

**TOWN OF DAVIE
BUDGET HEARING
SEPTEMBER 21, 2009**

1. CALL TO ORDER

The meeting was called to order at 5:16 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Crowley and Councilmembers Caletka, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Rayson, and Assistant Town Clerk McDaniel recording the meeting.

Mayor Paul apologized to residents for the previous budget meeting not being televised and stated they would have coverage of all public hearings from now on.

3. BUDGET

Resolution

3.1 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR VOTER APPROVED DEBT SERVICE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010.

Mr. Rayson read the resolution by title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Starkey made a motion, seconded by Vice-Mayor Crowley, to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - no; Councilmember Starkey - yes. (Motion carried 4-1)

Ordinances – Second and Final Reading

3.2 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010.

Mr. Rayson read the ordinance by title.

Mayor Paul announced the operating millage rate for fiscal year 2010 was 4.8593, which was 2.5% higher than the rollback rate of 4.7408. The debt service millage rate was .7825.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Bill Ackerman, Budget and Finance Director summarized the results of the first budget hearing. He stated that he would discuss why there would be a tax increase, what had changed since the first budget hearing and additional discussion items.

Mr. Ackerman explained that the first reason for the increase was a reduction of intergovernmental revenue, reduction of investment income, and the loss of some revenue they had anticipated in the budget. The second reason for the increase was the public safety contract that dictated a 7.5% wage increase for firefighters and up to a 14% wage increase for the police department.

Mr. Ackerman stated that since the first budget hearing they had eliminated four hours of police overtime through a change in their shift. This had allowed them to add nine (9) officer positions. They had also eliminated the Super Bowl security overtime for the police department.

For the fire department, Mr. Ackerman said that the use of actuarial savings and vacancies would allow them to avoid layoffs and add back in three of the positions.

Mr. Ackerman reported they had also eliminated the Labor Day Splash event and the daytime 4th of July activities to reduce the Special Projects budget and police and fire overtime.

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As of now, Mr. Ackerman stated they intended to use \$110,000 from reserves.

Mr. Ackerman stated that the figure they had used for supplying school resource officers had been conservative and if they increased revenue for the school resource officers based on the contract, this would eliminate \$42,000 they intended to use from reserves.

Based on Council's direction at the last meeting, Mr. Ackerman had provided Council with information regarding charging employees a take-home vehicle fuel fee.

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka, to approve.

Councilmember Luis asked if it was possible to bill Nova or the Dolphins for the Super Bowl services. Councilmember Caletka stated the Super Bowl could hire its own security detail. Vice-Mayor Crowley felt that the Police Chief and Town Administrator should meet with Super Bowl representatives regarding providing security.

Mr. Shimun said that the Town could attempt to charge employees the fuel fee and he was sure the Union would aggrieve it. Mr. Rayson stated that the Town had the right to do this. This benefit had been included by executive order and the head of the department could change executive orders. He found nothing in the bargaining agreement conflicting with this. Mr. Shimun said that the vast majority of affected employees would be police officers. Councilmember Caletka felt that this would be counterproductive and complicated. He thought it did not make sense to change how the process has been done in past.

Councilmember Luis agreed with charging the fuel fee and felt it was not a hardship for an employee to pay for his own gas to and from work.

Mayor Paul had discussed this with Mr. Ackerman and Mr. Shimun, and she believed this would not apply to officers who had assigned vehicles. Councilmember Starkey asked what had been used to determine the \$0.25 per mile rate as opposed to the Mayor's suggestion of a flat \$60.

Police Chief Patrick Lynn stated that he opposed removing officer vehicles. He stated that his interpretation of the language was that he could decide on how to administer the program but he could not make a decision on imposing a fuel fee. Chief Lynn also expressed that administratively, tracking the mileage would be a cumbersome task. He also stated that he felt that some officers would reconsider taking a vehicle home based on the fuel cost which would result in turning in the vehicle. Mayor Paul noted this would save the Town gas money and wear and tear on the vehicles. This could also mean the Town would need fewer vehicles because officers could share them and insurance rates would go down. Chief Lynn noted that eventually vehicles would be running 24 hours a day. Councilmember Starkey noted the Town could save \$530,000 through the fuel fee. Chief Lynn said this was in anticipation that everyone would participate.

