MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, JANUARY 15, 2008

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, Enrique Garcia, Steve Liedman, Thomas Thornton, Patricia Weinman, Vice Mayor Jorge E. Mendia and Mayor Robert L. Vernon. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorneys David M. Wolpin and Chad Friedman.

2. **INVOCATION:** Reverend Jose Luis Hernando, Saint Agnes Catholic Church gave an invocation.

3. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.

4. **SPECIAL PRESENTATIONS:** Councilmember Davey requested the deferral of the presentation by Mr. Angel Martin, Chair of the Key Biscayne High School Initiative to the January 29, 2008 Zoning Meeting. There was no objection to the request.

At this time, the Manager requested to hear Item 4B later on the agenda. There was no objection to the request.

5. **PUBLIC COMMENTS:** The following residents addressed the Council: Bobby Abbe, 238 Seaview Drive; Kip Moss, 785 Crandon Boulevard and Charles Viscito, 141 Crandon Boulevard.

6. **AGENDA:** Councilmember Garcia requested the addition of a discussion regarding the whitefly pest that has invaded the Village as Item 10A2; Councilmember Davey requested the addition of a discussion regarding the proposed high school on Key Biscayne as Item 10A3 and the addition of a request to postpone the Goals and Objectives Workshop as Item 10A4. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Liedman made a motion to approve the minutes of the December 4, 2007 Regular Council Meeting. The motion was seconded by Councilmember Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, 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 BISCAYNE, FLORIDA, CONCERNING REVISION OF THE DATE OF VILLAGE MAYORAL PRIMARY ELECTIONS AND REVISION OF THE QUALIFYING PERIODS FOR MAYORAL CANDIDATES AND FOR COUNCIL CANDIDATES COMMENCING WITH THE 2008 ELECTION CYCLE; REVISING 2008 MAYORAL PRIMARY ELECTION DATE FROM OCTOBER 7, 2008 TO AUGUST 26, 2008, SO AS TO COINCIDE WITH THE COUNTYWIDE STATE PRIMARY ELECTION; REVISING DATE OF SUBSEQUENT MAYORAL PRIMARY ELECTIONS TO COINCIDE WITH THE STATE PRIMARY ELECTION; CREATING VILLAGE CODE SECTION 2-104 "MAYORAL PRIMARY ELECTION DATE REVISED", AND AMENDING VILLAGE CODE SECTION 2-101 "QUALIFYING PERIOD" TO REVISE THE QUALIFYING PERIODS FOR MAYORAL CANDIDATES AND FOR COUNCIL CANDIDATES AS A RESULT OF THE REVISED MAYORAL PRIMARY ELECTION DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

The Attorney addressed the Council recommending the adoption of this ordinance in order to comply with state law.

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

There was extensive discussion from Council regarding this ordinance.

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

The Clerk announced the second reading of this ordinance for February 12, 2008.

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 CREATING ARTICLE VI, "TURTLE NESTING PROTECTION" OF CHAPTER 8 "ENVIRONMENT" BY CREATING REGULATIONS RELATED TO THE PROTECTION OF NESTING TURTLES AND FOR THE ENFORCEMENT OF SUCH REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR EFFECTIVE DATE.

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

The Attorney, the Manager and Tim Blankenship with Coastal Systems International addressed the Council regarding this ordinance.

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

There was extensive discussion from Council regarding this ordinance.

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

The Clerk announced the second reading of this ordinance for March 4, 2008.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, 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.

Councilmember Davey made a motion to adopt the ordinance on second 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 Manager and Parks and Recreation Director Todd Hofferberth addressed the Council regarding this ordinance.

Vice Mayor Mendia made an amending motion to amend the ordinance by adding the following language to Section 2-220 (b): "by the Village Council". The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

At this time, Mr. Robert Pozo with ING Miami Marathon, reported that the 6th Annual ING Marathon will be held on January 27, 2008 through Miami Beach, Coconut Grove, Brickell Avenue and on parts of the Rickenbacker Causeway.

9. **RESOLUTIONS:** The Manager addressed the Council requesting deferral of Item 9A to a later date. There was no objection to the request.

