MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, MARCH 4, 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 Attorney Stephen J. Helfman.

2. **INVOCATION:** Father Burt Froehlic, St. Christopher's by the Sea, gave an invocation.

3. **PLEDGE OF ALLEGIANCE:** Former Councilmember Mortimer Fried led the Pledge of Allegiance.

4. **SPECIAL PRESENTATIONS:** The Mayor, on behalf of the Council, presented a proclamation to the South Florida Water Management District designating the month of April as "Water Conservation Month". Mr. Joseph Jean-Baptiste accepted the proclamation on behalf of the South Florida Water Management District.

5. **PUBLIC COMMENTS:** The following residents addressed the Council: John Rosser, 300 Redwood Lane; Enrique Bahamon, 445 Allendale Road and Ron Oprzadek, 200 Crandon Boulevard.

6. **AGENDA:** The Mayor requested the addition of the appointment of a member of the Village Council as liaison to the Youth Athletics Advisory Board as Item 10A1; Councilmember Weinman requested the addition of an update on the consultant process for the proposed Charter School as Item 10A2 and also requested the addition of a discussion regarding Green Initiative as Item 10A3. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the February 26, 2008 Regular Council Meeting. 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.

8. **ORDINANCES:** The Clerk read the following ordinance, on second 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 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 Attorney and the Clerk addressed the Council regarding this ordinance.

The ordinance 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.

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 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.

The Manager addressed the Council requesting to continue this hearing to the March 25, 2008 Zoning Meeting.

Councilmember Davey made a motion to continue this hearing to the March 25, 2008 Zoning Meeting. The motion was seconded by Councilmember Thornton 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.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, DIRECTING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO TAKE ALL STEPS NECESSARY TO PRESENT TO THE VILLAGE ELECTORS A CHARTER AMENDMENT RESTORING IN THE VILLAGE COUNCIL THE AUTHORITY TO CHANGE THE VILLAGE LAND DEVELOPMENT REGULATIONS (ZONING CODE) EXCEPT IN THE HOTEL RESORT (HR) DISTRICT WITHOUT A VILLAGE WIDE ELECTION; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

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

> Amy Huber with Shubin & Bass, Miami; Mike Kelly, 395 Gulf Road; Ed Sanchez, 260 Cypress Drive; Saskia Touret, 230 Harbor Drive; Max Puyanic, 480 S. Mashta Drive; Mortimer Fried, 291 Harbor Court; Michele Estevez-Hayes, 800 Crandon Boulevard; Ray Sullivan, 625 Harbor Circle and Raul Llorente, 345 Cypress Drive addressed the Council.

The Attorney also addressed the Council regarding this resolution.

There was extensive discussion from Council regarding this issue.

The resolution was 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 FURTHER PROCUREMENT OF ENGINEERING SERVICES FOR THE VILLAGE OF KEY BISCAYNE, FROM THE FIRM OF COASTAL SYSTEMS INTERNATIONAL, INC.; PROVIDING FOR APPROVAL OF WORK AUTHORIZATION CONCERNING ENGINEERING AND TECHNICAL ASSISTANCE ON MARINE TURTLE PROTECTION ORDINANCE, AS AMENDMENT OF EXISTING CONTRACT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

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

The Manager addressed the Council regarding this resolution.

The resolution was 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. The Mayor appointed, with consensus of Council, Councilmember Davey to serve as ex-officio, non voting member to the Youth Athletics Advisory Board.

Councilmember Weinman requested an update on the consultant process for the proposed Charter School. The Manager addressed the Council reporting on the progress of this process.

Councilmember Weinman also addressed the Council regarding the Green Expo that took place on the Village Green last Friday and proposed to the Council to consider appointing a green initiative committee.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager did not submit a report.

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 8:25 p.m.

Respectfully submitted:

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Conchita H. Alvarez, CMC
Village Clerk

Approved this 25th day of March, 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.