

MINUTES

ZONING MEETING
KEY BISCAWAYNE, FLORIDA

TUESDAY, JUNE 23, 2009

COUNCIL CHAMBER
560 CRANDON BOULEVARD

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

Due to the absence of the Mayor and Vice Mayor, Councilmember Garcia made a motion appointing Councilmember Mendia as the Mayor Pro Tem. The motion was seconded by Councilmember Gusman and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia and Thornton voting Yes.

2. **SPECIAL PRESENTATIONS:** Representative Luis Garcia and Fausto Gomez with Gomez Barker and Associates addressed the Council with an update on the Florida Legislation.

3. **AGENDA:** Councilmember Gusman requested the addition of a discussion regarding mosquito control as Item 7A1 and the Manager requested the addition of a report regarding his recent trip to Tallahassee as Item 7D1. There was no objection to the agenda changes.

June 23, 2009

4. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the June 9, 2009 Regular Council Meeting. The motion was seconded by Councilmember Thornton and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Thornton and Mayor Pro Tem Mendia voting Yes.

5. **ORDINANCES:** There were no ordinances on first reading, considered by Council.

The Clerk read the following ordinance on second 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.

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.

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

The Mayor Pro Tem opened the public hearing. There were no speakers present. The Mayor Pro Tem closed the public hearing.

Lourdes Abadin with Estrada Hinojosa addressed the Council regarding the funding for the Sanitary Sewer Project.

The ordinance was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Thornton, Mayor Pro Tem Mendia and Mayor Vernon (by phone) voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 6, "BUILDING AND BUILDING REGULATIONS," OF THE VILLAGE CODE BY ADDING SECTION 6-4, "NON-RESIDENTIAL TRASH CONTAINERS" PROVIDING FOR NON-CONFORMITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE AND PROVIDING FOR AN EFFECTIVE

DATE.

The Attorney and the Manager addressed the Council recommending the approval of this ordinance.

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

Councilmember Garcia made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Gusman.

The Mayor Pro Tem opened the public hearing. There were no speakers present. The Mayor Pro Tem closed the public hearing.

The ordinance was adopted on second reading by a 5-0 roll call vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Thornton and Mayor Pro Tem Mendia voting Yes.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE TO JOIN WITH THE CITY OF WESTON AND OTHER FLORIDA MUNICIPALITIES IN A LEGAL CHALLENGE TO SENATE BILL 360; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

The Attorney addressed the Council regarding this resolution.

Councilmember Garcia 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 Garcia, Gusman, Kelly, Thornton and Mayor Pro Tem Mendia voting Yes.

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

Mayor and Councilmembers. Councilmember Gusman addressed the Council regarding mosquito control.

The Manager and Public Works Director Armando Nunez gave an update regarding mosquito control urging residents to call 311 and complaint about the mosquitos in order to receive faster service from Miami-Dade County.

Village Attorney. The Attorney did not submit a report.

June 23, 2009

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager reported on his recent trip to Tallahassee to address the Village's Seagrass Mitigation and Beach Renourishment Project.

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 8:26 p.m.

Respectfully submitted:

Conchita H. Alvarez, MMC
Village Clerk

Approved this 7th day of July, 2009:

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.