Councilmember Starkey asked if anyone had looked into other cities experiences from imposing a fuel fee. Mr. Ackerman said they had surveyed a couple of cities and in both cases a flat rate had been charged based on the distance the employee traveled to work from their residence. Councilmember Starkey stated that without specific information she could not support this at this time.

Councilmember Luis remarked that Davie was a top-notch police department, but "if you live in West Palm Beach and you drive up there, it's not wrong for the Town to ask you to pitch in and pay part of the gas..." He reminded Council that they were short on police officers and that they had to find ways to cut the budget.

Councilmember Starkey requested additional information on this item.

Mayor Paul confirmed with Mr. Shimun that if they determined in a few months that this would provide significant savings, they could institute it.

Mr. Shimun stated that vehicle allowances were given to department heads and were in the amount of \$400 per month. Mayor Paul had recommended a \$60 per month charge to each employee with a vehicle allowance. Councilmember Luis said he would not oppose this and that it was not asking

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too much. Mayor Paul reminded everyone that she and Councilmember Luis had agreed to a 20% salary reduction and they hoped this would encourage other individuals to make a sacrifice as well, but at this time, no one had.

Mayor Paul stressed that department heads needed to differentiate between needs and wants. She wanted to get the additional \$834,000 in savings to allow them to roll back the millage rate to 4.7.

Mayor Paul calculated that asking employees to give back \$60 per month from their vehicle allowance would represent a \$6,480 savings, but not all of it would be from the General fund. Mr. Ackerman determined a 10% cut in vehicle allowances would result in a savings of a little less than \$3,000. Councilmember Starkey, Councilmember Luis, and Mayor Paul were in support of this and gave Mr. Ackerman direction to implement.

In regards to next year's payroll budget, Mayor Paul stated that some police officers had indicated that some officers had been receiving pay which they weren't entitled to which resulted in an overcharge of \$12,800 which increased they had been identified as receiving pay that they were not supposed to be getting and the result was that the budget was being overcharged \$12,800, which Mayor Paul noted would come back during the year. In regards to next year's payroll budget, Mayor Paul stated that some police officers had indicated that some officers had been receiving pay which they weren't entitled to. This resulted in an overcharge of \$12,800. The increase had been identified as an additional pay that they were not supposed to be receiving. Mayor Paul noted that this would come back during the year. Mr. Ackerman explained that Chief Lynn had provided staff with a figure he wanted to use for assigned pay which had been assigned to various personnel. Right now, although some of the pay was assigned to certain individuals, Chief Lynn could change this at the beginning of the fiscal year. He reminded Council that these were projections and that Chief Lynn had the right to assign a particular pay amount to a particular employee.

Chief Lynn said he was not interested in giving up the pay. He said even though one officer was assigned a certain pay, he might not be receiving it but someone else would be.

Mayor Paul referred to the Technology and Information Management Services (TIMS) charges for technical support that had accrued to the point they could pay for a new computer system and email system. She suggested reducing the TIMS charges per department. Tina Tysinger, Technology and Information Management Director (TIMS) pointed out that TIMS charges were for technological support, maintenance agreements for all systems, and a three to five year refresh on all equipment. Individual departments only paid for maintenance on software that they used.

Councilmember Starkey and Mayor Paul wanted to reduce the TIMS charges by 10%. This would reduce the IT Reserve Fund by \$180,000 but leave over \$500,000. Councilmember Caletka thought this would result in using IT reserves for employees instead of for capital improvements. Ms. Tysinger explained that her budget was approximately 50% for personnel. Vice-Mayor Crowley suggested a 5% reduction. Mayor Paul, Councilmember Starkey, and Councilmember Luis supported a 10% reduction. Mr. Ackerman stated that the general fund portion was \$157,000 and it would be reduced by that amount. Councilmember Caletka stated he objected to borrowing from reserves. Councilmember Luis indicated that next year, things would be worse and there would be many positions that would need to be given up. Councilmember Starkey reminded Council that the new IT system had been estimated at \$1 million and would actually cost \$743,000. Mr. Shimun stated that the salaries would recur next year and they would not have the money for them. Vice-Mayor Crowley stated he objected to the 10% reduction.

