

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, DECEMBER 4, 2007

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 Michael W. Davey, Steve Liedman, Thomas Thornton, Patricia Weinman, Vice Mayor Jorge E. Mendia and Mayor Robert L. Vernon. Councilmember Enrique Garcia was absent. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **INVOCATION:** Reverend Bud Schroeder, Key Biscayne Community Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Master Matt Sullivan led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** Mr. Matt Sullivan, on behalf of the Sullivan Family addressed the Council thanking the Fire and Police Department and the Key Biscayne community for their prayers and support.

The Mayor, on behalf of the Council, presented a proclamation to Mr. James Patton recognizing him for his lifesaving work.

December 4, 2007

The Manager and Chief of Fire Rescue John C. Gilbert, on behalf of the citizens of Key Biscayne, awarded the Bronze Star to Firefighter/Paramedic Ron Erbel for outstanding performance of duties and responsibilities at the scene of an emergency incident.

Chief of Fire Rescue Gilbert also recognized Dr. Kathy Schrank, Medical Director for the Key Biscayne Fire Department.

Former Councilmember Ray Sullivan also presented awards to Firefighter/Paramedic Erbel, Fire Rescue Chief Gilbert and Mr. James Patton.

The Mayor and Councilmember Weinman, on behalf of the Council, presented election certificates to the members of the Youth Council.

Youth Council Mayor Victoria Dutra and Youth Council Vice Mayor Angelica Rice addressed the Council and introduced the members of the Youth Council.

5. **PUBLIC COMMENTS:** Bill Thompson, KBAC President, 300 Ridgewood Road and Glenn Waldman, KBAC Vice President, 240 Woodcrest Road addressed the Council requesting that Council consider funding \$50,000 for the KBAC Capital Account.

The Manager and Randolph G. White, Finance Director addressed the Council regarding this request.

Councilmember Davey made a motion to purchase a batting cage in the amount of \$21,000 from the Capital Outlay budget. The motion was seconded by Councilmember Weinman and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

It was the consensus of Council to direct staff to bring a budget amendment to the next Council Meeting in order to fund the additional \$29,000 for the KBAC.

6. **AGENDA:** The Clerk requested the addition of a motion to accept the selection of Mr. Servando Parapar as Fifth Trustee to the Police Officers and Firefighters Retirement Plan as Item 10C; Councilmember Liedman requested the addition of a discussion regarding the Financial Statement, submitted with the agenda, as Item 10A2; Councilmember Davey requested the addition of a discussion regarding existing work sites as Item 10A3 and the Manager requested the addition of a resolution regarding an agreement with the Key Biscayne Presbyterian Church for use of basketball courts as Item 9C. There was no objection to the agenda changes.

The Attorney and the Manager addressed the Council regarding Item 9A.

December 4, 2007

Councilmember Weinman made a motion to defer Item 9A to the January 15, 2008 Council Meeting. The motion was seconded by Councilmember Davey and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

7. **APPROVAL OF MINUTES:** Vice Mayor Mendia made a motion to approve the minutes of the November 27, 2007 Zoning Meeting. The motion was seconded by Councilmember Davey and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" OF THE VILLAGE CODE BY CREATING A NEW ARTICLE XV "YOUTH ATHLETICS ADVISORY BOARD"; CREATING A NEW BOARD AND PROVIDING REQUIREMENTS FOR THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

The Manager addressed the Council recommending approval of the ordinance permitting the creation of a "Youth Athletics Advisory Board".

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

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 6-0 roll call vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

The Clerk announced the second reading of this ordinance for January 15, 2008.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA; AMENDING THE VILLAGE CODE BY AMENDING ARTICLE VII, "WORKS OF ART IN PUBLIC PLACES," OF CHAPTER 2 "ADMINISTRATION," BY AMENDING SECTION 2-142 "ART-IN-PUBLIC-PLACES BOARD," BY AMENDING PARAGRAPH B(1), "MEMBERSHIP; QUALIFICATIONS;" TO PROVIDE FOR BOARD MEMBERS TO

December 4, 2007

**SERVE STAGGERED TERMS ON THE BOARD; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE.**

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

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

The ordinance was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

9. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE ISSUANCE OF LAND ACQUISITION REVENUE BONDS, SERIES 2007, OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,800,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF ACQUIRING LAND LOCATED AT 85 WEST ENID DRIVE FOR VILLAGE PURPOSES, FINANCING LEGAL COSTS RELATED THERETO, AND PAYING COSTS OF ISSUANCE OF THE BONDS; AWARDING THE SALE OF THE BONDS TO SUNTRUST BANK; PROVIDING FOR SECURITY FOR THE BONDS; PROVIDING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

This resolution was deferred to the January 15, 2008 Council Meeting.

