



**CITY OF NORTH MIAMI BEACH**  
Council Chambers, 2<sup>nd</sup> Floor  
City Hall, 17011 NE 19<sup>th</sup> Avenue  
City of North Miami Beach, FL 33162

**SEPTEMBER 14, 2010**  
**1<sup>st</sup> BUDGET MEETING MINUTES**  
*(CNMB-CC MINUTES TAPE #450)*

**1. ROLL CALL OF THE CITY OFFICIALS**

The meeting was called to order at 7:14 p.m. Present were Vice Mayor Beth E. Spiegel and Council Members Philippe Derose, Barbara Kramer, Frantz Pierre, and Phyllis S. Smith. Also present were Acting City Manager Roslyn Weisblum, City Attorney Darcee S. Siegel, and City Clerk Susan A. Owens. Absent were Mayor Myron Rosner and Councilman John Patrick Julien.

**2. PLEDGE OF ALLEGIANCE**

Vice Mayor Spiegel wished everyone a blessing of prayer to move forward for a prosperous New Year. She then led the Pledge of Allegiance.

Vice Mayor Spiegel noted a request to take Item 3.4 (Ordinance No. 2010-26) out of order and hear it after Item 3.1 (Resolution No. R2010-65). No objections were received. She announced that Ordinance No. 2010-22 would be heard on Second and Final Reading at the September 21<sup>st</sup> Special Meeting at 7:30 p.m. and that a public information meeting was taking place on residential recycling on September 16<sup>th</sup> at 7:30 p.m. at the McDonald Center.

**3. LEGISLATION**

City Clerk Owens provided an overview of the rules for Public Hearings.

**Motion** made by Councilman Derose, seconded by Councilwoman Kramer, to introduce Resolution No. R2010-65. By consensus, all voted in favor of the motion. (**Motion carried 5-0**).

**3.1 Resolution No. R2010-65**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE FISCAL YEAR 2011 BUDGET OF THE NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR AN EFFECTIVE DATE.

**Motion** made by Councilman Derose, seconded by Councilman Pierre, to adopt Resolution No. R2010-65. By consensus, all voted in favor of the motion. (**Motion carried 5-0**).

**Motion** made by Councilman Derose, seconded by Councilwoman Kramer, to introduce Ordinance No. 2010-26 on First Reading, By Title Only. By consensus, all voted in favor of the motion. (**Motion carried 5-0**).

### 3.2 Ordinance No. 2010-26 (First Reading, By Title Only)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER XIX OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED "WATER AND SEWERS"; IMPLEMENTING A PREVIOUSLY AUTHORIZED PSC ANNUAL INFLATION ADJUSTMENT; IMPLEMENTING A PREVIOUSLY AUTHORIZED ANNUAL INCREASE IN WATER AND SEWER RATES, FEES, AND CHARGES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

**Motion** made by Councilman Derose, seconded by Councilwoman Smith, to adopt Ordinance No. 2010-26 on First Reading, By Title Only.

#### **Public Comment**

Charles R Loeb, 16800 NE 15 Avenue, #112, North Miami Beach, FL, spoke regarding the water and sewer rates and billing.

Bert Kehren, 3302 NE 171 Street, North Miami Beach, FL, spoke regarding the water and sewer rates.

Richard Reiss, 23 NW 169 Street, North Miami Beach, FL, spoke regarding the water and sewer rates.

Councilwoman Smith questioned why the City's bottled water was so expensive. Acting City Manager Weisblum noted that the increase was not included in the budget and that the 2007 water rate study recommended this increase for a five year period. She added that the total increase was 10.56%. Utilities Finance Manager Barbara Trinka provided a detailed overview of the water study and increase and answered questions from the Council.

**Vote:** In a roll call vote, Vice Mayor Spiegel, Councilwoman Smith, Councilman Derose, Councilwoman Kramer and Councilman Pierre all voted in favor of the motion. (**Motion carried 5-0**).

**Motion** made by Councilman Derose, seconded by Councilwoman Smith, to introduce Ordinance No. 2010-24 on First Reading, By Title Only. By consensus, all voted in favor of the motion. (**Motion carried 5-0**).

### 3.3 Ordinance No. 2010-24 (First Reading, By Title Only)

AN ORDINANCE FIXING THE MILLAGE RATE FOR AD VALOREM TAXES ON REAL AND PERSONAL PROPERTY IN THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF THE ANNUAL BUDGET OF THE CITY OF NORTH MIAMI BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2010 AND FIXING THE MILLAGE RATES FOR DEBT SERVICE ON THE GENERAL OBLIGATION BONDS, SERIES 2000B AND SERIES 2002A.

**Motion** made by Councilman Derose, seconded by Councilwoman Smith, to adopt Ordinance No. 2010-24 on First Reading, By Title Only. Finance Director Susan Gooding-Liburd provided a brief overview regarding bond debt fluctuations.