Regarding new positions, Mayor Paul said she had been convinced that the risk manager position was needed, but she was still questioning whether the planner II, the technical support position and the Fire Chief's appointment as Assistant Administrator were really needed. She said she would support the technical support position only if it would be filled by a displaced employee.

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Ms. Tysinger stated that when the position was posted, she did not know who would apply. It was possible that internal candidates would apply, which would free up another position that could be filled by a displaced employee. Councilmember Caletka wanted an employee who was ideally suited for the job. Mayor Paul remembered Ms. Tysinger indicating she would train the employee. Ms. Tysinger said this was an entry-level position and she did intend to train the person.

Councilmember Starkey felt that it did not make sense to have eliminated the Landscape Department and to be adding a planner II position when development had decreased. She also felt that the promotions for the two assistant town administrator positions should be eliminated because they also entailed an enhanced benefits package.

Councilmember Luis said he had made serious cutbacks in his business and the employees he had left were the best he had employed in 24 years and each could do the work of two or three people. Councilmember Luis felt that the performance of the Town Administrator's office had improved radically and he thought that some of the administrative staff were doing the job of two people.

Vice-Mayor Crowley agreed to eliminating the planner II position and to reinstating one landscape inspector position. Mr. Ackerman confirmed that this would result a net cost of \$16,000 because the planner II position was worth \$75,000 in salary and benefits and the landscape inspector position was worth \$91,000 in salary and benefits. Councilmember Caletka stated his objection to "going deeper in a hole in this budget crisis."

David Quigley Planning and Zoning Manager explained that the planner II position required a masters degree and two years of experience or a bachelors degree with five years of experience. Councilmember Starkey wanted to see proof of these numbers.

Councilmember Starkey objected to promoting the Assistant to the Town Administrator from a \$64,000 position to a \$110,000 position. She was certain that this person was highly qualified, but she disagreed with a promotion from a general employee to a managerial position.

Mr. Ackerman stated that they still were \$750,000 short of their \$834,000 goal in order to reduce the millage rate.

Mayor Paul stated they had taken \$2 million out of reserves for capital projects, and she recommended using that money to lower the millage rate, and as they realized savings during the year, the money would go back into capital projects. Councilmember Caletka reminded Mayor Paul that \$500,000 was for a fire truck. Mayor Paul stated that the fire bond was supposed to be used for equipment and fire stations. Mayor Paul felt that they must prioritize their capital projects. Mr. Shimun said this was taking the funds out of savings to reduce the millage rate which would become a recurring expense.

Fire Chief John Montopoli informed Council that the need for the fire truck was critical. Councilmember Starkey asked if they could extend the life of the fire truck by six months. Chief Montopoli said that this could not be done and that capital purchases such as trucks must be addressed in a purchase plan.

Councilmember Caletka agreed they could consider holding off on capital projects where they could, but he did not want to take money out of reserves to lower the millage. He pointed out that many residents would see tax reductions at the proposed millage rate. Mayor Paul said she did not want to use reserves to balance the budget but four Councilmembers had committed to lowering the millage rate. She reminded Council that she had made several recommendations for budget reductions that had not received support.

Councilmember Luis said he would support Mayor Paul's suggestion to use the \$2 million from reserves designated for capital projects to lower the millage rate, provided this would only be done upon purchase of the fire truck. Vice-Mayor Crowley said after the last workshop when they recovered \$10

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million, he was ready to accept the proposed millage rate and go forward; he had not committed to reducing the millage rate further. He did not favor utilizing more than \$50,000 of reserves.

Mayor Paul stated they would need to save \$750,000 to roll back the rate.

[Council took a brief recess]

Vice-Mayor Crowley withdrew the motion he had made earlier to approve the operating millage.

Mayor Paul reminded Council that at their last meeting, they had discussed a possible \$0.02 per gallon gas savings they could realize if they purchased gas through BSO. She had been informed that their budgeted gallons were 425,060 and their savings could be approximately \$5,000.

Mayor Paul had also suggested comparing the charges from First Vehicle Services to what other cities were paying. Mr. Ackerman said staff would be bringing a new contract for First Vehicle Services to Council in the near future and Council could decide if they wished to send out an RFP (Request for Proposal).

