administrative Services, Beatrice Galeano addressed the Council and the public regarding the Revenue 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.

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

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

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Department.

Chief of Fire Rescue John C. Gilbert addressed the Council regarding the budget for the Fire Rescue Department.

Public Works Director, Armando Nunez 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.

Acting Finance Director Galeano also addressed the Council regarding the Transportation Special Revenue Fund.

The Manager also addressed the Council regarding the Capital Projects Fund, the Capital Outlay Allocations, the Stormwater Enterprise Fund and the Solid Waste Enterprise Fund.

The Manager presented to the Council a proposed Five (5) Year Capital Improvements Plan for FY 2010-2015.

The Manager addressed the Council recommending to review the Five Year CIP in order for the Council to approve it on second reading at the Second Budget Hearing on September 28, 2010.

The proposed FY 2011 CIP shows a deficit of \$1,116,089. The following funding sources are recommended to fund the deficit: 1.) General Fund Designations-Capital Improvements Plan, \$789,072; 2.) Capital Outlay-Surplus Community Center Expansion (Design), \$100,000; 3.) General Fund reservations-Reserved Carry Forward, \$65,687; 4.) Contingencies, \$89,129 and 5.) CIP (Completed Projects Excess), \$72,201 for a total of \$1,116,089.

Reverend Bud Schroeder, Cecile Sanchez and Craig Hardie with the Landscape Committee and Director of Public Works Nunez addressed the Council regarding proposed enhancements to the Beach Park.

Councilmember Davey made a motion to add \$350,000 for Beach Park improvements to the CIP for FY 2011. The motion was seconded by Councilmember Mendia and approved by a 5-2 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Mendia, Vice Mayor Garcia and Mayor Vernon voting Yes. Councilmembers Kelly and Thornton voting No.

Councilmember Thornton made a motion to add \$150,000 for Phase II of 530 Crandon Boulevard; \$130,000 for Key Biscayne Community Church parking on swale and \$600,000 for playing fields at the Presbyterian Church to the CIP for 2011 and to also add \$1.5 for Phase III of 530 Crandon Boulevard to the CIP for 2012. The motion was seconded by Councilmember

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Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

Mayor Vernon proposed to eliminate Calusa Park Site Plan Preparation, Calusa Park Design & Permit and Calusa Park Construction for a total of \$1,131,383, leaving just \$250,000 for Calusa Improvements as required by agreement with Miami-Dade County. There was no objection to the proposal.

It was the consensus of Council to rename the High School Initiatives Category to Educational Initiatives under General Government.

It was the consensus of Council to direct staff to look into the possibility of using the restricted BZP Building Permit Fund Revenue for other than BZP.

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

The Clerk announced that the rolled-back rate is 3.4230 mills and the proposed millage rate is 3.2 mills which is 6.51% under the rolled-back rate.

The motion to approve the resolution adopting the proposed millage rate for the fiscal year commencing October 1, 2010 through September 30, 2011 was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

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

The Clerk announced the second reading will be on Tuesday, September 28, 2010.

6. **BUDGET INFORMATION:** The following was presented to the Council for their information: 1.) Resolution 2010-29 adopted July 6, 2010 setting the First and Second Budget Hearing; 2.) Public notice regarding the adoption of the budgets for Fiscal Year commencing October 1, 2010 through September 30, 2011 advertised in the Daily Business Review on September 16, 2010 and in the Islander News on September 16, 2010 and on September 23, 2010 and 3.) Miami-Dade County Certification of Taxable Value.

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

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, DIRECTING AND AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO NEGOTIATIONS WITH THE KEY BISCAYNE PRESBYTERIAN CHURCH LOCATED AT 160 HARBOR DRIVE TO LEASE A PORTION OF THE CHURCH'S PROPERTY FOR A PARK; FURTHER DIRECTING AND AUTHORIZING THE VILLAGE MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO CONDUCT THE NECESSARY DUE DILIGENCE AND INSPECTIONS OF THE PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Garcia made a motion to approve the resolution. The motion was seconded by Councilmember Kelly.

The Manager addressed the Council recommending to approve the resolution which authorizes the Village Manager to enter into negotiations with the Key Biscayne Presbyterian Church for lease agreement allowing recreational use within their property.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

The Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING TETRA TECH FOR THE PREPARATION OF A STORMWATER MASTER PLAN; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT CONSISTENT WITH THE SCOPE OF SERVICES ATTACHED AS EXHIBIT "A;" AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

The Manager addressed the Council recommending to approve the proposal submitted by Tetra Tech for professional engineering services in the amount of \$143,342.00. The scope of work

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included in this proposal is for the update to the existing Stormwater Master Plan adopted by the Village in 1993, the Floodplain Management Plan adopted in 1998 and preparation of the 5-year Cycle Recertification.

Alicia M. Vereza-Feria with Tetra Tech and Director Nunez addressed the Council regarding this resolution.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

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

9. **ADJOURNMENT:** The meeting was adjourned at 11:05 p.m.

*Respectfully submitted:*

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*Conchita H. Alvarez, MMC*  
*Village Clerk*

*Approved this 28th day of September, 2010:*

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*Robert L. Vernon*  
*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.**