

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES
FIRST BUDGET HEARING - SEPTEMBER 12, 2013

The First Budget Hearing of Bal Harbour Village was held on Thursday, September 12, 2013, in the Council Chambers at Bal Harbour Village Hall (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 5:04 p.m. by Mayor Rosenfield. The following were present:

Mayor Jean Rosenfield
Assistant Mayor Joni D. Blachar
Councilwoman Patricia Cohen

Absent:

Councilman Martin Packer
Councilman Jaime M. Sanz

Jay R. Smith, Interim Village Manager
Ellisa Horvath, MMC, Village Clerk
Matthew Pearl, Village Attorney
Christopher Wallace, Finance Director

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge was led by Village resident Dina Cellini.

3. ANNOUNCEMENT: Mr. Wallace reported that the proposed millage rate was the lowest, since Bal Harbour's incorporation. He announced the following:

THE BAL HARBOUR VILLAGE ROLLED-BACK MILLAGE RATE IS 1.9192 MILLS. THE NEW PROPOSED MILLAGE RATE IS 1.9192 MILLS, WHICH IS EQUAL TO THE ROLLED-BACK RATE.

4. DISCUSSION OF PROPOSED TAX MILLAGE RATE AND PROPOSED BUDGET FOR FISCAL YEAR 2013/2014: Mayor Rosenfield opened the meeting for public discussion.

5. RESOLUTION/PUBLIC HEARING: The following Resolution was read by title, by Mrs. Horvath:

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE PROPOSED MILLAGE RATE OF AD VALOREM TAXATION FOR FISCAL YEAR 2013/2014; PROVIDING FOR AN EFFECTIVE DATE.

A motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to approve the Resolution.

Mayor Rosenfield opened the public hearing.

Anamarie Kelly Stoppa - 77 Camden Drive, thought that the police budget was excessive, which affected the millage rate.

Dina Cellini - 211 Bal Cross Drive, requested to comment on the budget line items. Mayor Rosenfield noted that would be done later in the meeting.

There being no additional comments, Mayor Rosenfield closed the public hearing.

Councilwoman Cohen was proud that the millage rate was lowered, but noted that some residents had suggested that the same tax be collected, to increase the amount in the budget contingency.

The motion carried (3-0); thus becoming Resolution No. 2013-776.

6. ORDINANCE FIRST READING/PUBLIC HEARING: The following Ordinance was read by title, by Mrs. Horvath:

AN ORDINANCE OF BAL HARBOUR VILLAGE ADOPTING A BUDGET FOR ALL VILLAGE FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; APPROPRIATING REVENUES AND OTHER FUNDS; AUTHORIZING EXPENDITURES; AND ESTABLISHING AN EFFECTIVE DATE.

The Council declined to view the Powerpoint presentation.

Mayor Rosenfield opened the public hearing.

Dina Cellini - 211 Bal Cross Drive, spoke in favor of the reduced millage rate. She thanked the Council for her appointment to the Budget Committee.

Ms. Cellini discussed concern with the pension cost that would be associated for a new Records Liaison position (Executive Budget) and noted that the Budget Committee (in a 3-1 vote) had recommended that the position be outsourced, or offered as a part-time position. She suggested that the item be removed from the budget and noted that there was money in the budget for outsourcing. She spoke against hiring any new employees, until the new Village Manager started. Mayor Rosenfield explained that the intent was for the new Village Manager to evaluate that. Ms. Cellini spoke in favor of the new Village Manager doing so. Mr. Smith clarified that funds were allocated for the new Manager to evaluate that. He noted that this was the only item that he didn't agree with the Budget Committee on, regarding the budget. Ms. Cellini agreed that it was fair to wait for the new Manager to assess that position.

