

MINUTES

ZONING MEETING
KEY BISCAWAYNE, FLORIDA

TUESDAY, MAY 22, 2007

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, Vice Mayor Jorge E. Mendia and Mayor Robert L. Vernon. Councilmember Patricia Weinman was absent. Also present were Acting Village Manager Jud Kurlancheek and Village Attorney Stephen P. Helfman.
2. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.
3. **AGENDA:** Acting Manager Kurlancheek requested the deferral of Item 6A to the June 5th Council Meeting; Councilmember Davey requested to remove Item 4A from the consent agenda and Vice Mayor Mendia requested a discussion regarding the referendum on June 12th as Item 7A. There was no objection to the agenda changes.

At this time State Representative Luis Garcia, District 107, addressed the Council.

The following item was removed from the consent agenda: the minutes of the May 15, 2007 Regular Council Meeting.

Councilmember Davey brought to the attention of the Council a scrivener's error on the recorded vote for parallel parking on Harbor Drive on page 6 of the minutes.

Councilmember Garcia made a motion to approve the minutes of the May 15, 2007 Regular Council Meeting as amended. The motion was seconded by Councilmember Thornton and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Thornton, Vice Mayor Mendia and Mayor Vernon voting Yes.

4. **CONSENT AGENDA:** Councilmember Garcia made a motion to approve the following consent agenda. The motion was seconded by Councilmember Liedman and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Thornton, Vice Mayor Mendia and Mayor Vernon voting Yes.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING INTERLOCAL AGREEMENT BETWEEN MIAMI -DADE COUNTY AND THE VILLAGE FOR DISTRIBUTION, USE AND REPORTING OF CHARTER COUNTY TRANSIT SYSTEM SURTAX PROCEEDS LEVIED BY MIAMI -DADE COUNTY; AUTHORIZING EXECUTION AND IMPLEMENTATION OF THE AGREEMENT; PROVIDING FOR EFFECTIVE DATE.

The Attorney read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, DECLARING AS SURPLUS A CERTAIN MOTOR VEHICLE OF THE VILLAGE OF KEY BISCAYNE, AND AUTHORIZING THE VILLAGE MANAGER TO PROVIDE FOR THE SALE OR DISPOSITION OF SUCH SURPLUS PROPERTY; PROVIDING FOR EFFECTIVE DATE.

Vice Mayor Mendia made a motion to approve the resolution. The motion was seconded by Mayor Vernon and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Thornton, Vice Mayor Mendia and Mayor Vernon voting Yes.

5. **ORDINANCES:** The Attorney read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 2 OF THE VILLAGE CODE, "ADMINISTRATION," ARTICLE III, "CODE ENFORCEMENT," TO PROVIDE FOR A BOARD OF SPECIAL MAGISTRATES IN LIEU OF INDIVIDUAL SPECIAL MAGISTRATES, TO DELETE THE REQUIREMENT THAT THE CODE ENFORCEMENT OFFICER SUBMIT A WRITTEN REQUEST FOR A HEARING, AND TO PROVIDE THAT THE BUILDING, ZONING, AND PLANNING DEPARTMENT SHALL PROVIDE CLERICAL AND ADMINISTRATIVE PERSONNEL TO THE BOARD; REVISING THE VILLAGE'S ALTERNATE CODE ENFORCEMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; PROVIDING FOR EFFECTIVE DATE.

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

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

The second reading of this ordinance will be on June 5, 2007.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 25 -6 " ADDITIONAL HOMESTEAD EXEMPTION FOR SENIOR CITIZENS " OF ARTICLE I, "IN GENERAL", OF CHAPTER 25 "TAXATION" TO PROVIDE FOR AN INCREASE IN THE AMOUNT OF THE HOMESTEAD EXEMPTION FOR LOW-INCOME SENIORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR DELIVERY TO THE PROPERTY APPRAISER AND 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 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 Davey, Garcia, Liedman, Thornton, Vice Mayor Mendia and Mayor Vernon voting Yes.

6. **RESOLUTIONS:** The Attorney read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING STREET LIGHTING FOR GRAPETREE DRIVE (THE "PROJECT"); AUTHORIZING THE PROJECT; AUTHORIZING AGREEMENT BETWEEN THE VILLAGE AND FPL FOR DESIGNING, SUPPLYING AND INSTALLING STREET LIGHTING EQUIPMENT; PROVIDING FOR AN EFFECTIVE DATE.

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

Public Works Director Armando Nunez addressed the Council regarding this resolution.

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

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

Mayor and Councilmembers. Vice Mayor Mendia addressed the Council regarding the June 12th referendum and its effect to this Village, if it passes.

The Attorney addressed the Council regarding the Comprehensive Master Plan as it relates to the upcoming referendum on June 12, 2007.

The following resident addressed the Council: Mike Kelly, 395 Gulf Road.

There was extensive discussion from Council regarding the upcoming referendum.

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.

8. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

9. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

10. **ADJOURNMENT:** The meeting was adjourned at 8:05 p.m.

Respectfully submitted:

*Conchita H. Alvarez, CMC
Village Clerk*

Approved this 5th day of June, 2007:

*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.