

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAZYNE, FLORIDA

TUESDAY, JUNE 8, 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 Michael Davey, Michael E. Kelly, Robert Gusman, 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 Chad Friedman.
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:** Mr. Pedro J. Garcia, Miami-Dade County Property Appraiser and Marcus Saiz, Deputy Property Appraiser addressed the Council regarding the estimate of taxable value for Key Biscayne.

Judicial Candidate Robert Kuntz addressed the Council introducing himself as a candidate for Circuit Court Judge in Miami-Dade County.

Candidate for State Representative Tony Japour also introduced himself to the Village Council.

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The Mayor, on behalf of the Village Council, presented a Certificate of Appreciation to Ms. Teri Scott for her generous contribution to Channel 77.

5. **PUBLIC COMMENTS:** There were no speakers present.

6. **AGENDA:** Councilmember Davey requested the addition of a discussion regarding clarification of the role of the Land Acquisition Committee as Item 10A7 and Councilmember Mendia requested the addition of a discussion regarding the Greeven home as Item 10A8. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the May 11, 2010 Regular Council 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.

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, APPROVING THE RECREATIONAL MANAGEMENT SERVICES AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAYNE AND KEY BISCAYNE SOCCER CLUB, INC., FOR THE ADMINISTRATION OF A YOUTH SOCCER PROGRAM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Kelly.

The Manager and Parks and Recreation Director Todd Hofferberth addressed the Council recommending approval of the agreement between the Village of Key Biscayne and Key Biscayne Soccer Club, Inc.

Jose Lopez, 330 West Enid Drive addressed the Council.

The resolution was 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 Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND GALLERIA OF KEY BISCAYNE INC. PERMITTING GOLF CART AND PEDESTRIAN ACCESS AND IMPROVEMENTS FOR A PORTION OF THE PROPERTY LOCATED AT 328 CRANDON BOULEVARD (GALLERIA SHOPPING CENTER); 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 and Building, Zoning and Planning Director Jud Kurlancheek addressed the Council recommending approval of the resolution which approves a revised Access Agreement with the owner of the Galleria Shopping Center. The Access Agreement provides for the construction of a golf cart pathway from Fernwood Road to the parking lot at the rear of the shopping center.

The resolution was 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 RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING AND APPROVING A PROPOSAL AND CONTRACT WITH SUNSET SOD, INC. FOR THE PURCHASE AND INSTALLATION OF SOD FOR VILLAGE FIELDS; PROVIDING FOR EXEMPTION FROM COMPETITIVE BIDDING AND WAIVER OF COMPETITIVE BIDDING; 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 and Director Hofferberth addressed the Council recommending approval of the resolution which approves agreement with Sunset Sod, Inc. for Village fields.

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

Mayor and Councilmembers. Councilmember Mendia addressed the Council regarding canals, docks and D-5 triangles.

Alvin Lindsay, Attorney representing the owners at 10 Harbor Point; Bibi Villazon with Trident Environmental Consultants, Inc., Miami; Jim Taintor, 355 Harbor Drive; Amy Huber, Attorney representing the owners at 6 Harbor Point and Jameela Blumberg, 10 Harbor Point addressed the Council.

There was extensive discussion from Council regarding this issue. The Attorney and the Manager also addressed the Council regarding this issue.

Vice Mayor Garcia requested a report on Red Light Cameras. The Manager addressed the Council giving an update on the proposed Red Light Cameras.

Councilmember Kelly addressed the Council regarding street signs. It was the consensus of Council to direct staff to bring before Council some proposals for street signs throughout the Village.

Mayor Vernon addressed the Council regarding the transportation provided by the Village for seniors. Director Hofferberth addressed the Council regarding the schedule for this service. It was the consensus of Council to direct staff to look into the cost of adding one or two days to the service.

Councilmember Kelly requested an update on Consultatio hotel negotiations. The Manager addressed the Council regarding these negotiations.

Marcos Corti, 600 Grapetree Drive addressed the Council.

Councilmember Gusman addressed the Council regarding commercial buildings and paint regulations. Director Kurlancheek addressed the Council regarding the process to implement these regulations if this is the wish of the Council.

Councilmember Davey addressed the Council regarding the role of the Land Acquisition Committee.

Councilmember Mendia addressed the Council regarding a request from the Key Biscayne Historical Society regarding the possible preservation of the Greeven home.

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It was the consensus of Council to direct staff to work with the Historical Society in order to find out the cost of moving or preserving the Greeven house.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Office of the Mayor issued the following proclamations during the month of May: proclaimed the week of May 22-28, 2010 as “National Safe Boating Week”; proclaimed the week of August 16-20, 2010 as “Florida Water Professionals Week” and proclaimed June 4, 2010 as “Sheila T. Cruse Day”.

Village Manager. The Manager addressed the Council regarding the proposed agronomic treatment schedule of the fields at Crandon Park by TRUGREEN for a total cost of \$8,400 per year.

Councilmember Davey made a motion to authorize the agronomic treatment schedule of the fields at Crandon Park by TRUGREEN for a total cost of \$8,400 per year. 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.

The Manager also requested the approval of an extension under the same terms, of three months, from June 1 to the current agreement between the Village and Estrada Hinojosa & Company Inc. for the purposes of continuing the reimbursement by outside agencies of water and sewer project costs.

Vice Mayor Garcia made a motion to extend the agreement with Estrada Hinojosa & Company Inc. for three (3) months, from June 1, 2010. The motion was seconded by Councilmember Davey.

Councilmember Gusman made an amending motion to extend the agreement for one year. 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.

The Manager addressed the Council regarding the proposed Village Green Tot Lot Barrier requesting authorization to bid this project.

Councilmember Mendia made a motion to authorize the Manager to bid the proposed tot lot barrier project Option 1. The motion was seconded by Councilmember Kelly 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 addressed the Council regarding special event use of Village owned property by non-profit organizations. The Manager is requesting policy direction from the Council to determine if additional non-profit organizations may be permitted to use public land for fundraising activities.

It was the consensus of Council to direct staff to bring different options for Council review to a future Council meeting.

The Manager addressed the Council recommending that the Council review the Executive Summary which identifies the changes that the ZORC recommended to the Zoning and Land Development Regulations which require a referendum.

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 10:25 p.m.

Respectfully submitted:

*Conchita H. Alvarez, MMC
Village Clerk*

Approved this 22nd day of June, 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.

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