Mayor Paul pointed out that they would also be generating additional revenue with the increased fire inspections and backflow inspections.

Mayor Paul asked Mr. Ackerman to recalculate, including the reductions in her and Councilmember Luis' salaries.

Councilmember Caletka asked for an explanation of "contractual service administration" under the Town Administrator. Mr. Ackerman explained this was for the Davie Update, the parks guide, hurricane flood plan report, flood insurance brochure, handling, postage, and other items. It also included lobbyists' contracts for a total of \$76,000. Councilmember Caletka felt Councilmembers would be the best lobbyists, and noted he could get a meeting with any state representative or senator, and they could save \$76,000.

Councilmember Luis felt they must look at the health insurance benefits.

Councilmember Starkey agreed that Councilmembers were the Town's best advocates, and she suggested cutting the lobbyist costs in half because Councilmembers could not be in Tallahassee full time. If additional lobbying efforts were needed, specific requests could be presented to Council.

Council agreed to add this to the list of possible items to cut.

Councilmember Luis asked about tuition reimbursement for non-union employees. Councilmember Starkey explained that policy regarding this was that an employee was permitted \$2,500 annually unless it was contractual. Any more than that was at the discretion of the Town Administrator and the department head. Mr. Ackerman said that Town-wide they had budgeted \$157,261 for tuition reimbursement. If this were eliminated, the reduction would be \$25,100 and the general fund reduction would be approximately \$18,000.

Councilmember Caletka asked why the Special Projects of the Administrator Department was \$25,000 year to date, but had been budgeted for \$70,000 next year. Mr. Ackerman said this included assistance with their garbage assessment, tax roll, green initiatives, EASE, legal and Sun Sentinel services.

Barbara Dupre' Director of Human Resources explained to Councilmember Caletka that Sapoznik was the Town's health insurance agent and her contract was \$95,000 annually. Councilmember Caletka asked if human resources could perform this duty, since the Town put it out to bid and the agent just made recommendations. Mr. Ackerman pointed out that this would not offer general fund savings because it was paid out of the self-insurance fund. He was not sure if the contract allowed the Town to drop the agent but agreed to check on this.

Councilmember Caletka asked how much was going into the account to purchase new vehicles. Mr. Ackerman said that they had budgeted \$672,000 toward replacing vehicles next year. Councilmember Caletka suggested reducing this by half. Mr. Ackerman clarified that they would

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reduce the charge back to the departments by \$350,000, proportional to what each department received. Mr. Ackerman said this amount would skyrocket next year if they did that.

Mayor Paul reminded everyone that these were extraordinary circumstances in the community and there was a serious financial emergency.

Councilmember Luis said he would agree to reduce the entire \$672,000 for vehicle replacement for one year. By consensus, Council agreed to reduce the charge back to departments by \$335,000. Councilmember Caletka stated the number of new vehicles to be purchased should be reduced by half.

Mr. Ackerman explained that books, publications, and memberships, which totaled \$36,730, included payments to the Broward League of Cities, Florida League of Cities, National League of Cities, and other items. Mayor Paul recommended they not re-join the National League of Cities. She felt they could get what they needed from the website. By consensus, Council agreed to Mayor Paul's recommendation.

Council returned to the topic of tuition reimbursement, and Mayor Paul stated they had consensus to remove it, with the exception of police and fire. Council agreed that employees already enrolled in fall classes would be reimbursed.

Mr. Ackerman confirmed there was \$5,000 for EASE under Special Projects in the Town Administrator's office. Councilmember Caletka stated EASE was in a Town building and the Town paid their utilities and water and provided IT services.

Councilmember Caletka noticed there was a new entry in the budget for \$5,000 for Engineering Division legal expense. Mr. Ackerman explained that this previously came out of the Town Clerk's office but they would now use engineering reserves. Mr. Ackerman stated the \$5,000 for EASE was to pay for a table at their annual dinner. Council agreed by consensus to remove this item.

Councilmember Starkey felt that travel expenses for legislative issues should come under legislative issues funds that were spent with Council's approval instead of district funds. Mayor Paul suggested that unless it was vital to the Town, there should be no travel this year and Councilmembers should exercise more discretion regarding how they spent district funds.

