TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

SPECIAL PUBLIC HEARING
MINUTES
Jarvis Hall
4505 Ocean Drive
Monday, September 14, 2009
5:01 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 5:00 p.m. Vice Mayor Jerry McIntee, Commissioner Jim Silverstone, Commissioner Stuart Dodd, and Commissioner Birute Ann Clottey were present. Also present were Town Attorney Susan L. Trevarthen, Town Manager Esther Colon, and Town Clerk June White.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Minnet requested a motion to excuse the absence of Commissioner Clottey. Vice Mayor McIntee made the motion to excuse Commissioner Clottey. Commissioner Silverstone seconded the motion. The motion passed 4-0.

3. PUBLIC COMMENTS

Mayor Minnet recognized several organizations in the audience. Mary Reidel, President of Women in Distress, thanked the Commission for their past support. Edith Letterberg, Executive Director of the Aging and Disability Resource Center, explained the services they provided over the years and asked for continued support from the Town. Brian Esler, Boy Scouts, thanked the Commission for their past support and looked forward to continued support from the Town. Alex Veliz, Family Central, also asked for continued support from the Town.

Mark Brown asked several questions regarding the percent reduction of the millage rate, Public Safety, General Fund, and Parking revenues. He felt the budget was too editorialized.

Paul Novak, Amy White, and Ron Piersante thanked the Commission for the past support towards the Chamber of Commerce and Welcome Center. They asked for continued support to allow future events to occur.

Bob Fleishman asked why money was not put aside for pending Burt J. Harris lawsuits and for infrastructure repairs. He asked for an overall balance sheet for the Town.

Ben Freeny gave a general overview of the budget process. He felt there should be an analysis put before the Commission every month. He offered his help to anyone needing to understand the budget.

Barbara Cole was happy with the increase of involvement from the residents and wanted to see the meetings held later in the evening. She felt that the millage rate could have been lowered.

4. COMMISSIONER COMMENTS

Commissioner Dodd asked about funding for the Beach Patrol and also explained that since the Town had the money available, the Commission should give direction to pay off the promissory notes. Commissioner Dodd wanted to see the emergency reserve lowered and the Town open a line of credit. He preferred future budgets be presented in line item form.

Vice Mayor McIntee thanked Manager Colon for the budget results. He felt the Town was in a good position and had lower fire assessment fees than other municipality. Vice Mayor McIntee expressed that he was not sure that paying off the loans right now was the best thing to do, only to go out and get more loans in the future.

Commissioner Silverstone asked for clarification from the Town Manager regarding donations in the budget. Manager Colon explained that the organizations were invited as always for the Commission to decide which donations they would like to honor. Commissioner Silverstone said he would like to stay with the same amount that was donated last year. He asked for the Town Manager to assist in answering some of the questions from the residents. Town Manager Colon explained that there was no mis-information given regarding the budget. She said the information regarding the tax decrease percentage came certified from the Property Appraiser's Office.

Commissioner Silverstone asked for the Town Manager to explain the section of the budget referencing $12,000 from the Law Enforcement Trust Fund. Manager Colon explained that in July when the Commission requested the purchase of two additional surveillance cameras, the $12,000 was moved to General Fund because the cameras were considered a reoccurring expense. She went on to explain that the $150,000 being budgeted is to cover the basic renovations that were not considered reoccurring such as the Sally Port and the holding cell.

Commissioner Silverstone asked for clarification regarding the increase in the Parking Fund and the amount budgeted for the Burt J. Harris lawsuits. Manager Colon confirmed the Parking Fund increase was a result of the El Prado Parking Lot and that she would rather the Town Attorney discuss the $250,000 budgeted for the lawsuits. Commissioner Silverstone said the ISO training rating was given based on the lack of documentation and that it would not be an issue next year. He said fire boat Intercoastal response served a dual purpose and was a necessary tool. Commissioner Silverstone felt that the funds generated for the Public Safety building would be a savings in the long run and assured the residents that the Town would try to put more recycling bins on the beach. Manager Colon said Town was currently putting out more bins however, people were throwing regular garbage in to the them forcing staff to separate the items prior to recycling them. Commissioner Silverstone explained that the Commission had not chosen a final design for the El Mar Streetscape as of yet, however they were moving in that direction very soon. He asked Manager Colon to

explain the situation regarding the $3 million grant the Town applied for. Manager Colon explained that the $3 million grant did not require matching funds and that it was not for a fire house, it was only to house the Fire and EMS vehicles. The second application was a request for Storm Water Funds which also did not require matching funds, and the third application was submitted to retrofit some of the Towns facilities for water conservation purposes. Manager Colon said that if a Grant asked for matching funds she did not apply for it without Commission approval.

