

MINUTES

VILLAGE COUNCIL MEETING  
KEY BISCAZYNE, FLORIDA

TUESDAY, MARCH 14, 2006

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:00 p.m. Present were Councilmembers Enrique Garcia, Steve Liedman, Jorge E. Mendia, Thomas Thornton, Patricia Weinman, Vice Mayor Robert L. Vernon and Mayor Robert Oldakowski. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.
2. **INVOCATION:** Reverend Richard Crane, Key Biscayne Presbyterian Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mr. Ed Easton led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** Mr. Ed Easton, Chairman, 2020 Vision Plan Committee addressed the Council stating that the report summarizes the Village's vision of its preferred future, and the initiatives and projects required to implement the vision. This report was prepared with the assistance of Wallace Roberts & Todd, LLC.

Councilmember Mendia made a motion to accept the Plan. The motion was seconded by Councilmember Liedman.

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Vice Mayor Vernon made an amending motion to remove properties designated as future fields, parks and piers. The motion was seconded by Councilmember Liedman.

Vice Mayor Vernon made an amending motion to eliminate Item 9A (on page 33 of the report) "Village Park. Create new park between Glenridge and Fernwood Roads (buy 16 lots) for playfields, irrigation, parking, landscaping, skateboard park." The motion was seconded by Councilmember Liedman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

Councilmember Liedman made an amending motion to eliminate the four green dots (Potential Neighborhood Park) and the two blue dots (Potential Bay Access) from the map on page 21. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The Plan, as amended, was accepted by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The following persons addressed the Council: Spencer Tew, Attorney for Raul de la Heria, 641 Glenridge Road; Nat Chediak, 690 Warren Lane; Peter Verbeck, 401 Glenridge Road; Mike Davey, 425 Glenridge Road; Mark Yehle, 300 West Enid Drive; Camille Guething, 260 Seaview Drive; Tom Mozloon, Director, Key Biscayne Presbyterian Church and Jose Teran, 445 Grand Bay Drive.

It was the consensus of Council to direct staff to propose dates to the Council, at a future meeting, for a workshop regarding 2020 Vision.

At this time the Council took a 5 minute recess.

The meeting was reconvened at 8:00 p.m.

The Attorney addressed the Council stating that Councilmember Garcia and Vice Mayor Vernon will not be participating in this presentation due to a potential conflict of interest.

Mr. Steve Sonnabend, representing The Sonesta Beach Resort addressed the Council. Edgardo De Fortuna, Fortune Realty, Chad Oppenheim, Architect for the project, Raymond Jungles, Landscape Architect, Carter McDowell, Attorney for the Sonesta and Alan Sonnabend, Sonesta Beach Resort made a preliminary presentation to Council regarding their new project.

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The following residents addressed the Council: Camille Guething, 260 Seaview Drive; Inigo Ardid, 101 Cape Florida Drive; Carlos Deschappelles, 390 Atlantic Road; Mattias Lichtenheld, 440 Palmwood Lane; Michael Kelly, 395 Gulf Road; Ed Meyer, 100 Sunrise Drive; Mortimer Fried, 291 Harbor Court; Ira Kurzban, 300 Pacific Road; Julio Padilla, 325 Atlantic Road and Mary Joe Pinedo, 365 Atlantic Road.

At this time the Council took a 5 minute recess.

The meeting was reconvened at 9:26 p.m.

5. **PUBLIC COMMENTS:** There were no speakers present.
6. **AGENDA:** There were no agenda changes.
7. **CONSENT AGENDA:** Councilmember Garcia made a motion to approve the following consent agenda. The motion was seconded by Councilmember Weinman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The minutes of the February 21, 2006 Zoning Meeting.

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAYNE AND ESTRADA HINOJOSA & COMPANY, INC., CONCERNING FINANCIAL ADVISORY SERVICES; PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ACCEPTING TWO HUNDRED THOUSAND (\$200,000.00) DOLLAR STORMWATER DRAINAGE IMPROVEMENT GRANT FROM THE STATE OF FLORIDA PURSUANT TO DEP AGREEMENT NUMBER LP6107; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR EFFECTIVE DATE.**

**A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; SUPPORTING MIAMI-DADE COUNTY PUBLIC SCHOOLS AND CALLING UPON THE STATE OF FLORIDA LEGISLATURE TO PROVIDE ADEQUATE FUNDING TO ACHIEVE A HIGH-QUALITY EDUCATION SYSTEM.**

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8. **ORDINANCES:** The Clerk read the following ordinance on first reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING CHAPTER 2 "ADMINISTRATION", BY CREATING SECTION 2-103 "EARLY VOTING", CONCERNING VILLAGE ELECTIONS; PROVIDING FOR A SPECIFIC DURATION FOR EARLY VOTING, AND AUTHORIZING REVISING OR ELIMINATING EARLY VOTING FOR VILLAGE ELECTIONS BY COUNCIL RESOLUTION FOR A SPECIFIC ELECTION; OPTING OUT OF THE REQUIREMENTS OF PARAGRAPH (2) OF SECTION 101.657, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Garcia made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Weinman.

The Clerk addressed the Council regarding this ordinance.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The ordinance was adopted on first reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The second reading of this ordinance will be on April 11, 2006.

The Clerk read the following ordinance on first reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING ARTICLE II "VILLAGE COUNCIL" OF CHAPTER 2 "ADMINISTRATION" BY CREATING SECTION 2-21 "DEFENSE OF OFFICIALS IN ETHICS MATTERS"; PROVIDING FOR THE DEFENSE OF OFFICIALS; DEFINITIONS; DEFENSE OF OFFICIALS; REQUEST AND APPROVAL; AUTHORIZATION; RESERVATION OF RIGHTS AND IMMUNITIES; APPLICABILITY; MALICIOUS, FRIVOLOUS OR GROUNDLESS ALLEGATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Attorney addressed the Council regarding this ordinance.

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Councilmember Thornton made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Garcia.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The ordinance was adopted on first reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The second reading of this ordinance will be on April 11, 2006.

9. **RESOLUTIONS:** There were no resolutions considered by Council.

10. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Mayor and Councilmembers. Due to the resignation of Mr. Oscar de Armas, Mayor Oldakowski is recommending the appointment of Mr. Frank H. Caplan to the Art in Public Places Board.

Vice Mayor Vernon made a motion to appoint Mr. Caplan to the Art in Public Places Board. The motion was seconded by Councilmember Weinman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. Jud Kurlancheek, Building, Zoning and Planning Director and Frank H. Caplan, Chairman of the EAR Committee addressed the Council regarding the Master Plan Evaluation and Appraisal Report prepared with the assistance of Wallace Roberts & Todd, LLC.

It was the consensus of Council to hold the first public hearing on the EAR on Tuesday, April 25, 2006.

The Manager reported that the Village has a new and enhanced website. Dr. Henny Groschel-Becker, Consultant addressed the Council.

The Manager gave an update on the Crandon Boulevard Master Plan.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

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12. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
13. **ADJOURNMENT:** The meeting was adjourned at 10:10 p.m.

***Respectfully submitted:***

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***Conchita H. Alvarez, CMC***  
***Village Clerk***

***Approved this \_\_\_ day of March, 2006:***

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***Robert Oldakowski***  
***Mayor***

***IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.***