

MINUTES

ZONING MEETING
KEY BISCAVNE, FLORIDA

TUESDAY, MARCH 16, 2010

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 Davey, Robert Gusman, Michael E. Kelly, Jorge E. Mendia, Thomas Thornton, Vice Mayor Enrique Garcia and Mayor Robert L. Vernon. Also present were Village Manager Genaro “Chip” Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Vernon led the Pledge of Allegiance.
3. **AGENDA:** Councilmember Kelly requested the addition of a discussion item regarding clarification of the role of the Youth Athletics Advisory Board as Item 7A2. There was no objection to the agenda change.
4. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the March 9, 2010 Regular Council Meeting. The motion was seconded by Vice Mayor Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

March 16, 2010

5. **ORDINANCES:** The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CREATING A LAND ACQUISITION COMMITTEE; ESTABLISHING A NEW COMMITTEE AND PROVIDING REQUIREMENTS FOR MEMBERSHIP AND JURISDICTION OF THE COMMITTEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Vernon made a motion to amend the ordinance by changing the composition of the Board to nine (9) members. The motion was seconded by Councilmember Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

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

The ordinance, as amended, was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

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

A CAPITAL PROJECT RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AWARDED CONSTRUCTION CONTRACT FOR REHABILITATION OF STORMWATER PUMP STATION OL-1 TO INTERCOUNTY ENGINEERING, INC. (THE "CONTRACTOR"); AUTHORIZING THE PROJECT AND EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

The Manager addressed the Council recommending that the Village Council award the construction contract for the Rehabilitation of Stormwater Pump Station Ocean Lane-1 to Intercounty Engineering, Inc.

Public Works Director Armando Nunez and Ramon Castella with C3TS addressed the Council.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Vice Mayor Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

March 16, 2010

The Clerk read the following resolution by title:

A CAPITAL PROJECT RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AWARING CONSTRUCTION CONTRACT FOR REHABILITATION OF DRAINAGE WELLS TO JAFFER WELL DRILLING, INC. (THE "CONTRACTOR"); AUTHORIZING THE PROJECT AND EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

The Manager addressed the Council recommending that the Village Council award the construction contract for the Rehabilitation of Drainage Wells to Jaffer Well Drilling.

Public Works Director Nunez and Ramon Castella with C3TS addressed the Council.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Vice Mayor Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, SELECTING CHOICE ENVIRONMENTAL SERVICES, INC. TO PROVIDE SOLID WASTE SERVICES TO THE VILLAGE; AUTHORIZING AND APPROVING AGREEMENT FOR COLLECTION, TRANSPORTATION, AND DISPOSAL OF SOLID WASTE BETWEEN THE VILLAGE OF KEY BISCAIYNE AND CHOICE ENVIRONMENTAL SERVICES, INC.; AUTHORIZING VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING IMPLEMENTATION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

The Manager addressed the Council recommending that the Council award the Solid Waste and Recycling Services to Choice Environmental Services, Inc.

Public Works Director Nunez and Jim Sage with Choice Environmental Services, Inc. addressed the Council.

Mr. Sage offered to amend the contract to include a cap on the fuel cost of 7% for the 5 year period of the contract.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Vice Mayor Garcia and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes. Councilmember Kelly voting No.

March 16, 2010

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, REVISING SERVICE FEES FOR THE COLLECTION OF SOLID WASTE AND THE PROVIDING OF RECYCLING SERVICES; AMENDING FEES AS PROVIDED BY RESOLUTION NO. 2009-5; REPEALING RESOLUTION NO. 2009-5; AND PROVIDING FOR EFFECTIVE DATE.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Vice Mayor Garcia.

The Manager addressed the Council recommending the adoption of the resolution which provides for an annual solid waste fee in the amount of \$475.00.

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

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting Yes.

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

Mayor and Councilmembers. Mayor Vernon addressed the Council regarding the appointment of members to the Land Acquisition Committee.

The Mayor, with consensus of Council, appointed the following residents to a two year term: Alan Fein, Steve Simon, Patricia Romano, Bill Thompson and Frank Caplan and the following residents to a one year term: Mary Jo Pinedo, Patricia Woodson Weinman, Marta Sacasa Torres and Jim Leavitt.

Councilmember Kelly addressed the Council regarding clarification of the role of the Youth Athletics Advisory Board. The Clerk provided to the Council the Section of the VKB Code dealing with this Board.

Youth Athletics Advisory Board Members Mayra Lindsay and Jackie Kellog and Parks and Recreation Director Todd Hofferberth addressed the Council.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

March 16, 2010

Village Manager. The Manager is seeking approval to move forward with the following FY10 Capital Improvements Projects: a.) Village Green North and South field lighting; b.) Village Green and Community Center pool lightning detectors and c.) Westwood Drive traffic calming.

Maria Fletcher, 204 Westwood Drive and Nelson Slosbergas, 699 Glenridge addressed the Council regarding Westwood Drive Traffic Calming Project.

Alicia M. Vereas-Feria, Project Manager with Tetra Tech addressed the Council.

It was the consensus of Council to direct staff to bring the Westwood Drive Traffic Calming Project and the lighting of the Village Green as action items on the April 13, 2010 Council Meeting.

It was also the consensus of Council to direct staff to look into different options for lightning detectors on the Village Green.

The Manager also addressed the Council regarding the progress of the implementation of the Golf Cart Plan.

The Manager and Fire Rescue Chief John C. Gilbert addressed the Council regarding the Fire Department 911 responses.

William J. Moncrief, 13575 S.W. 77th Avenue, Miami addressed the Council.

8. **OTHER BUSINESS/GENERAL DISCUSSION:** No further business was discussed.

9. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

10. **ADJOURNMENT:** The meeting was adjourned at 10:10 p.m.

Respectfully submitted:

Conchita H. Alvarez, MMC
Village Clerk

Approved this 13th day of April, 2010:

March 16, 2010

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.