Councilmember Luis asked about \$61,000 for contractual services in the Planning and Zoning Division. Mr. Quigley explained these were things not related to applications, such as traffic analysis, that were Town-wide.

Mr. Ackerman stated they were now \$388,296 short.

Councilmember Starkey asked why under law enforcement, contractual services had increased from \$385,100 in the first budget to \$410,100. Mr. Ackerman explained the increase included crossing guards, transcription services, dry cleaning, Toshiba, Fitness Service of Florida, optical reimbursements and Dunbar Armored Vehicle service. Councilmember Starkey objected to Dunbar's transporting money. Chief Lynn disagreed and stated that police officers should not be taken away from their responsibilities to perform this duty.

Mr. Ackerman explained that "professional services" referred to psychological testing, fingerprinting, immunizations and polygraph testing. Councilmember Caletka noticed that this budgeted amount had almost doubled for next year. Chief Lynn stated that he felt that this was an accurate estimate, as he believed they would receive the grant for six additional positions. Mayor Paul recommended reducing this amount by \$10,000 and Council and Chief Lynn agreed.

Councilmember Luis was not comfortable going through the police and fire budgets and felt they should "leave the professionals alone on this." He recommended taking the remaining \$378,296 out of reserves. Councilmember Caletka reminded Councilmember Luis that Mayor Paul wanted to get to the lower millage rate and they were trying to find cuts to reach that goal. Councilmember Caletka felt using reserves for operating expenses was the most hazardous thing they could do.

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Mayor Paul asked Chief Lynn about the grant expenses, which had increased tremendously. Chief Lynn objected to the way this was presented in the budget. He explained this was money they anticipated receiving, not an additional cost to the Town.

Councilmember Starkey wondered how many police officers used pagers, now that they had cell phones. Chief Lynn said this was a contractual issue and in his opinion it was irrelevant. Councilmember Starkey asked if he could indicate whether or not they were used. Chief Lynn agreed they might be "passé."

Mayor Paul asked what the "discretionary" line item was for \$290,500 in the Public Works Department. Manny Diez, Public Works Director explained that the repair expenses were for repairs he was certain that were needed and were accounted for in the division's budgets. They normally added money to line items for expenses for which they were uncertain they would need which were in the line items; everything else was in the discretionary fund, and this was where they had taken their 5% and 10% cut. As items came up, they would decide whether to use the discretionary funds. Mr. Shimun said if the funds were not available and needs arose, staff would have to return to Council to request additional funding.

Mayor Paul asked what caused the increase in vehicle usage in the Public Works Department. Mr. Ackerman explained the department would take on additional employees and additional vehicles next year.

Councilmember Caletka asked what lights were maintained for the \$75,000 they had budgeted. Mr. Diez stated this amount covered Forest Ridge and Shenandoah. He said that he wished Florida Power and Light maintained all of the lights for a fixed cost for which they could budget. Mr. Diez assured Council this was a realistic number.

Mayor Paul noted the \$460,000 for contractual maintenance. Mr. Diez explained they would contract out more work this year than last year. He planned to contract out more of the lower-technology work and use Town employees for the more technical work, such as tree trimming, planting, electrical and air conditioning work.

In the Parks and Recreation Department, Councilmember Caletka noticed that \$45,000 had been budgeted for insurance. Parks and Recreation Director Dennis Andresky stated this estimate had come from Risk Management. Mr. Ackerman said this had been charged to non-departmental in the past and this was a correction for next year's budget. Councilmember Caletka asked why it appeared that utilities would increase \$100,000 for this budget. Mr. Andresky explained they had tracked costs for the sites and based their estimates on this coupled with FPL projected increases. He noted they had consolidated some of the accounts for next year.

Councilmember Caletka asked what qualified as "professional services" under Human Resources. Ms. Dupré stated this included background checks and medical screenings, promotional exams, psych exams, fingerprinting and employee verifications. Councilmember Caletka noted that year to date this was only \$42,000 but it was budgeted for \$120,000 next year. Ms. Dupré said there were two promotional exams for fire that had not been done yet this year; she estimated this would add \$40,000. Ms. Dupré said there was another expense that would add \$10,000. Councilmember Caletka suggested reducing professional services to \$100,000 to save \$19,500 and Ms. Dupré agreed.