Mary Hilton, 1950 NE 157 Terrace, North Miami Beach, FL, expressed concern for the City communicating a reduction in the millage rate, but a tax increase to residents per \$1,000.

Finance Director Gooding-Liburd reported the millage rate for 2010-2011: Operating: 6.6036, Debt Millage: 1.2060, Total: 7.096. She also reported the millage rate for 2009-2010: Operating: 6.6136, Debt Millage: 1.9595, Total: 7.5731. Councilman Derose requested the increase amount per household to which Finance Director Gooding-Liburd responded that it was a .2365 increase per \$1,000. Councilwoman Kramer suggested that in the future when presenting the millage rate, the voter debt rate should be disclosed and explained for the residents. Vice Mayor Spiegel concurred with Councilwoman Kramer's comment.

Vice Mayor Spiegel announced that the First Public Hearing on the 2010-2011 millage rates was concluded at this time.

**Note:** In a roll call vote, Vice Mayor Spiegel, Councilwoman Smith, Councilman Derose, Councilwoman Kramer and Councilman Pierre all voted in favor of the motion. (**Motion carried 5-0**).

**Motion** made by Councilman Derose, seconded by Councilwoman Smith, to introduce Ordinance No. 2010-25 on First Reading, By Title Only. By consensus, all voted in favor of the motion. (**Motion carried 5-0**).

#### **3.4 Ordinance No. 2010-25 (First Reading, By Title Only)**

AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2010.

**Motion** made by Councilman Derose, seconded by Councilwoman Smith, to adopt Ordinance No. 2010-25 on First Reading, By Title Only.

#### **Public Comment**

Alice Stone, 16030 NE 18 Place, North Miami Beach, FL, expressed concern for taxes, garbage and the negative changes in the City. Acting City Manager Weisblum noted that she will follow-up with staff regarding the garbage issue.

Mary Alice Green, 971 NE 125 Terrace, North Miami Beach, FL, requested assistance with Homestead Exemption and her property tax notice.

Mary Hilton, 1950 NE 157 Terrace, North Miami Beach, FL, noted that the police pension and certain revenues were not included in the budget being voted on. She added that the cost to taxpayers was not mentioned.

Maurice Hayden, 16415 NE 32<sup>nd</sup> Avenue, North Miami Beach, FL, spoke on accountability, due diligence, cost of living and the budget.

Muriel Kemp, 1479 NE 178 Street, North Miami Beach, FL, spoke on the healthcare plan expenses and employee cut-backs.

Richard Reiss, 23 NW 169 Street, North Miami Beach, FL, spoke on the budget.

Bert Kehren, 3302 NE 171 Street, North Miami Beach, FL, spoke on the budget.

Marilyn Baumoehl, 18635 NE 20 Court, North Miami Beach, FL, suggested creating a board to review invoices.

Karin Kimball, 1648 NE 175 Street, North Miami Beach, FL, spoke on the missing manholes, code enforcement sweeps, red light cameras and garbage employees being laid off.

Bruce Lamberto, 3420 NE 165 Street, North Miami Beach, FL, spoke on the budget.

Finance Director Gooding-Liburd and Acting City Manager Weisblum answered questions from the Council regarding the \$750,000 pension contribution and possible stimulus money for maintenance and repair of water facilities.

**Motion** made by Councilwoman Smith, seconded by Councilman Pierre, for senior management to contribute to health insurance exact same amount as the general employees starting October 1, 2010. Acting City Manager Weisblum, Human Resources Director Beverly Hobson and Risk Manager Ellen Snow provided information relating to the motion and answered extensive questions from the Council regarding current employee contributions and tiers. Further discussion included information and recommendations as proposed by Council and Staff.

### **Public Comment**

Mary Hilton, 1950 NE 157 Terrace, North Miami, Beach, FL, spoke about the union and senior management salaries and increases.

**Vote:** In a roll call vote, Vice Mayor Spiegel, Councilwoman Smith, Councilman Derosé, Councilwoman Kramer and Councilman Pierre all voted in favor of the motion. (**Motion carried 5-0**).

At the request of Councilwoman Kramer, Acting City Manager Weisblum provided an explanation of the Enterprise Fund. Director of Leisure Services Paulette Murphy answered various questions relating to the Leisure Services Enterprise Fund. Utilities Finance Director Trinkka noted that 5% of revenues were being transferred back to the General Fund in this budget year, and the rest of the profit would remain in that Enterprise Fund. Acting City Manager Weisblum noted that the benefit of having this Fund in order to determine what rates should be charged. Finance Director Gooding-Liburd explained that this Fund would allow the City to track the expenses and make a determination of which services were profitable. She added that this was the first year the City was doing this, and if it was not profitable, then it would be returned to the General Fund.

City Manager Weisblum, Finance Director Gooding-Liburd and IT Director Patrick Rosiak answered extensive questions posed by Vice Mayor Spiegel relating to various budget line items. Councilwoman Kramer suggested a forensic audit.

