

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES **SECOND BUDGET HEARING – SEPTEMBER 13, 2012**

The Second Budget Hearing of Bal Harbour Village was held on Thursday, September 13, 2012, 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 6:02 p.m. by Mayor Rosenfield. The following were present:

Mayor Jean Rosenfield
Assistant Mayor Joni D. Blachar
Councilwoman Patricia Cohen
Councilman Martin Packer
Councilman Jaime M. Sanz¹

Alfred J. Treppeda, Village Manager
Ellisa Horvath, MMC, Village Clerk
Richard J. Weiss, 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 Jay Smith, Village Director of Human Resources and Community Outreach.

3. ANNOUNCEMENT: Mayor Rosenfield announced the following:

THE BAL HARBOUR VILLAGE ROLLED-BACK MILLAGE RATE IS 2.2678 MILLS. THE NEW PROPOSED MILLAGE RATE IS 2.2678 MILLS, WHICH IS EQUAL TO THE ROLLED-BACK RATE.

4. DISCUSSION OF FINAL TAX MILLAGE RATE AND FINAL BUDGET FOR FISCAL YEAR 2012/2013:

Councilwoman Cohen questioned if the millage rate was the same as the prior year. Mayor Rosenfield advised that it was. Councilwoman Cohen questioned why the millage rate wasn't decreased, since the tax base had increased. Mr. Wallace explained that the millage rate decreased from 2.4468 to 2.2, due to an increased tax base. He explained the rolled-back rate used to generate the same amount of tax revenue, not including new construction.

Mayor Rosenfield opened the public hearing.

Raj Singh, 53 Camden Drive, requested clarification that the rolled back rate would generate the same revenue. Mr. Wallace agreed. Mr. Singh clarified that the total revenue

¹ Councilman Sanz arrived during the Pledge of Allegiance.
Bal Harbour Village Council Meeting Minutes – Second Budget Hearing 09/13/2012

would be the same, in ad valorem taxes. Mr. Wallace agreed, but noted that new construction would be in addition to that. Mr. Singh questioned what additional services would be provided for the additional collected funds. Mr. Wallace reported that the current budget was balanced using reserves, so the services would be the same, but the Village wouldn't have to use reserves, since the St. Regis was now on the tax rolls.

Councilwoman Cohen questioned if the St. Regis would pay \$900,000.00 in taxes. Mr. Wallace advised that it would, in property taxes. He explained the property tax year (calendar year) versus the Village's tax year (fiscal year). He noted that the extra money had been calculated in the proposed budget and was being counted on to balance the budget.

Raj Singh, 53 Camden Drive, noted that the St. Regis had opened in January, so the Village had a full calendar year, so he felt that the amount used from fund balance should be decreased.

Councilman Sanz requested that the budget process be started earlier, with additional meetings. Mayor Rosenfield reported that this meeting was the third discussion on the budget and the process had started in June. Councilman Packer pointed out that a workshop meeting had been held. Mayor Rosenfield noted that the Village had done due diligence for budget workshops, etc. Councilman Sanz requested that the process be more transparent next year, so questions weren't asked at the last minute. Mayor Rosenfield agreed that all of the questions needed to be answered, but clarified that the Village Manager was always available, as well as the Council members individually, to answer questions regarding the budget. She thought that the Village was very transparent and available. Councilman Packer agreed that everything was very transparent. Mayor Rosenfield also pointed out that the budget was available online. Assistant Mayor Blachar pointed out that the current meeting had been advertised and only two residents were in attendance. She also explained that the RAC (Gated Residential Section Advisory Committee) meetings were also advertised, via the police sign in the neighborhood, on the Information Channel, online, etc. so the process was very transparent. Councilwoman Cohen suggested that people may not attend the meetings, because of the way that the meetings were run. Councilman Packer explained the informality at workshop meetings. Mayor Rosenfield disagreed with Councilwoman Cohen's comments and explained that there were rules and regulations that needed to be followed at the meetings.

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 FINAL MILLAGE RATE OF AD VALOREM TAXATION FOR FISCAL YEAR 2012/2013; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

A motion was offered by Councilman Packer and seconded by Assistant Mayor Blachar to approve the Resolution.

Mayor Rosenfield opened the public hearing.

Raj Singh, 53 Camden Drive, questioned the way the numbers were presented in the entire budget. He requested documentation to support the variances in the figures from the previous years. He questioned if the Tourism fund was part of the budget presented.

Mr. Wallace explained that the millage rate didn't affect the tourism budget.

Mayor Rosenfield explained that those questions were answered during earlier discussions.

Raj Singh, 53 Camden Drive, thought that the budget should explain variances, etc. He discussed serving on a budget committee for the Village in the past. He didn't think that any tolerance was provided, for someone who had a different view.

Mayor Rosenfield noted that the Council listened to its residents. She questioned Mr. Weiss if there was anything wrong with the manner that the budget was presented. Mr. Weiss advised that there was not. Councilman Packer suggested that Mr. Singh ask his specific question for Mr. Treppeda to address.

Mr. Singh did not want to take up any more time.

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

The motion carried (5-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Councilman Packer yes; Councilman Sanz yes; Mayor Rosenfield yes; thus becoming Resolution No. 2012-761.

6. ORDINANCE SECOND 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, 2012, AND ENDING SEPTEMBER 30, 2013; APPROPRIATING REVENUES AND OTHER FUNDS; AUTHORIZING EXPENDITURES; AND ESTABLISHING AN EFFECTIVE DATE.

