

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES
WORKSHOP MEETING – MAY 20, 2010

A Workshop Meeting of the Bal Harbour Village Council was held on Thursday, May 20, 2010, at the Bal Harbour Village Hall Council Chamber (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

Alfred J. Treppeda, Village Manager
Ellisa Horvath, MMC, Village Clerk
Christopher Wallace, Finance Director

Absent: Councilwoman Patricia Cohen
Councilman Martin Packer
Councilman Jaime M. Sanz

The meeting commenced.

2. PLEDGE OF ALLEGIANCE: The pledge was not done.

3. DISCUSSION OF 2010/2011 BUDGET: Mayor Rosenfield explained the purpose of the workshop meeting to review the budget process and receive input from the public.

Chris Wallace, Finance Director, reviewed a PowerPoint presentation.

Babak Raheb, 128 Balfour Drive, requested the amount of the ad valorem taxes that were paid from the homes in the Security District. Mr. Wallace did not know, but reported that could be provided. Mr. Raheb noted that the largest portion of the budget was for the Police Department and questioned how other cities compared to that. Mr. Wallace thought that the Police budget was consistent with other municipalities. Mr. Wallace reviewed the revenue and noted that the most substantial revenue was from the property taxes. He noted that the Village could start charging for a garbage fee. Mr. Raheb suggested reviewing the Police budget. He reported that Bal Harbour had a ratio of 1 officer for 100 people, while Aventura, Bay Harbor, and Golden Beach had about 1 officer to 200 people. He suggested that be considered with the current fiscal environment.

Beth Berkowitz, 10160 Collins Avenue, discussed the cost of providing landscaping services for the Security District, which was discussed at the last Council meeting, and requested the percentage of the Village's payroll that went towards that and the percentage of the Lukes Landscaping expense that was spent in the Security District. She requested the specific areas that were involved with the landscaping costs (residential parks, green space, yacht basin, private homes, etc.) and any other private properties that were

maintained by taxpayer dollars. Mr. Treppeda reported that the cost included approximately three employees, on a full time basis. He noted that the cost did not include the Bal Harbour Club. He suggested that Ms. Berkowitz submit a public records request for additional detailed information.

Anamarie Kelly, 77 Camden Drive, reviewed the March 17, 2009 Attorney/Client Session (Babak Raheb versus the Village of Bal Harbour) regarding the Security District. She thinks that the major issues are the use of public funds for the benefit of private property in the Security District. She discussed the liability that the Village may face with a suit or a class-action suit, since the east side had been denied access and the money was expended illegally. She questioned if there was a contingency fund to pay the residents back for funds spent on private property. Ms. Kelly requested a more thorough breakdown of the budget, similar to Surfside. She requested the expenditures for the Security District (watering, payroll). Mr. Treppeda requested that Ms. Kelly submit a public records request for those items. Ms. Kelly requested the number of police officers and if that included patrolling the Security District, since those streets were privately owned.

Dina Cellini, 211 Bal Cross Drive, requested information on the major issues that the Village would face for Fiscal Year 2011. She discussed the St. Regis project and questioned if the Village would continue receiving the resort tax revenue (as part of the Development Agreement) for that property. Mr. Wallace explained that the Village would continue to receive the resort tax revenue (as part of the Development Agreement) until the St. Regis came on line. He clarified that most of the shortfall would be temporary (\$2 million in property taxes). Ms. Cellini questioned if the Village would still receive property taxes from the St. Regis apartments if they did not close and, if so, would it be at the same rate as if they did close, or something less. She questioned if the \$2 million was a realistic figure. Mr. Wallace explained that the property would be placed on the tax roll when it was substantially complete, as of January 1st. He noted that there were concerns that market values had deteriorated and the amount may be less than hoped, but he explained that was the best guess for now. Mr. Nieda reported that the project was slated to be completed for a Certificate of Occupancy in September 2011. Ms. Cellini clarified that on January 1, 2011, the Village would know how many units closed. She clarified that the Village may suffer the loss for 2011 and could be receiving less than what Mr. Wallace had anticipated for 2012. She requested that the Council keep in mind that the Village may be short in 2012 as well. Mr. Wallace reported that they were looking at sustaining the Village, without going into reserves.

Babak Raheb, 128 Balfour Drive, explained that once the Temporary Certificate of Occupancy was given and one unit closed, then the entire building would go on the tax roll. He clarified that the residents in the Security District were not getting anything for free, because they paid a large portion of the ad valorem taxes, which is why he asked for the breakdown. He suggested separating the Security District property taxes, so that the District would pay everything separately. Assistant Mayor Blachar spoke in favor of that idea.