Ms. Dupré explained to Mayor Paul that the \$20,000 for "education and training" was compliance training, sexual harassment training and a web-based supervisory series. She said \$9,000 was also for tuition reimbursement, which had been cut.

Councilmember Luis suggested not buying new vehicles for one year.

Mr. Ackerman reminded Council that they had not decided on any changes to the lobbyist line item. Councilmember Luis thought the Town lobbyists were worth what they were paid; he mentioned the TOC issue with which a lobbyist had been instrumental. Councilmember Starkey supported cutting

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the lobbyist line item by 50%. Mayor Paul favored cutting it 100%. Mayor Paul suggested renegotiating the lobbyists' contracts next month. Councilmember Caletka pointed out they could hire a contract lobbyist if needed. Vice-Mayor Crowley suggested cutting the budgeted amount in half and renegotiating the lobbyists' contracts based on this amount next month. Councilmember Luis and Councilmember Caletka disagreed. Councilmember Caletka wanted it cut 100% and Councilmember Luis did not want it cut. Mayor Paul, Vice-Mayor Crowley and Councilmember Starkey agreed to cut the lobbyist line item by 50%.

Mr. Ackerman referred to a list of vehicles and their purchase dates and stated they ranged from 2003 to 2009 and 90% were Police vehicles. Chief Lynn opposed limiting all vehicle purchases, but felt they could get by without a few new Police vehicles. He did want to replace the Dodge Intrepids for safety reasons. Mr. Ackerman reported there were 28 vehicles on the list to be replaced; 26 were Police Department vehicles and only one was an Intrepid.

Councilmember Caletka asked Mr. Ackerman to calculate the millage rate with the cuts they had identified so far and Mr. Ackerman determined it would be approximately 4.8125.

Council agreed by consensus to include an additional \$50,000 from the vehicle account.

Councilmember Starkey pointed out that administrative costs for self-insurance had jumped from \$120,000 in 2009 to \$947,000 in 2010. Ms. Dupré explained that there had never been one account for self-insurance until now and there had not been a dollar increase. Workers' compensation was also self-insured now when it was formerly in departmental budgets. Carol Menke, Deputy Budget and Finance Director explained that they were not paying anything new; they were paying in a different way. She stated this did not affect the General fund at all.

Mr. Ackerman reported they were now at \$277,096. Mayor Paul noted this was less than what had originally been budgeted to take from reserves to balance the budget. Mayor Paul said she would feel comfortable using reserves to lower the millage rate to 4.7408. Councilmember Caletka opposed this, and remarked that "this is not a way you run a business." Councilmember Starkey did not favor using reserves.

Mr. Ackerman explained that they had budgeted the ad valorem tax collection at 95% but they could increase this to 96%, and this would get them where they needed to be. He informed Mayor Paul that if they did not collect the 96%, they would take it out of reserves.

[Council took a brief recess]

Mr. Ackerman said they were at approximately a 4.82 millage rate. This was a 1.7% increase over the rollback rate and a 13% increase from the current year.

Mr. Ackerman explained to Councilmember Luis that they had not spent all that they had budgeted in 2009 but revenues had not met projections, so they would be making up for this from reserves. Mr. Ackerman said the millage rate was actually closer to 4.77, not 4.8.

Councilmember Starkey did not believe they would collect the property tax revenue they had estimated due to the number of short sales occurring and she pointed out that this would worsen next year. She wanted to revisit the take-home vehicle charges, the Planner II position and the landscape employee who had been transferred to Parks and Recreation. Mr. Andresky explained he had needed park rangers for trails and he had reassigned a recreation leader to park ranger. He agreed he could do without one park ranger in a crisis.

Mr. Ackerman stated the reserve was at approximately \$25 million. They were suggesting using less than 1% of that. He added that they had collected over 96% of the ad valorem this year, but in other years, they had collected less than 95%. If they eliminated the park ranger position, the new millage rate would be 4.7725, which was 67.67% above the rollback rate.

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Councilmember Starkey suggested putting the red light cameras revenue back in the budget. Councilmember Caletka reminded Council that there was a class action lawsuit regarding the red light cameras.