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 POLICE/ ADMINISTRATIVE BUILDING, DECK AND TILE REPAIR WORK (THE "REPAIR PROJECT"); AUTHORIZING THE REPAIR PROJECT WORK; AUTHORIZING PAYMENT OF INVOICE FROM JAMES A. CUMMINGS FOR THE WORK; PROVIDING

FOR AN EFFECTIVE DATE.

The Manager and the Attorney addressed the Council recommending approval of the resolution authorizing the payment of $35,000 to James A. Cummings for the repair of the Village Hall Decks.

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

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, AUTHORIZING THE PURCHASE OF FIRST RESPONDER NIMS TRAINING: INCLUDING FUNDING FOR OVERTIME, COURSE INSTRUCTOR AND SUPPLIES FOR NIMS COMPLIANCE THROUGH ICS TRAINING; APPROVING INTERLOCAL AGREEMENT FOR JOINT COMPLETION OF AN URBAN AREAS SECURITY INITIATIVE PROGRAM (THE "AGREEMENT") BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE OF KEY BISCAYNE FOR THE PURPOSE OF CARRYING OUT FY 2006 URBAN AREAS SECURITY INITIATIVE PROGRAM OBJECTIVES; AUTHORIZING VILLAGE MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

The Manager addressed the Council recommending approval of the agreement between Miami-Dade County and the Village of Key Biscayne allowing for the purchase of equipment and training, not to exceed $86,046 provided by the Urban Areas Security Initiative as part of a Homeland Security Initiative.

Councilmember Weinman made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, 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 THE "AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN MIAMI-DADE COUNTY;" PROVIDING FOR THE AUTHORIZATION OF THE VILLAGE MANAGER TO ENTER INTO THIS AMENDED AND RESTATED INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The Manager and Village Attorney Chad Friedman addressed the Council recommending approval of this resolution.

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

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, 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, AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR THE FEDERAL DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM GRANT AVAILABLE THROUGH THE MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES TO APPLY FOR, RECEIVE, EXPEND GRANT FUNDS, EXECUTE AND AMEND AGREEMENTS RELATED TO THE GRANT; FOR THE PURPOSE OF CREATING A RECORD IMPROVEMENT PROGRAM.

The Manager addressed the Council recommending approval of the resolution that will allow the Police Department to receive this grant from the Federal Drug Control and System Improvement Program.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, 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 AGREEMENT FOR PROFESSIONAL SERVICES FIREWORKS DISPLAY BETWEEN FIREWORKS BY GRUCCI, INC., AND THE VILLAGE OF KEY BISCAYNE CONCERNING FIREWORKS DISPLAYS FOR JULY 4TH CELEBRATIONS OF THE VILLAGE; PROVIDING FOR AN EFFECTIVE DATE.

The Manager and Director Hofferberth addressed the Council recommending approval of the 5 year agreement with Fireworks by Grucci, Inc.

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

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

Mayor and Councilmembers. Councilmember Garcia addressed the Council proposing the adoption of a street sign replacement plan.

Director of Public Works Armando Nunez addressed the Council regarding street signs.

It was the consensus of Council to direct staff to obtain some cost estimates to replace the existing street signs and bring a proposal before the Council for their consideration.

Councilmember Garcia also addressed the Council regarding the whitefly pest that has invaded the Ficus trees within the Village causing the leaves to fall. Director Nunez addressed the Council reporting that the Village has started to treat the trees.

Councilmember Davey addressed the Council regarding the proposed high school on Key Biscayne. The Manager also addressed the Council regarding this initiative.

> Angel Martin, Chair of the Key Biscayne Community High School Initiative addressed the Council.

Councilmember Davey also addressed the Council proposing to defer the Goals and Objectives Workshop scheduled for January 22, 2008 to a later date. There was no objection to the request.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk submitted a copy of her office's 2007 Annual Report to the Council.

The Office of the Mayor issued the following proclamation during the month of January: proclaiming February 4, 2008 as "Congressman Sam Johnson Day".

Village Manager. The Manager addressed the Council proposing the creation of a five year Capital Improvement Plan.

It was the consensus of Council to direct staff to look into hiring a consultant that would help the Village on the creation of a five year CIP.

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 8:55 p.m.

Respectfully submitted:

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Conchita H. Alvarez, CMC
Village Clerk

Approved this 29th day of January, 2008:

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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.