

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAZYNE, FLORIDA

TUESDAY, APRIL 13, 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 Stephen J. Helfman.
2. **INVOCATION:** Reverend Bud Schroeder, Key Biscayne Community Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mayor Vernon led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** The U13 Boys soccer team that won the state championship on Sunday presented their trophy to the Mayor and Members of the Village Council. The Team is currently ranked #6 in the State and will be going to the National Championship in Oklahoma in June.

The Mayor, on behalf of the Council, congratulated the team and wished them success in the National Championship.

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The Mayor presented two proclamations to representatives of the South Florida Water Management District: one proclaiming April as Water Conservation Month and the other proclaiming the week of May 10-16, 2010 as Water Reuse Week.

Mr. Ed Hernandez, Miami-Dade Service Director with the South Florida Water Management District accepted the Proclamations.

Patricia A. Kopco, P.A., Judicial Candidate was unable to attend the meeting.

5. **PUBLIC COMMENTS:** The following resident addressed the Council: Ed Meyer, 798 Crandon Boulevard.

6. **AGENDA:** Councilmember Davey requested the addition of a presentation by the Youth Council regarding the International Fair as Item 10A3, also requested the addition of a discussion regarding the Miami-Dade County Property Appraiser's process as Item 10A4 and also requested the addition of a discussion regarding the ZORC as Item 10A5. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the March 16, 2010 Zoning 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.

Councilmember Kelly made a motion to approve the minutes of the April 7, 2010 ZORC Workshop. 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.

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

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING AN ALTERNATIVE SITE FOR THE PUBLIC WORKS YARD CURRENTLY LOCATED AT 530 CRANDON BOULEVARD; DIRECTING AND AUTHORIZING THE VILLAGE MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO RELOCATE THE PUBLIC WORKS YARD TO THIS ALTERNATIVE SITE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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The Manager addressed the Council recommending that the Council direct staff to negotiate a lease for the utilization of the area behind La Carreta for its temporary Public Works yard until a permanent location is identified. Additionally, that the Professional Services proposal from AECOM to evaluate the possibility of a permanent facility on Village Green Way and/or Village Hall lot be authorized.

Mario Garcia-Serra, Attorney representing the owners of 580 Crandon Boulevard; Charles Viscito, 141 Crandon Boulevard and Wilfredo Borroto, Architect for 580 Crandon Boulevard addressed the Council.

Public Works Director Armando Nunez addressed the Council regarding the area behind La Carreta.

It was the consensus of Council to direct staff to look into the cost to maintain that area dry and bring that cost before the Council at the next meeting.

Councilmember Mendia made a motion to authorize the Manager to negotiate a lease for utilization of the area behind La Carreta. The motion was seconded by Councilmember Thornton 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 CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING THE PURCHASE AND INSTALLATION OF LIGHTING EQUIPMENT FOR VILLAGE GREEN SOUTH; AUTHORIZING THE PURCHASE AND INSTALLATION OF LIGHTING EQUIPMENT; AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE AND MUSCO SPORTS LIGHTING, LLC FOR SUPPLYING AND INSTALLING LIGHTING EQUIPMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN 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 that they consider authorizing the purchase and installation of lighting improvements for the areas located on the Village Green North and South.

Jose Lopez, 161 Crandon Boulevard; Bruno Sardenberg, 200 Sunrise Drive; Jackie Kellogg, 115 Sunrise Drive; Jorge San Miguel, 127 East Enid Drive; Fausta Labarrere,

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414 Fernwood Road; John Lombardi, 341 Island Drive; Charles Viscito, 141 Crandon Boulevard; Ginny Valls, 325 Fernwood Road and Fernando Garcia-Morillo, 220 Greenwood Drive addressed the Council.

The resolution was approved by a 5-2 voice vote. The vote was as follows: Councilmembers Davey, Kelly, Mendia, Thornton and Vice Mayor Garcia voting Yes. Councilmember Gusman and Mayor Vernon voting No.

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 THE PURCHASE AND INSTALLATION OF LIGHTING EQUIPMENT FOR VILLAGE GREEN NORTH; AUTHORIZING THE PURCHASE AND INSTALLATION OF LIGHTING EQUIPMENT; AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE AND MUSCO SPORTS LIGHTING, LLC FOR SUPPLYING AND INSTALLING LIGHTING EQUIPMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Parks and Recreation Director Todd Hofferberth addressed the Council regarding the different sports that use the Village Green.