A motion was offered by Assistant Mayor Blachar and seconded by Councilman Packer to approve the Ordinance.

Mr. Treppeda presented a new tourism budget, which included changes made by the Resort Tax Committee. He reviewed the changes in Telephone, Production/Collateral/Gifts, Entertainment/Travel, and Internet/Web Page for a total increase of \$1,499.00. He explained that amount was taken from fund balance.

A motion was offered by Councilman Packer and seconded by Assistant Mayor Blachar to approve the amendment, for the tourism budget, to the Ordinance.

Mayor Rosenfield opened the public hearing.

Marco Selva, St. Regis Hotel, apologized for not attending the Resort Tax Committee

meeting. He clarified that the hotel managers met with Mr. Treppeda and Ms. Travis and would like to have more input on how decisions were made and the funds were spent. Mayor Rosenfield explained that the Resort Tax Committee was appointed by the Council and all questions concerning tourism and that budget would be discussed at their meeting. She added that the hotels were welcome to attend and give input. Mr. Selva advised that he had attended some of the meetings and planned to attend additional ones. Assistant Mayor Blachar spoke in favor of him doing so and also speaking with Carolyn Travis, Director of Tourism Marketing. Mr. Treppeda explained that there could be a possible sunshine issue, if all the hotel managers were meeting together with Ms. Travis, on a regular basis. Mr. Selva spoke in favor of pulling all the resources together and aligning them.

Councilman Packer thought that the St. Regis had a representative at almost all of the Committee meetings. Councilwoman Cohen requested clarification from Mr. Selva. Mr. Selva clarified that the hotels would like some of the funds in the budget spent differently. He added that they would like to have more influence of how the money was spent. Mayor Rosenfield explained that if Mr. Selva or his representative had presented that at the meeting, then the Committee would have considered it. She clarified that Ms. Travis was not the right person to present that. She noted that Mr. Selva had been appointed to the Committee, but didn't accept the appointment. Mr. Selva clarified that he would prefer for the St. Regis Sales & Marketing Director to be on the Committee. Councilman Sanz spoke in favor of Mr. Selva's input at the Committee meetings.

Raj Singh, representing the Sea View 9909 Collins Avenue, discussed variances in the tourism spreadsheet figures, without any notations. Mayor Rosenfield reported that the budget was reviewed at the Committee meeting. Mr. Singh discussed the variance in what was adopted and what was spent. He spoke against continuing to appropriate funds that weren't being spent. He didn't think that the budget was accurate and requested that supporting documentation be provided.

Mr. Wallace explained that the reporting process had been discussed at prior Committee meetings. He added that the wide variances were due to the period of time (one year) that the Village didn't have a Tourism Director. He explained that there was increased activity to catch up for that time, when Ms. Travis was employed. He offered to provide any detail requested. He added that the Committee was very open to discussions with the public and encouraged them to attend the meetings. Mayor Rosenfield pointed out that Mr. Wallace was available to discuss the budget anytime and everything was provided online.

Rikki Boparai, General Manager - ONE Bal Harbour Resort & Spa, explained that the meeting with the hotel managers was about a strategic understanding of what Ms. Travis was going to work on cohesively. He added that they just wanted to be more involved. Mayor Rosenfield encouraged Mr. Boparai to attend the Committee meetings. Mr. Boparai agreed to do so.

Councilman Sanz looked forward to working with the ONE Bal Harbour and all of the hotels.

Raj Singh, representing the Sea View 9909 Collins Avenue, will ask his questions in writing and copy Mayor Rosenfield.

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

The motion approving the amendment to the Ordinance, for the tourism budget, carried (5-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Councilman Packer yes; Councilman Sanz yes; Mayor Rosenfield yes.

The motion approving the Ordinance, as amended, carried (5-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Councilman Packer yes; Councilman Sanz yes; Mayor Rosenfield yes; thus becoming Ordinance No. 2012-563.

7. RESOLUTIONS/PUBLIC HEARING: 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.

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

A motion was offered by Assistant Mayor Blachar and seconded by Councilman Packer to approve the Resolution. The motion carried (5-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Councilman Packer yes; Councilman Sanz yes; Mayor Rosenfield yes; thus becoming Resolution No. 2012-762.

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 Councilman Packer and seconded by Assistant Mayor Blachar to approve the Resolution.

Mayor Rosenfield opened the public hearing.

Councilman Packer reported that some residents didn't think that the formula for the assessment was fair or equitable, but pointed out that it had been discussed numerous times at the RAC (Gated Residential Section Advisory Committee) meetings and nobody could come up with a better solution. He suggested that the formula be reviewed again

next year. Mayor Rosenfield discussed the importance of more residents providing their input. She commended Assistant Mayor Blachar on the discussions at her meetings. Assistant Mayor Blachar agreed that the formula had been discussed numerous times and the RAC believed that it was fair and equitable, based on input, etc. She was open to suggestions and encouraged everyone to attend future RAC meetings.

Mr. Wallace noted that the current meeting was the time for residents to tell the Council why the assessment was not fair. He added that if the Council agreed, then it could be changed.

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

The motion carried (5-0) with the vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen yes; Councilman Packer yes; Councilman Sanz yes; Mayor Rosenfield yes; thus becoming Resolution No. 2012-763.

8. ADJOURN: There being no further business to come before the Council, a motion was offered by Assistant Mayor Blachar and seconded by Councilman Packer to adjourn. The motion carried (5-0) and the meeting adjourned at 6:58 p.m.

Attest:



Ellisa L. Horvath, MMC, Village Clerk



Mayor Jean Rosenfield