Commissioner Silverstone asked for clarification regarding whether funds were budgeted for new police equipment when the BSO contract expired. Manager Colon said she would budget the funds for the equipment when the Commission gave direction to get a new police department. Commissioner Silverstone favored the Chamber of Commerce receiving the same amount of funds as last year. Commissioner Silverstone felt that the Town planned well to be in the position they were in. He asked for clarification regarding the next budget meeting being held on a Jewish Holiday. Manager Colon said that the meeting was set based upon the Broward County meeting schedule and that the County schedule took precedence over the municipal schedule. Commissioner Silverstone said he took offense to a comment made by Mr. Freeny and asked Manager Colon to respond. Manager Colon gave a general overview of the budget revenue source and how it was analyzed.

Mayor Minnet thanked everyone for coming to the meeting. She asked for clarification regarding the time set for budget meetings. Clerk White confirmed meetings could not be held before 5:01pm. Mayor Minnet said that was something that could be looked at next year. She clarified the amounts and who the funds were donated to last year. Mayor Minnet asked for the public to contact the Commission with their questions and comments. She asked Commissioner Silverstone about the ISO rating for training documents from the VFD. Commissioner Silverstone explained that ISO wanted documents from when the Town contracted with the VFD. Manager Colon explained that the VFD had a transitional agreement however ISO wanted two previous years of training documents and would not accept documents from the transitional period.

Town Manager Colon clarified that the contract with the VFD would be paid entirely from the fire assessment except the $35,000 for beach patrol which would be paid from the General Fund. She explained that the beach patrol amount was not in addition to the contracted amount; it was included, however that portion would only be paid by the General Fund with the remainder paid by the Fire Assessment Fees. Manager Colon explained the difference between the Town's accounts and loans and expressed that she had no problem with a line item budget. She did not feel it was in the Town's best interest to lower the emergency reserve amount.

5. RESOLUTIONS – PUBLIC HEARINGS

a. **RESOLUTION 2009-20 - Adopting Final Fire Assessment:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING THE FINAL FIRE ASSESSMENT RATE ON PROPERTY THAT IS SPECIALLY BENEFITED BY FIRE PROTECTION SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND

ENDING SEPTEMBER 30, 2010; CONFIRMING THE FINAL ASSESSMENT ROLLS AND LEVYING SUCH SPECIAL ASSESSMENTS (Manager Colon)

Attorney Trevarthen read Resolution 2009-20 by title. Vice Mayor McIntee made a motion to accept the resolution. Commissioner Silverstone seconded the motion.

Commissioner Dodd pointed out that only one other municipality payed 100% of the fire department budget. He said it would be appropriate to lower the percentage to 95% with surplus going towards the vehicle replacement fund, and the other 5% coming out of General Fund. He felt this was a better alternative because not all of the activities performed by the VFD were fire related. Commissioner Silverstone wanted to see the Fire Assessment Fee eliminated but understood that the millage rate would have to be raised to support the fire department. Manager Colon explained that the Town only budget for 95% of the fire department budget and transferred $30,000 in to the fire assessment reserve fund. The motion carried 4-0.

b. **RESOLUTION 2009-21 - Adopting Tentative Millage:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING AND ADOPTING THE TENTATIVE TOWN AD VALOREM TAX, MILLAGE RATE AT 3.9990 MILS PER THOUSAND DOLLARS OF TAXABLE ASSESSED VALUE, WHICH IS 10.80% BELOW THE ROLLED BACK RATE COMPUTED PURSUANT TO STATE LAW, FOR THE 2009 TAX YEAR; ANNOUNCING THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE (Manager Colon)

Attorney Trevarthen read Resolution 2009-21 by title. Commissioner Silverstone made a motion to approve the resolution. Vice Mayor McIntee seconded the motion. The motion carried 4-0.