Ms. Cellini voiced concern regarding the red light camera program (Law Enforcement budget), since the revenues were less than the expenditures. Mr. Smith explained the clause in the red light camera agreement, which prevented the Village from losing money (revenue from the violations versus payment to the camera company). Councilwoman Cohen pointed out that notice could be given, to eliminate the program. Ms. Cellini spoke in favor of the new Police Chief evaluating the program. Assistant Mayor Blachar discussed

placing the item on the next Council agenda, for evaluation. Mayor Rosenfield explained that the State was also reviewing the red light cameras. Councilwoman Cohen pointed out that the majority of the red light camera revenue went to the State. Mr. Smith noted that there was also a lot more compliance by drivers (resulting in decreased violations and revenue). Assistant Mayor Blachar noted that, if the program was costing more than it was making, then the Village may consider deleting it. Mr. Wallace explained that money would not be lost on the contract. Ms. Cellini pointed out that many municipalities were abandoning the red light cameras, due to the lack of profitability, the new requirements for hearings to be held at the municipalities, use of the municipal facilities and staff, etc. She also noted that many municipalities were re-negotiating their contracts with the red light camera companies, which she spoke in favor of exploring. Assistant Mayor Blachar spoke in favor of the new Village Manager evaluating the program, in lieu of placing it on the next Council agenda. She clarified that the program was not just about making money, but was also about preventing accidents, etc.

Councilwoman Cohen requested that the tickets given for drivers turning right, out of the Shops (onto Collins Avenue), be evaluated. She thought that tickets given to visitors to Bal Harbour could ruin their experience in the Village. Mayor Rosenfield disagreed and noted that people should obey the laws. Assistant Mayor Blachar agreed with Councilwoman Cohen.

Chief Michael Daddario noted that there was not a red light camera at the Shops exit, but that officers wrote tickets, in response to complaints received from pedestrians, of drivers turning right there.

Ms. Cellini noted that the Budget Committee didn't meet with the Resort Tax Committee regarding its budget, but had reviewed some issues with Ms. Travis. She discussed concerns with money allocated for different programs (marketing, branding, etc.) and whether or not those should be addressed on a Village-wide level. She clarified that the Budget Committee didn't meet with the Gated Residential Section Advisory Committee either, regarding its budget.

Mayor Rosenfield questioned how the requests, for re-evaluation of a property owner's taxes, would affect the Village. Mr. Wallace didn't know yet, but explained that the Village had contingency funds to cover that. The Council will be provided with the requests for re-evaluation, in their weekly packets.

Mayor Rosenfield thanked Ms. Cellini for serving on the Budget Committee.

Mayor Rosenfield discussed the possibility of looking at the Florida Retirement System, for the Village's pension.

Anamarie Kelly Stoppa – 77 Camden Drive, questioned the reduction amount the Bal Harbour Shops was seeking for their taxes. Mr. Wallace didn't know.

Ms. Stoppa questioned if there would be a review of the employees who were involved in investigation being conducted by the Department of Justice and how the possible overextension of pension figures would be handled. She also questioned if there would be civil litigation against the prior Police Chief, Village Manager, and Building Official and the anticipated amount for legal fees associated with that. Mayor Rosenfield and Mr. Pearl

didn't know. Mayor Rosenfield explained that the Village needed to hear from the Department of Justice, but noted that there was a general contingency fund. Assistant Mayor Blachar agreed.

Assistant Mayor Blachar questioned if enough money was budgeted for Maintenance of Vehicles (Law Enforcement). Mr. Smith advised that there was.

Councilwoman Cohen questioned why the legal fees were so high (\$500,000.00), under the Legislative Department. Mr. Wallace explained that, per the Budget Committee's recommendation, legal fees would now be appropriated to the proper department (in lieu of using a formula) and were now only listed in the Police and Legislative Departments. Mr. Smith noted that the legal fees had always been listed under the Legislative Department, perhaps because the Attorney worked for the Council.

Assistant Mayor Blachar spoke in favor of waiting for the new Village Manager, but was in favor of having someone in-house that was familiar with the Village for the Records Liaison position, versus outsourcing that.

