

TOWN OF CUTLER BAY

Mayor Paul S. Vrooman
Vice Mayor Edward P. MacDougall
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Councilmember Peggy R. Bell

Town Manager Steven J. Alexander
Interim Town Attorney Mitchell Bierman
Interim Town Attorney Chad Friedman
Town Clerk Erika Gonzalez-Santamaria

In accordance with the American with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (305) 234-4262 for assistance no later than four (4) days prior to the meeting.

TOWN COUNCIL MEETING AGENDA SECOND BUDGET HEARING

Tuesday, September 19, 2006
Immediately Following the Council Meeting
South Dade Regional Library
10750 SW 211 Street, 2nd Floor
Cutler Bay, Florida 33189

- I. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**
- II. INVOCATION**
- III. APPROVAL OF MINUTES**
 - A. September 6, 2006 (First Budget Hearing)**
- IV. BUDGET HEARING (IMMEDIATELY FOLLOWING COUNCIL MEETING)**
 - A. A RESOLUTION OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE OF THE TOWN OF CUTLER BAY FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; PROVIDING FOR AN EFFECTIVE DATE.**
 - B. AN ORDINANCE OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AN OPERATING AND CAPITAL OUTLAY BUDGET WITH TOTAL EXPENDITURES IN THE AMOUNT OF \$16,315,400 AND \$2,767,936 FROM SPECIAL REVENUES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.**

V. PUBLIC COMMENTS

VI. MAYOR AND COUNCIL MEMBER COMMENTS

VII. OTHER BUSINESS

VIII. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

**TOWN OF CUTLER BAY
FIRST BUDGET HEARING
MINUTES**

Wednesday, September 6, 2006
Immediately Following the Council Meeting
South Dade Regional Library
10750 SW 211 Street, 2nd Floor
Cutler Bay, Florida 33189

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 8:50 PM. Present were the following:

Councilmember Peggy R. Bell
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Vice Mayor Edward P. MacDougall
Mayor Paul S. Vrooman

Town Manager Steven J. Alexander
Interim Town Attorney Mitchell Bierman
Interim Town Attorney Chad Friedman
Town Clerk Erika Gonzalez-Santamaria

II. INVOCATION: None at this time.

III. APPROVAL OF MINUTES: None at this time.

IV. BUDGET HEARING (IMMEDIATELY FOLLOWING COUNCIL MEETING):

- A. A RESOLUTION OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE OF THE TOWN OF CUTLER BAY FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 PURSANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; PROVIDING FOR AN EFFECTIVE DATE.**

The mayor opened the public hearing. There were no speakers present.

Councilmember Meerbott made a motion approving the resolution. The motion was seconded by Councilmember Bell and adopted by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

- B. AN ORDINANCE OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AN OPERATING AND CAPITAL OUTLAY BUDGET WITH TOTAL EXPENDITURES IN THE AMOUNT OF \$16,315,400 AND \$2,767,936 FROM SPECIAL REVENUES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.**

The mayor opened the public hearing. There were no speakers present.

Vice Mayor MacDougall made a motion approving the amended ordinance. The motion was seconded by Councilmember Bell and adopted by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

XIII. PUBLIC COMMENTS: None at this time.

XIV. MAYOR AND COUNCIL MEMBER COMMENTS: None at this time.

XV. OTHER BUSINESS: None at this time.

XVI. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT:

The next budget hearing will be held on September 19, 2006, at the South Dade Regional Library.

Respectfully submitted:

*Erika Gonzalez-Santamaria, CMC
Town Clerk*

*Adopted by the Town Council on
this 19th day of September, 2006*

Paul S. Vrooman, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

RESOLUTION NO. 06-

A RESOLUTION OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE OF THE TOWN OF CUTLER BAY FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 PURSANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 19, 2006, the Town Council adopted Resolution 06-69 determining the Proposed Millage Rate for the fiscal year commencing October 1, 2006 and further scheduled the public hearing required by Section 200.065 of the Florida Statutes to be held on September 6, 2006 at 7:00 p.m.; and

WHEREAS, the Property Appraiser properly noticed the public hearing scheduled for September 6, 2006, 7:00 p.m., at the South Dade Regional Library, 10750 Southwest 211th Street, 2nd Floor, Cutler Bay, Florida, as required by Chapter 200 of the Florida Statutes; and

WHEREAS, said public hearing, as required by Section 200.065(2)(c), was held by the Town Council on September 6, 2006 as previously noticed and the public and all interested parties having had the opportunity to address their comments to the Town Council and the Town Council having considered the comments of the public regarding the tentative millage rate and having complied with the "TRIM" requirements of the Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF CUTLER BAY, FLORIDA AS FOLLOWS:

Section 1. That the tentative millage rate for the Town of Cutler Bay for fiscal year commencing October 1, 2006 through September 30, 2007 be and is hereby fixed at the rate of 2.447 per \$1,000.00 of assessed property value within the Town of Cutler Bay.

