

MINUTES

SECOND BUDGET HEARING
KEY BISCAVNE, FLORIDA

TUESDAY, SEPTEMBER 22, 2009

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 Enrique Garcia, Robert Gusman, Michael E. Kelly, Jorge E. Mendia, Thomas Thornton, Vice Mayor Michael W. Davey and Mayor Robert L. Vernon. Also present were Village Manager Genaro "Chip" Iglesias and Village Attorney Stephen J. Helfman.

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

3. **MILLAGE RATE RESOLUTION:** The Manager read the following resolution by title:

A RESOLUTION OF THE VILLAGE OF KEY BISCAVNE, FLORIDA; ADOPTING THE FINAL MILLAGE RATE OF THE VILLAGE OF KEY BISCAVNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

4. **ORDINANCES:** The Attorney 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, 2009 THROUGH SEPTEMBER 30, 2010 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding the accomplishments for Fiscal Year 2008-2009.

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 Village Clerk.

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

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

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

The Mayor opened the public hearing. Mortimer Fried, 291 Harbor Court; Adriana Volhmer, 452 Ridgewood Road; Carolina Ortega, 482 Ridgewood Road; Ed Stone, 145 Hampton Lane; Michele Estevez, 798 Crandon Boulevard; Gary Carter, President Firefighters Local 3638 and Camille Guething, 260 Seaview Drive addressed the Council. The Mayor closed the public hearing.

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There was extensive discussion from Council regarding the budgets.

Councilmember Mendia made a motion to add 5% salary step increase to the Fire Department as stipulated in their labor contract. The motion was seconded by Vice Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

Councilmember Thornton made a motion to approve the 3% salary increase for employees (except Fire Department) as proposed by the Manager. The motion was seconded by Vice Mayor Davey and approved by a 4-3 roll call vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton and Mayor Vernon voting Yes. Councilmembers Garcia, Kelly and Vice Mayor Davey voting No.

Mayor Vernon made a motion to remove the Federal Relations Representative from the budget. The motion was seconded by Vice Mayor Davey and approved by a 4-3 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Thornton and Vice Mayor Davey voting Yes. Councilmembers Kelly, Mendia and Mayor Vernon voting No.

Vice Mayor Davey made a motion to reduce the Art in Public Places budget by 10%. The motion was seconded by Mayor Vernon and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes. Councilmember Mendia voting No.

Vice Mayor Davey made a motion to reduce the Capital Outlay in the Council's budget by 10%. The motion was seconded by Mayor Vernon and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

Vice Mayor Davey made a motion to reinstate the two police dispatchers into the Police Department's budget. The motion was seconded by Councilmember Thornton and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

Mayor Vernon made a motion to reinstate the Winterfest Eve celebration into the Parks and Recreation budget. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

The Manager is recommending that the surplus of \$1,874,516 be placed into a General Fund Balance for October 2011.

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Vice Mayor Davey made a motion to transfer the surplus to a General Fund Reserve. The motion was seconded by Councilmember Mendia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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

The Mayor opened the floor for comments on the millage rate. There were no speakers present. The Mayor closed the floor for comments.

The Attorney announced that the rolled-back rate is 3.4138 mills and the proposed millage rate is 3.2 mills which is 6.263 % under the rolled-back rate.

The motion to approve the resolution adopting the final millage rate for the fiscal year commencing October 1, 2009 through September 30, 2010 was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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

5. **RESOLUTIONS:** The Attorney read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONFIRMING THE VILLAGE'S ABILITY TO FUND AND SUPPORTING THE PERMITTING, DESIGN, CONSTRUCTION, AND MONITORING OF THE VILLAGE'S BEACH RENOURISHMENT PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council recommending approval of the resolution providing the Florida Department of Environmental Protection confirmation that the Village has committed funds and supports the construction and monitoring of the Beach Renourishment Project.

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The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon 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 9:52 p.m.

Respectfully submitted:

*Conchita H. Alvarez, MMC
Village Clerk*

Approved this 27th day of October, 2009:

*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.