Jackie Kellogg, 115 Sunrise Drive; Charles Viscito, 141 Crandon Boulevard; John Lombardi, 341 Island Drive and Fausta Labarrere, 414 Fernwood Road addressed the Council.

The resolution failed by a 1-6 roll call vote. The vote was as follows: Councilmember Kelly voting Yes. Councilmembers Davey, Gusman, Mendia, Thornton, Vice Mayor Garcia and Mayor Vernon voting No.

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

Mayor and Councilmembers. Councilmember Davey requested to hear Item 10A3 before Item 10A1. There was no objection to the agenda change.

Winnie Pritchett, Youth Council Member made a presentation to the Council regarding the upcoming International Fair on the Village Green on Saturday, April 17th from 4:00 p.m. to 9:00 p.m.

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Councilmember Kelly addressed the Council regarding his proposal for a Key Biscayne Economic Stimulus Program. The proposal would be to take some of the Village's resources and putting them back into the community to stimulate business and help residents. Councilmember Kelly stressed that the concept is not a tax rebate, and it is not a bailout where the community would borrow money to prop up struggling businesses. The gift cards will be an economic stimulus apparatus and the money that would be used is already stocked away in the Village coffers. At this time Councilmember Kelly will not pursue this proposal.

Mortimer Fried, 291 Harbour Court and Michele Estevez, 798 Crandon Boulevard addressed the Council.

Councilmember Kelly also addressed the Council regarding emergency causeway transportation.

Chief of Fire Rescue John C. Gilbert and the Manager addressed the Council regarding this issue.

Councilmember Davey addressed the Council regarding the process used by the Miami-Dade County Property Appraiser to assess property on the Key proposing that a representative from the Appraiser's office come before Council at a future meeting for a presentation.

Councilmember Davey also addressed the Council regarding the next step for the ZORC proposals. It was the consensus of Council to direct staff to prepare an executive summary of the ZORC proposals indicating which changes need to go to the voters and which changes can be made by Council action.

Building, Zoning and Planning Director Jud Kurlancheek addressed the Council.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager and Chief Gilbert addressed the Council recommending the approval to purchase two (2) Medtronic Physio-Control LIFEPAK 15 units by the Fire Rescue Department. The purchase of this medical equipment is to replace heart monitor/defibrillators purchased over seven and one half years ago and carried on the Department's Rescue Units.

Vice Mayor Garcia made a motion to authorize the purchase of two Medtronic Physio-Control LIFEPAK 15 units. 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.

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The Manager and Director Hofferberth addressed the Council reporting that staff investigated the installation of a lightning protection or detection system for the Community Center pool and Village Green. Three firms were contacted who are currently providing this service.

Mr. Randy Smith, with Weather Bug addressed the Council regarding their system. The Manager is recommending that the Council consider authorizing the purchase and installation of a lightning detection or warning system.

The Manager also addressed the Council regarding the Request for Qualifications to obtain consultant services for the design of a passive park at 530 Crandon Boulevard.

The Manager is requesting that the Council review the RFQ for their consideration.

The Manager addressed the Council regarding the proposed West Wood Drive traffic calming. The Manager is recommending that the Council approve the following option as recommended by Tetra Tech Engineering and Architecture Services. This option satisfies the safety and traffic calming criteria, enhances neighborhood improvements and is the most cost effective. This option illustrates the following: a speed table between Curtiswood Road and Allendale Road; a speed table between Warren Road and Hampton Lane; a traffic circle at Ridgewood Road and a decorative circle at Fernwood Road.

Alicia M. Vereas-Feria, Project Manager with Tetra Tech and Public Works Director Armando Nunez addressed the Council.

Councilmember Davey made a motion to approve the a modified option 2 for West Wood traffic calming project eliminating the decorative circle at Fernwood Road and instead use pavers with a landscape enhanced four way stop. 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.

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 10:40 p.m.

Respectfully submitted:

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Conchita H. Alvarez, MMC
Village Clerk

Approved this 27th day of April, 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.