

MINUTES

VILLAGE COUNCIL MEETING  
KEY BISCAWAYNE, FLORIDA

TUESDAY, JUNE 9, 2009

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:10 p.m. Present were Councilmembers Robert Gusman, Jorge E. Mendia, Thomas Thornton, Vice Mayor Michael W. Davey and Mayor Robert L. Vernon. Councilmembers Enrique Garcia and Michael E. Kelly were absent. Also present were Village Manager Genaro “Chip” Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.

2. **INVOCATION:** Rabbi Yoel Caroline, Chabad of Key Biscayne gave an invocation.

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

4. **SPECIAL PRESENTATIONS:** Former Village Manager Jacqueline Menendez addressed the Council introducing Dean Roni Avissar with the Rosenstiel School, University of Miami. Dr. Avissar addressed the Council.

Chief of Fire Rescue John C. Gilbert, Chief of Police Charles Press, Public Works Director Armando Nunez and Building, Zoning and Planning Director Jud Kurlancheek addressed the Council regarding hurricane preparedness. Hurricane preparedness information is available on the Village’s website [www.keybiscayne.fl.gov](http://www.keybiscayne.fl.gov).

5. **PUBLIC COMMENTS:** The following resident addressed the Council: Tim Stickney, 285 Woodcrest Road.

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6. **AGENDA:** The Manager requested the addition of a brief report on the Beach Park Entry System as Item 10D4. There was no objection to the agenda change.

7. **APPROVAL OF MINUTES:** Vice Mayor Davey made a motion to approve the minutes of the May 26, 2009 Zoning Meeting. The motion was seconded by Councilmember Mendia and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton, Vice Mayor Davey 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 THE VILLAGE'S WASTEWATER PROJECT; RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE CONSTRUCTION LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCE; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**

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

The Manager addressed the Council recommending the adoption of the ordinance which authorizes the execution of a State Revolving Fund Loan Agreement for the Sanitary Sewer Project.

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 5-0 roll call vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

The Clerk announced the second reading for June 23, 2009.

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

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER II, "ADMINISTRATION" OF THE CODE OF KEY BISCAYNE, FLORIDA CREATING NEW ARTICLE XIX, "K-8 EDUCATION ADVISORY BOARD"; ESTABLISHING A NEW BOARD AND PROVIDING REQUIREMENTS FOR MEMBERSHIP AND JURISDICTION OF THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

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The second reading of this ordinance is being continued from the May 26, 2009 Zoning Meeting.

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

The Manager 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 5-0 roll call vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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

**A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA ACCEPTING THE TEN YEAR WATER SUPPLY FACILITIES WORK PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Manager and the Attorney addressed the Council recommending the approval of this resolution accepting the Ten Year Water Supply Facilities Work Plan.

Vice Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Gusman and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton, Vice Mayor Davey 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, FLORIDA, CONCERNING PURCHASE OF TRAINING EQUIPMENT FOR THE VILLAGE OF KEY BISCAYNE POLICE DEPARTMENT; AUTHORIZING VILLAGE MANAGER TO COMPLETE PURCHASE OF TRAINING EQUIPMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

The Manager addressed the Council recommending approval of this resolution which will allow for the purchase of replacement equipment for the gymnasium located within the Police Department.

Vice Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Gusman and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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The Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A MAINTENANCE AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAYNE AND CANON BUSINESS SOLUTIONS CONCERNING COPIER EQUIPMENT AND MAINTENANCE SERVICES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

The Manager addressed the Council recommending approval of the resolution which will authorize a lease agreement with Canon Business Solutions to replace the existing copiers located within each department.

Vice Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Thornton and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Gusman, Mendia, Thornton, Vice Mayor Davey 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, FLORIDA, APPROVING PURCHASE AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAYNE AND SHADE SYSTEMS, INC. CONCERNING PURCHASE OF A SHADE STRUCTURE FOR THE VILLAGE GREEN PLAYGROUND; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.**

The Manager and Parks and Recreation Director Todd Hofferberth addressed the Council recommending approval of this resolution which authorizes the purchase and installation of a sail shade system for the Village Green Playground.

Vice Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Thornton and approved by a 4-1 voice vote. The vote was as follows: Councilmembers Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes. Councilmember Gusman voting No.

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

Mayor and Councilmembers. The Mayor and Councilmembers did not submit a report.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

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Village Manager. The Manager addressed the Council regarding the Water and Sewer Project.

Lourdes Abadin with Estrada Hinojosa addressed the Council giving a summary of the grants obtained by the Village of Key Biscayne for the Sanitary Sewer Project.

Ramon Castella with C3TS gave an update on the construction of the Water and Sewer Project.

The Manager also addressed the Council with a follow up on the direction from Council on the possible purchase of the Sonesta property reporting that at this time the owners of the Sonesta property prefer not to entertain any ideas regarding the sale of this property.

The Manager addressed the Council regarding Seraphic Fire, a chamber choir organization. This choir will perform a concert series starting in October at St. Christopher's by the Sea.

The Manager and Director Hofferberth addressed the Council regarding the implementation of the Beach Park Access Card system. Cards will be available at the Community Center Front Desk between the hours of 8:00 a.m. to 8:00 p.m. any day of the week with the proper proof of residency. The new system will be effective starting on June 26, 2009.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** At this time Mayor Vernon addressed the Council and the public regarding the Virginia Key Master Plan urging the residents to get involved and to contact City of Miami officials to express their concerns regarding the Plan.

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 8:45 p.m.

*Respectfully submitted:*

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*Conchita H. Alvarez, MMC*  
*Village Clerk*

*Approved this 23rd day of June, 2009:*

June 9, 2009

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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.***