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING THE PUBLIC BEACH, SAND DUNE RESTORATION PROJECT (THE "PROJECT"); AUTHORIZING PURCHASE OF SAND AND SAND TRANSPORT AND DELIVERY SERVICES; AND AUTHORIZING PURCHASE OF ADDITIONAL SERVICES CONCERNING PLACEMENT OF SAND FOR IMPLEMENTATION OF THE PROJECT; AUTHORIZING VILLAGE MANAGER TO EXECUTE PURCHASE ORDERS AND RELATED DOCUMENTS AND AGREEMENTS FOR THE PROJECT; AUTHORIZING EXPENDITURE OF FUNDS; AUTHORIZING IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

December 4, 2007

Councilmember Liedman made a motion to approve the resolution. The motion was seconded by Councilmember Weinman.

The Manager addressed the Council recommending that the Council authorize staff to utilize Miami-Dade County's pre-approved vendor list for the purchase, transportation and placement of sand to be used in the Village's Dune Restoration Project.

Tim Blankenship with Coastal Engineers, Consultants for the Village, addressed the Council regarding this project.

The Attorney also addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF A LICENSE AGREEMENT WITH THE KEY BISCAYNE PRESBYTERIAN CHURCH, INC., FOR USE OF BASKETBALL COURTS AND PROVIDING AN EFFECTIVE DATE.

The Manager and Todd Hofferberth, Parks and Recreation Director addressed the Council regarding this resolution.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Thornton and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

Mayor and Councilmembers. At Councilmember Davey's request, Frank Caplan, Chairman of the Zoning Ordinance Review Committee, gave a progress report. Mr. Caplan indicated that the Committee has met eight times and has made significant progress in completing its work.

Councilmember Davey also addressed the Council regarding current work sites and the equipment left on them, requesting that staff try to remedy this situation. There was no objection to the request.

Councilmember Liedman addressed the Council regarding the unaudited Financial Statement for the Village of Key Biscayne as of September 30, 2007.

Village Attorney. The Attorney did not submit a report.

December 4, 2007

Village Clerk. The Clerk addressed the Council indicating that the existing Board Members of the Board of Trustees of the Police Officers and Firefighters Retirement Plan have selected Mr. Servando Parapar as its Fifth Trustee. Pursuant to Chapters 175 and 185 of the Florida Statutes Mr. Parapar should be appointed as such member.

Councilmember Davey made a motion to recognize that the Existing Board Members of the Board of Trustees of the Police Officers and Firefighters Retirement Plan have selected Mr. Servando Parapar as its Fifth Trustee and in accordance with Chapters 175 and 185, that Mr. Parapar be appointed as such member. The motion was seconded by Councilmember Thornton and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

Village Manager. The Manager addressed the Council giving a progress report on the Village's capital projects.

Ramon Castella with C3TS addressed the Council regarding the Crandon Boulevard Improvement Project, Harbor Drive and the Sanitary Sewer Project.

Lourdes Abadin with Estrada Hinojosa, Financial Advisor for the Village, addressed the Council regarding financing for the Sanitary Sewer Project.

Armando Nunez, Public Works Director addressed the Council regarding the plantings on Crandon Boulevard.

The Manager also gave an update on the proposed Key Biscayne advisory radio station.

The Manager addressed the Council requesting direction to staff regarding a Request for Qualifications for a Recreation and Open Space Charrette.

It was the consensus of Council to amend Task 5 of the RFQ to reflect that "the Consultant will prepare a summary report to include the identification of specific actions to be ~~taken~~ considered....".

The Manager also addressed the Council giving a progress report on the proposed Sonesta Drive improvement project.

The Manager and Director Hofferberth addressed the Council regarding an enhancement to the Village Green by designating a small area for a Vita-Course on the north end of the Green.

Mark Fried, 525 Warren Lane, President of the Rotary Club of Key Biscayne addressed the Council expressing a desire of the Rotary Club to donate parallel bars and pull-up bars for this course.

December 4, 2007

It was the consensus of Council to direct staff to look into this project and report back to Council.

The Manager also addressed the Council regarding the Traffic Safety Camera Program.

Councilmember Davey made a motion to approve issuance of the RFP for the cameras/monitoring system to promote compliance with red light signals. The motion was seconded by Councilmember Liedman and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
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 9:45 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 15th day of January, 2008:

Robert L. Vernon
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.