Assistant Mayor Blachar questioned if the fee for the Special Masters had been increased. Mr. Smith reported that the red light camera program paid for the Special Masters (\$250.00 per day), for its hearings. Assistant Mayor Blachar spoke in favor of addressing the salaries for the Special Masters, for the Village's code enforcement hearings.

Councilwoman Cohen spoke in favor of showing the budget process (proposed amounts prior to and after review by the Budget Committee, Village Manager, Departments, etc.) The Council discussed different ways the process could be shown, in the budget document. Mr. Smith will include the names of the Budget Committee, in the budget document.

Dina Cellini – 211 Bal Cross Drive, suggested that a footnote be provided in the budget document, which showed the amount of the proposed figures at the beginning of the process, and the proposed figures for the budget hearings, to show the reduction that was made through the process. Mr. Smith will work with Mr. Wallace on that.

There being no additional comments, Mayor Rosenfield closed the public hearing.

A motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to approve the Ordinance. The motion carried (3-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Mayor Rosenfield yes; Councilman Packer absent; Councilman Sanz absent.

7. RESOLUTIONS/PUBLIC HEARINGS: The following Resolution was read by title, by Mrs. Horvath:

A RESOLUTION OF BAL HARBOUR VILLAGE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS IN BAL HARBOUR VILLAGE, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ASSESSMENT ROLL; CONFIRMING

THE INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

A motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to approve the Resolution.

Mayor Rosenfield opened the public hearing. There being no comments, Mayor Rosenfield closed the public hearing.

The motion carried (3-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Mayor Rosenfield yes; Councilman Packer absent; Councilman Sanz absent; thus becoming Resolution No. 2013-777.

Mayor Rosenfield suggested that Mr. Wallace circulate his memo to all residents, which explained how the water bill was tabulated.

The following Resolution was read by title, by Mrs. Horvath:

A RESOLUTION OF BAL HARBOUR VILLAGE, FLORIDA, RELATING TO THE PROVISION OF SECURITY AND LANDSCAPE SERVICES, FACILITIES AND PROGRAMS IN THE GATED RESIDENTIAL SECTION OF BAL HARBOUR VILLAGE, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING SECURITY AND LANDSCAPE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE GATED RESIDENTIAL SECTION OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE ASSESSMENT ROLL; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

A motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to approve the Resolution.

Mayor Rosenfield opened the public hearing.

Anamarie Kelly Stoppa - 77 Camden Drive, noted that the Village had nothing to do with the Residential Section and that action would be taken, if the Village continued to do so. She added that the Village was in violation of misusing public funds for private use.

There being no additional comments, Mayor Rosenfield closed the public hearing.

The motion carried (3-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Mayor Rosenfield yes; Councilman Packer absent; Councilman Sanz absent; thus becoming Resolution No. 2013-778.

8. ANNOUNCEMENT: Mr. Wallace announced the following:

Bal Harbour Village has tentatively adopted a millage rate of 1.9192 mills. Property taxes will not increase. A final hearing on the tentatively adopted millage rate and the budget will be held on September 23, 2013, at 5:01 p.m., in the Council Chamber at Bal Harbour Village Hall, 655-96th Street, Bal Harbour, Florida.

Assistant Mayor Blachar thanked the members of the Budget Committee for serving and requested that recognition of the members be placed in the next Village newsletter.

Assistant Mayor Blachar suggested that the same process, as was done for the selection of other Village committees, be followed for the selection of the next budget committee (which should be formally addressed after the new Manager started). Mr. Smith noted that Councilman Packer had also suggested an audit committee.

Assistant Mayor Blachar thanked Mr. Wallace and Mr. Smith for their work on the budget.

9. ADJOURN: There being no further business to come before the Council, a motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to adjourn. The motion carried (3-0), and the meeting was adjourned at 5:56 p.m.

Attest:



Ellisa L. Horvath, MMC, Village Clerk
Mayor Jean Rosenfield