Dan Nieda, Building Official, discussed the Certificate of Occupancy process. He noted that he would grant the Certificate of Occupancy to the entire St. Regis project, not one tower at a time.

Beth Berkowitz, 10160 Collins Avenue, reported that according to the dedication, her

building at 10160 Collins Avenue was platted as the residential area. She clarified that she and other west side residents were not benefitting from the residential section (lawn service, police security, etc.). She reported that a residential area was platted by the Developers that included everything on the west side, except for the Business District, but the west side was not able to use what was dedicated to them. Ms. Berkowitz requested that the issue be addressed, since it had been ongoing for 20 years.

Michael Krop, 9601 Collins Avenue, discussed his dissatisfaction with the workshop and requested that it focus on the money that was spent in each department, the amount spent for the past six months and if that money was spent well. Assistant Mayor Blachar requested what Dr. Krop wanted addressed in the budget. Dr. Krop questioned how the Village did for the first six months of the current year. Assistant Mayor Blachar reported that the Village had done well. She requested that Dr. Krop clarify where the money was not being spent well. She explained that the Council wanted to know the concerns of the residents. Dr. Krop suggested contacting Miami Beach to ask them what to do for a successful workshop. Assistant Mayor Blachar thought that the meeting was successful. She noted that the concerns from residents regarding money being spent in the Security District was being addressed, but other than that, she didn't see anything that wasn't working properly. She suggested that Dr. Krop review the current budget and make suggestions. Dr. Krop questioned when the six-month report would be available. Mr. Treppeda reported that the financial reports were reviewed at the Council meetings. Assistant Mayor Blachar questioned what Dr. Krop's concerns were. Dr. Krop reported that some people don't think that they were doing a great job. He suggested speaking to other communities. Mayor Rosenfield reported that the Village is one of the few municipalities that didn't have a budget problem and had a five-month contingency fund. She noted that the budget items were listed and urged the public to voice their concerns and ask questions.

Mr. Wallace explained that the Departments had not finished their initial budgets, so additional information would be available in July. He reported that the year to date would be shown at the July meeting, along with the proposed department budgets and the Manager's recommendation. He explained that more detail could be discussed at the July meeting, but that the current meeting was more of an overview of the issues, etc. Mr. Wallace noted that there were some policy issues that would need to be considered. He explained that no decisions would affect the tax rates, until the September meetings. He reported that the Quarterly Financial Reports were provided at the Council meetings.

Mr. Treppeda introduced the Department Heads.

Ms. Kelly discussed Mayor Rosenfield's comments from the Attorney Client session regarding the use of public funds to pay for private items (cutting grass, etc.) in the Security District. She requested that issue be addressed in the future budget. Ms. Kelly didn't know under what authority Mr. Sobel was speaking for the Security District.

Mayor Rosenfield discussed the residents working together, not against each other, to address the issues.

Mr. Raheb spoke against the Police Department increasing, while the population and the boundaries of the Village remained the same. He discussed the need for a limit of what would be spent on that Department.

Assistant Mayor Blachar requested that the items be available a week before the next workshop meeting.

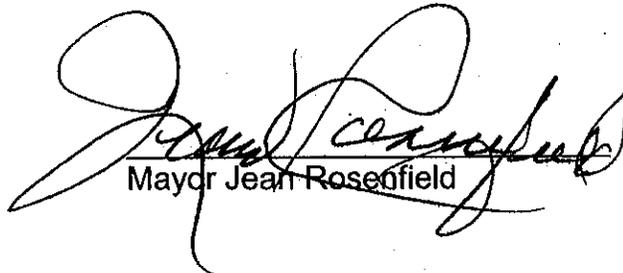
Brian Mulheren, 10245 Collins Avenue, questioned the costs and where the budget was going. He expressed concern on having the money for the pensions, the Village not receiving the money that it anticipated from WCI, Related, ONE, etc. He questioned what was done with the money from the St. Regis. He questioned what the budget was last year and what the projection was for the next year.

Mayor Rosenfield explained how the budget was structured. She clarified that the Council discussed items every month including the pensions, etc. She reported that the Finance Director and Auditors both discussed the Village's finances at a public meeting. Mayor Rosenfield explained that the Council was curbing expenses, etc. and the budget showed where the money was going.

Mr. Wallace clarified that Mr. Treppeda had always explained any changes in the budgeted line items, which was available to the public. He repeated that the Village needed to know the public's concerns and clarified that more details would be available in July. He urged the public to review the current budget.

Assistant Mayor Blachar reported that the current budget would be placed online.

4. ADJOURN: There being no further business, the meeting adjourned at 6:32 p.m.


Mayor Jean Rosenfield

Attest:


Ellisa L. Horvath, MMC, Village Clerk