Vice Mayor Spiegel passed the gavel to Councilwoman Smith. Vice Mayor Spiegel suggested using \$180,000 in the additional funds for IT Capital Improvement. Councilwoman Kramer expressed concern for the timing of the creation of the Public Services Enterprise Fund. Councilwoman Kramer requested Acting City Manager Weisblum to review each employee's position for performance and necessity. Acting City Manager Weisblum said it was her intention to do so. Councilwoman Smith expressed concern for the shuffling of money from one fund to another relating to the Public Services Enterprise Fund and requested consideration on how

purchasing two (2) trucks might save money in the sludge fund. She suggested the creation of a budget board.

**Motion** made by Vice Mayor Spiegel, seconded by Councilman Derose, to adopt Ordinance No. 2010-25 on First Reading **as amended** reflecting the following: 1) the water and sewer rates and millage rates; 2) Police pension supplemental contribution of \$750,000; 3) senior management to contribute to health insurance exact same amount as the general employees starting October 1, 2010; and 4) \$180,000 additional funds to IT Capital Improvement for computers and software; with the balance of funds to be placed into reserves. In a roll call vote, Vice Mayor Spiegel and Councilman Derose voted in favor of the motion, while Councilwoman Smith, Councilwoman Kramer and Councilman Pierre voted against the motion. (**Motion failed 3-2**).

**Motion** made by Councilwoman Smith, seconded by Vice Mayor Spiegel, to adopt Ordinance 2010-25 on First Reading **as amended** reflecting the following: 1) the water and sewer rates and millage rates; 2) Police pension supplemental contribution of \$750,000; 3) senior management to contribute to health insurance exact same amount as the general employees starting October 1, 2010; 4) up to \$180,000 additional funds to IT Capital Improvement for computers and software; with the balance of funds to be placed into reserves; and 5) removal of the Leisure Services Enterprise Fund. After some brief discussion, she **withdrew** her motion and said she would like the Leisure Services Enterprise Fund withdrawn from the Budget. City Clerk Owens noted that it did not need to be a part of the motion and that it was a directive to the Staff.

**Motion** made by Councilwoman Smith, seconded by Vice Mayor Spiegel, to **reconsider** Vice Mayor Spiegel's previous motion. In a roll call vote, Vice Mayor Spiegel, Councilwoman Smith, Councilman Derose and Councilman Pierre all voted in favor of the motion, while Councilwoman Kramer voted against the motion. (**Motion passed 4-1**).

**Motion** made by Vice Mayor Spiegel, seconded by Councilman Derose, to adopt Ordinance 2010-25 on First Reading **as amended** reflecting the following: 1) the water and sewer rates and millage rates; 2) Police pension supplemental contribution of \$750,000; 3) senior management to contribute to health insurance exact same amount as the general employees starting October 1, 2010; and 4) \$180,000 of additional funds to IT Capital Improvement for computers and software; with the balance of funds to be placed into reserves. In a roll call vote, Vice Mayor Spiegel, Councilwoman Smith, Councilman Derose and Councilman Pierre all voted in favor of the motion, while Councilwoman Kramer voted against the motion. (**Motion carried 4-1**).

Vice Mayor Spiegel announced that the Second Public Budget Hearing would be held on September 28<sup>th</sup> at 7:00 p.m. in the Council Chambers. She also noted that a Special Meeting was being held on September 21<sup>st</sup> at 7:30 p.m. for the Second and Final Reading of Ordinance 2010-22. Vice Mayor Spiegel announced that she would not be in attendance for the September 21<sup>st</sup> meeting.

### **Announcements**

Councilwoman Smith announced the following meetings: 1) For Seniors on September 15<sup>th</sup> at 9:00 a.m.; 2) Economic Development on September 15<sup>th</sup> at 5:30 p.m.; no focus groups on the 3<sup>rd</sup> Wednesday for the next couple of months.

Councilman Derose requested the Acting City Manager start the process in creating a budget board. City Attorney Siegel noted that a Budget Review Commission had already been established in the Code and that she would report back to the Council with details.

Councilwoman Kramer commended Vice Mayor Spiegel on her chairing the meeting.

Councilman Pierre noted that he would not be in attendance for the Second Reading of the Budget and recommended starting on the next Budget as of October 2<sup>nd</sup>.

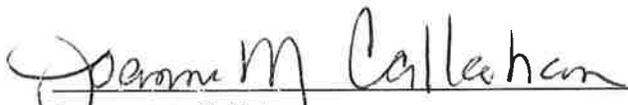
Vice Mayor Spiegel announced that on September 16<sup>th</sup> at 7:30 p.m. at the McDonald Center, a public information meeting was taking place on residential recycling. She also thanked all of the employees for their help and information.

#### 4. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 10:37 p.m. on a motion made by Councilman Derose and seconded by Councilwoman Pierre. By consensus, all voted in favor. (**Motion carried 5-0**).

ATTEST:

(SEAL)

  
Joanne M. Callahan  
Interim City Clerk