Attorney Trevarthen stated that the hearing to approve the final millage rate would be held on September 28, 2009 at 5:01 pm.

c. **RESOLUTION 2009-22 - Adopting Tentative Budget:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING THE ATTACHED TENTATIVE TOWN BUDGET FOR THE 2009/2010 FISCAL YEAR; ANNOUNCING THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE FINAL TOWN BUDGET FOR THE 2009/2010 FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE (Manager Colon)

Attorney Trevarthen read Resolution 2009-22 by title. Vice Mayor McIntee made a motion to approve the resolution. Commissioner Silverstone seconded the motion.

Manager Colon gave a PowerPoint presentation regarding the tentative budget. She explained that the changes made by the Commission had all been incorporated except for two items which she was still waiting for direction on. The total budget amount was projected at $16, 472,480 which was a decrease of 7.22% from the previous year. She

reviewed the different types of funds that make up the budget: General, Capital, Special, and Proprietary Funds. Manager Colon explained the General Fund was projected at $11,869,910 with a decrease of about $900,000. The Capital Fund was projected at $2,656,785 which increased from excess funds. The Sewer fund was projected at $1,224, 399 and the Parking Fund was projected at $569,565 both of which also increased due to changes that were made. The Special Revenue Fund was projected at $150,321 which increased due to the LETF funds for the police renovations needed. The Police Training Fund was projected at $1,500.

Manager Colon explained that the Broward County certified numbers made up almost 63% of the entire budget. She added that the roll back rate was 4.4829; however the Commission chose to go with the previous years' millage rate of 3.9990. Manager Colon explained that the current millage rate would allow the Town to continue operating at its current level. She explained that she reduced the staff hours for the Fire Marshal position and will continue to do so in areas where there was not enough work to be completed. She reminded the Commission that there was still two more years left for Amendment One and the following year would be more difficult than this one. Manager Colon gave a brief overview of the General Accounting Standard Board (GASB), Capital Asset depreciation and the Infrastructure reserves. She showed a list of the additions and deletions and said the only thing that was not reviewed were the donations for the various organizations. Manager Colon reminded the Commission that only 4 out 6 groups had a representative at the meeting, and therefore the remaining $2,000 should be put towards Capital Improvements. She reviewed the 2.5% pay increase for staff and pointed out that the Town Manager, Assistant Town Manager and all department directors would not be included in the increase.

Manager Colon explained that 63% of the Town's revenue source came from property taxes, followed by Intergovernmental, Fire, Utility Tax, Franchise, and Charges for Services. She showed that 42% of the budget was allocated to Public Safety. Manager Colon explained that over thirty Code revisions were made this year and that she would continue to bring Code sections to the Commission's attention that needed to be looked at, and felt that the Master Plan needed to be updated as soon as possible. Manager Colon reviewed the numbers once again and said the major change was the Police Fund for the renovations needed.

Commissioner Silverstone made a motion to pay off the General Fund Promissory Note and the Capital Fund Promissory Note. Vice Mayor McIntee seconded the motion.

Attorney Trevarthen explained that the motion to pay off the loans would need to be taken as an amendment to the resolution.

Commissioner Silverstone made a motion to approve Resolution 2009-22 with the amendment to pay off the General Fund Promissory Note and the Capital Fund Promissory Note. Vice Mayor McIntee seconded the motion. The motion carried 4-0.

6. ANNOUNCEMENT OF 2ND AND FINAL PUBLIC HEARING ON MILLAGE AND BUDGET

Manager Colon announced the 2nd and final hearing would take place on September 28, 2009 at 5:01 pm.

7. ADJOURNMENT

Vice Mayor McIntee made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 6:50 p.m.

Mayor Roseann Minnet

ATTEST:

Town Clerk, June White

10/20/09
Date