Section 2. That a final public hearing to adopt a final millage rate and budget for the fiscal year commencing October 1, 2006 through September 30, 2007 is hereby set for September 19, 2006, 7:00 p.m., at the South Dade Regional Library, 10750 Southwest 211th Street, 2nd Floor, Cutler Bay, Florida.

Section 3. That the Town Clerk is hereby directed to advertise said public hearing as required by law.

Section 4. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 6th day of September, 2006

PAUL S. VROOMAN, Mayor

Attest:

ERIKA GONZALEZ-SANTAMARIA
Town Clerk

APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF CUTLER BAY ONLY:

WEISS, SEROTA, HELFMAN, PASTORIZA,
COLE & BONISKE, P.A.
Interim Town Attorney

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman _____

Vice Mayor Edwards P. MacDougall _____

Councilmember Peggy R. Bell _____

Councilmember Timothy J. Meerbott _____

Councilmember Ernest N. Sochin _____

ORDINANCE NO. 06-

AN ORDINANCE OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AN OPERATING AND CAPITAL OUTLAY BUDGET WITH TOTAL EXPENDITURES IN THE AMOUNT OF \$16,315,400 AND \$2,767,936 FROM SPECIAL REVENUES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 19, 2006, the Town Manager presented to the Town Council the proposed Operating and Capital Outlay Budget for the fiscal year commencing October 1, 2006; and

WHEREAS, on July 19, 2006, the Town Council adopted Resolution 06-69 which adopted a proposed millage rate for the fiscal year commencing October 1, 2006 and schedule the public hearing required by Section 200.065 of the Florida Statutes for September 6, 2006 at 7:00 p.m.; and

WHEREAS, on August 29, 2006, the Town Council held a budget workshop to discuss the Town Manager's proposed Operating and Capital Outlay Budget for fiscal year commencing October 1, 2006; and

WHEREAS, the Property Appraiser of Miami-Dade County properly noticed the public hearing scheduled for September 6, 2006, at 7:00 p.m., at the South Dade Regional Library, 10750 Southwest 211th Street, 2nd Floor, Cutler Bay, Florida and a second public hearing was properly noticed at the same place on September 19, 2006 as required by Florida Statutes; and

WHEREAS, said public hearings were held by the Town Council on September 6, 2006 and September 19, 2006 commencing at 7:00 p.m., as previously noticed and the public and all interested parties having had an opportunity to address their comments to the Town Council; and

WHEREAS, the Town Council had an opportunity to amend the manager's proposed budget as it deemed appropriate, considered the comments of the public regarding the proposed budget and complied with the "TRIM" requirements of the Florida Statutes; and

WHEREAS, the amount of funds available from taxation and other non-ad valorem revenues equals the total appropriations for expenditures and reserves.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Adoption. That the Operating and Capital Outlay Budget for the fiscal year commencing October 1, 2006 through September 30, 2007, attached as Exhibit A, as presented by the Town Manager and amended by the Town Council, with total expenditure in the amount of \$16,315,400 and \$2,767,936 from special revenues be and is hereby adopted.

Section 3. Section 3. Expenditure of funds. The Town Manager or his designee is authorized to expend or contract for expenditures such funds as are necessary for the operation of the Town government in accordance with the Budget. The Town Manager may transfer any unencumbered line item allocation of funds, or any portion thereof, to another line item classification within the same department.

Section 4. Amendments. Upon the passage and adoption of the Budget, if the Town Council determines that a department, category or line item will exceed its original allocation, the Town Council is authorized to modify any department, category total or line item of the Budget by resolution so long as the modification does not exceed the Town's total budgeted funds for the Fiscal Year 2006-07.

Section 5. Severability. The provisions of this Ordinance are deemed to be severable, if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of the Ordinance, but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6 Effective date. This Ordinance shall be effective upon adoption on second reading.

PASSED on first reading this 6th day of September, 2006.

PASSED AND ADOPTED on second reading this _____ day of _____, 2006.

PAUL S. VROOMAN
Mayor

Attest:

ERIKA GONZALEZ-SANTAMARIA
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.A.
Interim Town Attorney

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman _____
Vice Mayor Edward P. MacDougall _____
Councilmember Peggy R. Bell _____
Councilmember Timothy J. Meerbott _____
Councilmember Ernest N. Sochin _____