Mr. Rayson stated there was no risk in increasing the estimated percentage of ad valorem collection; the only risk was they might need to make it up out of reserves.

Councilmember Starkey made a motion to set the millage rate at 4.7408. Motion died for lack of a second.

Mr. Ackerman summarized the changes Council had agreed upon this evening:

- Reduce auto allowances by 10% - saves \$3,000
- Reduce TIMS charges to General fund – saves \$157,000
- Add Landscape Inspector back/eliminate Planner II
- Reduce vehicle maintenance charges – saves \$385,000
- Reduce books and publishing memberships – saves \$5,775
- Reduce tuition reimbursements outside of public safety– saves \$18,000
- Reduce EASE from Special Projects under the Town Administrator – saves \$5,000
- Reduce Mayor's salary by 20% - saves \$2,000
- Reduce Police Department Professional services – saves \$10,000
- Reduce HR professional services – saves \$19,500
- Reduce lobbyists budget – saves \$38,000
- Eliminate park ranger – saves \$49,000
- Increase revenue for SRO contract – saves \$43,000

Total savings: \$221,775

Mr. Ackerman informed Councilmember Starkey that there was approximately \$1 million left in the Community Endowment. Councilmember Starkey was considering using this reserve, and Mr. Shimun stated that this would still be using a fixed amount of money for an ongoing expense and this was bad business practice.

Vice-Mayor Crowley felt the responsible thing to do was to raise the millage to provide the desired level of service to residents.

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka, to approve a 4.8593 millage rate. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis – no; Councilmember Starkey – no. (Motion failed 2-3)

[Council took a brief recess]

Mayor Paul advised they should refer to the last meeting when they set the rates. When she said she would approve the higher rate, it was because she knew it could be lowered. She had indicated she would only do this if other fees were not increased. Since then, the Fire fee and trash fee had increased. Mayor Paul said lowering the millage rate was very important to her because she had promised it.

Mr. Ackerman said he believed they could increase the recycling revenue by \$100,000 and increase Code Enforcement liens by \$25,000 as well. They now needed \$96,675.

Councilmember Starkey suggested there be no new promotions, including the Assistant Town Administrator positions. Councilmember Luis said he would agree with this if the person were not already doing the job.

Mr. Ackerman confirmed for Councilmember Luis that they would make more money in interest on the Reserve Fund than the \$96,000 they needed to use.

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Councilmember Caletka felt Council was “overstepping their bounds when they start picking and choosing positions.” Councilmember Starkey disagreed, and noted how important it had been to build a Landscape Department. Mr. Shimun said most of the emails he received outlined landscaping services the Town was providing for private homeowner associations and businesses for which they would otherwise have to pay. Councilmember Starkey pointed out that Town landscaping staff had ensured that businesses and homeowner associations replaced landscaping properly after the hurricane.

Mr. Ackerman said they were now at 4.7546. He said they could also consider increasing the percentage of ad valorem ~~to 95.27~~ from 95 to 95.2 or 95.3.

Councilmember Starkey pointed out they had over \$1 million in the Endowment Fund. She disagreed with using money from the Reserve Fund but felt it was appropriate to take it from the Endowment Fund.

Mr. Rayson said he would have to check on the legality of using money from the Endowment Fund, but he did not believe there was a restriction against using it in an emergency.

Mr. Ackerman thought when the Endowment fund was established, it had to be used for something specific, but they were now working on earnings from the account and he did not know if there were restrictions on that.

Mr. Shimun explained to Councilmember Luis that there was someone on Town staff who was an arborist and could perform landscape inspections. There was also an employee in Public Works who had been a landscape inspector.

Councilmember Starkey felt that provided they did not invade the principal in the Endowment Fund and they earmarked some of the interest to a line item in the budget, they could justify using it. Mr. Ackerman advised that they could take \$96,000 from the Endowment Fund and use it for a specific purpose. Mr. Rayson read from Section 14-11: “The Town may pay out of its general fund or out of any special fund there may be, providing such portion of the cost of any improvement it may deem proper.”

Councilmember Luis stated he would probably vote for this, but he believed this would hurt the Town’s neediest residents.

