MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, APRIL 11, 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, Vice Mayor Robert L. Vernon and Mayor Robert Oldakowski. Councilmember Patricia Weinman was absent. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney David M. Wolpin.

2. **INVOCATION:** Reverend Thomas Bruttell, St. Christopher's by the Sea gave an invocation.

3. **PLEDGE OF ALLEGIANCE:** Ms. Camille Guething led the Pledge of Allegiance.

4. **SPECIAL PRESENTATIONS:** There were no special presentations.

5. **PUBLIC COMMENTS:** The following resident addressed the Council: Camille Guething, 260 Seaview Drive.

6. **AGENDA:** Mayor Oldakowski requested to hear Item 10D2 before Item 9A; Councilmember Mendia requested an update on the commercial zone opening to Fernwood Road as Item 10A2 and also requested an update on the County section of Crandon Boulevard as Item 10D4; Vice Mayor Vernon requested the addition of an update regarding the Police Officers and Firefighters Retirement Plan as Item 10A2 and Councilmember Thornton requested the addition of an update regarding the Sanitary Sewer Project as Item 10D5. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the March 14, 2006 Regular Council Meeting. The motion was seconded by Councilmember Thornton and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

8. **ORDINANCES:** There were no ordinances on first reading considered by Council.

The Clerk read the following ordinance on second 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 second reading. The motion was seconded by Councilmember Thornton.

The Attorney 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 second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The Clerk read the following ordinance on second 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.

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

The Attorney addressed the Council regarding this ordinance.

> The Mayor opened the public hearing. Camille Guething, 260 Seaview Drive addressed the Council. 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 Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

At this time Item 10D2 was heard. The Manager and Randolph G. White, Finance Director addressed the Council regarding the hurricane expenses and the FEMA reimbursements during the 2005 Hurricane season. It was the consensus of Council to direct the Manager to contact the proper authorities in order to expedite the reimbursements.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING DESIGN WORK FOR IMPROVEMENT OF PLAYING FIELD WHICH IS UTILIZED BY THE VILLAGE AT THE KEY BISCAYNE COMMUNITY SCHOOL; AUTHORIZING DESIGN OF PLAYING FIELD IMPROVEMENTS; APPROVING WORK AUTHORIZATION BETWEEN THE VILLAGE AND POST BUCKLEY SCHUH AND JERNIGAN, INC., FOR DESIGN WORK ON PLAYING FIELD IMPROVEMENTS; PROVIDING FOR EFFECTIVE DATE.

Councilmember Garcia made a motion to approve the resolution. The motion was seconded by Councilmember Mendia.

The Manager, Paul Abbott, Consultant for the Village and Todd Hofferberth, Parks and Recreation Director addressed the Council regarding this resolution.

> The following persons addressed the Council: Raul de la Heria, 641 Glenridge Road; Luis de la Cruz, 640 Allendale Road; Catherine Rodriguez, Attorney representing some residents around the school; Maria Zayas-Bazan, 662 Glenridge Road; Elena Tapanes, Miami; Steve Simon, 335 Harbor Lane; Valeria Sisa, 662 Woodcrest Road and Ed Meyer, 100 Sunrise Drive.

There was extensive discussion from Council regarding this resolution.

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

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

Mayor and Councilmembers. Councilmember Mendia requested an update on the opening of the commercial zone to Fernwood Road.

Director of Building, Zoning and Planning Jud Kurlancheek addressed the Council regarding this issue. It was the consensus of Council to direct staff to bring at a future Council Meeting a plan and cost involved to accomplish this project.

Vice Mayor Vernon addressed the Council requesting an update on the Police Officers/Firefighters Pension Plan. Councilmember Liedman addressed the Council regarding the Plan.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk reported that as of 2:30 p.m. this afternoon the Miami-Dade Elections Department had received 1571 ballots and the Clerk's Office had received 110 ballots. The Clerk also reported that the ballot opening and processing of the ballots received in the Special Key Biscayne Mail Ballot Election will be conducted tomorrow, April 12, 2006 at 10:00 a.m. at the Miami-Dade County Elections Department. This process is opened to the public. The results of the election will be posted on the website, Channel 16 and in the Clerk's office as soon as they become available.

The Office of the Mayor issued the following proclamations during the month of April: proclaiming the week of April 23 to April 30, 2006 as Days of Remembrance; proclaiming the month of April as Fair Housing Month and Water Conservation Month.

Village Manager. Paul Abbott, Construction Manager for the Project addressed the Council giving an update on the Crandon Boulevard Master Plan.

Ramon Castella with 3CTS, Engineer for the project addressed the Council regarding the Crandon Boulevard Master Plan as it relates to the entrance to Key Colony.

The Manager addressed the Council proposing Tuesday, May 16, 2006 for the 2020 Vision Workshop at 7:00 p.m. in the Council Chamber. There was no objection to the proposed date and time.

Councilmember Mendia addressed the Council regarding the work currently going on the County part of Crandon Boulevard. Director Hofferberth addressed the Council regarding this issue. It was the consensus of Council to direct staff to draft a resolution requesting the Miami-Dade County Board of Commissioners to make the bike lanes on Crandon Boulevard consistent with the ones within the Village and bring it before the Council at the next meeting.

Vice Mayor Vernon also addressed the Council proposing that staff also draft a resolution to the Miami-Dade County Board of Commissioners expressing the need to eliminate all entrances to Crandon Park except for the most southern entrance to the park by the Quiet Gardens. There was no objection to the request.

Councilmember Thornton addressed the Council regarding the Proposed Sanitary Sewer Project. The Manager addressed the Council regarding this issue.

The Manager also addressed the Council regarding Calusa Park and the feasibility of having a skate park there.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** The Clerk reminded the Council and the public of the State of the Village Address/Volunteer Appreciation Day on Thursday, April 20, 2006 at 6:00 p.m. at the Key Biscayne Community Center.

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 9:40 p.m.

Respectfully submitted:

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Conchita H. Alvarez, CMC
Village Clerk

Approved this ___ day of _April_, 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.