Mayor Paul said they had now cut enough to go to the rollback rate of 4.7408.

Councilmember Luis made a motion, seconded by Councilmember Starkey, to approve the rollback rate of 4.7408.

Mayor Paul announced that the Town’s final operating millage rate to be levied for fiscal year 2010 was 4.7408, which was equal to the rollback rate of 4.7408. The final voted debt service millage rate for fiscal year 2010 was .7825. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - no; Councilmember Caletka - no; Councilmember Luis – yes; Councilmember Starkey – yes. (Motion carried 3-2)

**3.3 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE
BUDGET FOR THE TOWN OF DAVIE FOR THE FISCAL YEAR 2010.**

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Luis made a motion, seconded by Vice-Mayor Crowley, to approve, subject to the changes Council had made earlier. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - no; Councilmember Caletka - no; Councilmember Luis – yes; Councilmember Starkey – no. (Motion failed 2-3)

Councilmember Starkey said she did not like the budget with the changes made and did not support it.

Mr. Ackerman advised that Council could not adjourn until they approved the budget.

**BUDGET HEARING
SEPTEMBER 21, 2009**

Councilmember Caletka said he could not vote for "that ludicrous budget." Vice-Mayor Crowley said he and Councilmember Caletka did not like some of the conditions put on to reduce the millage rate. Vice-Mayor Crowley stated, "You go back and reconsider and bring the millage back so we can run a sufficient Town here, then I'll support the budget." He thought their only option was to reconsider and go back to the slight increase with which they had started.

Mayor Paul pointed out Councilmember Starkey had agreed with the changes made to lower the millage rate and she was now voting against the budget. Councilmember Starkey stated, "There's things in this budget that I think are toxic to the future of the Town and the budget; I do not agree with it."

Councilmember Caletka offered to vote in favor of any motion Councilmember Starkey made. Councilmember Starkey stated she had not wanted any layoffs; she wanted a freeze on hirings and promotions.

Mayor Paul passed the gavel to Vice-Mayor Crowley and said she would move to reconsider the millage rate and "do something that I am so diametrically opposed to, and it's going to come back to bite me over and over again and because we have spent so much time on this, I'm really upset about it, but you don't give me any other choice."

Mayor Paul made a motion, seconded by Councilmember Caletka, to reconsider the vote on the millage rate. In a voice vote, with Councilmember Starkey dissenting, all voted in favor. (Motion carried 4-1)

Vice-Mayor Crowley passed the gavel back to Mayor Paul.

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka, to approve the proposed millage rate at 4.8593.

Vice-Mayor Crowley confirmed that his motion did not include any of the changes made during this meeting.

Mayor Paul asked Vice-Mayor Crowley to consider some of the changes previously agreed upon. Mr. Ackerman referred to the list of changes to which Council had agreed earlier and Vice-Mayor Crowley agreed to the following changes: reduce auto allowances by 10%; add landscape inspector back in/eliminate Planner II and park ranger; reduce books and publishing memberships; reduce tuition reimbursements outside of public safety; reduce EASE from Special Projects under the Town Administrator; reduce Mayor Paul, Councilmember Luis and Vice-Mayor Crowley's salaries by 20%; reduce Police Department Professional services; reduce HR professional services; eliminate lobbyists budget; increase revenue for SRO contract; increase revenue from recycling; increase Code Enforcement revenue; transfer \$96,000 from the Endowment Fund.

Mr. Ackerman reported the millage rate would be 4.8124, approximately \$500,000 short of achieving the rollback rate.

Mayor Paul announced the Town of Davie's final operating millage rate, to be levied in fiscal year 2010, was 4.8124, which was 1.51% higher than the rollback rate of 4.7408. The debt service millage rate was .7825.

In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - no; Councilmember Starkey - no. (Motion carried 3-2)

Mr. Rayson read the budget ordinance by title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

**BUDGET HEARING
SEPTEMBER 21, 2009**

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka, to approve, subject to the same changes noted for the millage rate. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - no; Councilmember Starkey - no. (Motion carried 3-2)

4. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 11:16 p.m.

Approved December 2, 2009

Judy Paul
Mayor/Councilmember

Laura Young
Town Clerk