

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAVNE, FLORIDA

TUESDAY, JUNE 24, 2003

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 Martha F. Broucek, Carol Diaz-Castro, Mortimer Fried, James L. Peters, Robert L. Vernon, Vice Mayor Jorge Mendia and Mayor Robert Oldakowski. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorneys Gary Resnick and Stephen P. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Mr. Steve Olmore led the Pledge of Allegiance.
3. **AGENDA:** Councilmember Broucek requested the addition of a discussion regarding Adelphia Cable rates for condominiums as Item 7A2 and Councilmember Diaz-Castro requested the addition of a discussion regarding the handicap rail at the Police Department as Item 7D6 and the addition of a status report regarding the dewatering at the construction site of the Community Center as Item 7D7. There was no objection to the agenda changes.
4. **CONSENT AGENDA:** Councilmember Fried made a motion to approve the following consent agenda. The motion was seconded by Councilmember Peters and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The minutes of the June 10, 2003 Regular Council Meeting.

A RESOLUTION OF THE VILLAGE OF KEY BISCAVNE, FLORIDA; AUTHORIZING

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THE VILLAGE MANAGER TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAYNE AND MIAMI-DADE COUNTY FOR DISTRIBUTION OF CHARTER COUNTY TRANSIT SYSTEM SURTAX PROCEEDS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE ATTACHED AGREEMENT ON BEHALF OF THE VILLAGE WITH BMB TRANSPORTATION TO EXTEND THE TRANSPORTATION PROGRAM FOR SENIOR RESIDENTS OF KEY BISCAYNE, PROVIDING FOR AN EFFECTIVE DATE.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO PURCHASE A NEW VEHICLE FOR THE RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE VILLAGE CODE, AMENDING CHAPTER 2 "ADMINISTRATION" AT ARTICLE I "IN GENERAL", BY AMENDING PARAGRAPH (a) "CREATED" OF SECTION 2-1 "CREATION OF DEPARTMENTS", BY REVISING THE DESCRIPTION OF THE "EMERGENCY SERVICES DEPARTMENT" TO BE THE "PUBLIC SAFETY DEPARTMENT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Broucek made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Fried.

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 first reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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

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AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" OF THE VILLAGE CODE BY CREATING A NEW ARTICLE VIII "COMMUNITY CENTER ADVISORY BOARD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager and the Attorney addressed the Council regarding this ordinance.

Councilmember Peters made an amending motion to add a marketing experience category to paragraph 2(b)(2). The motion was seconded by Vice Mayor Mendia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The Mayor opened the public hearing. Mabel Miller, 210 Seaview Drive addressed the Council. The Mayor closed the public hearing.

There was extensive discussion from Council regarding this ordinance. The Council made some recommendations to the Attorney regarding the qualifications to become a member, term limits, scope of work and removal provisions. The Attorney will reflect these recommendations when the ordinance comes before the Council on second reading.

The ordinance, as amended, was adopted on first reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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

A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; REQUESTING THAT THE MIAMI-DADE SCHOOL BOARD CONSTRUCT A METAL PICKET FENCE AROUND THE PERIMETER OF THE COMMUNITY SCHOOL; THAT THE METAL PICKET FENCE BE SETBACK FIVE (5) FT. FROM THE CURRENT LOCATION OF THE CHAIN LINK FENCE AT GLENRIDGE ROAD AND WEST ENID DRIVE; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Diaz-Castro.

The Manager addressed the Council regarding this resolution.

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Victor Alonso, Miami-Dade County Schools, Office of Capital Projects; Dr. Ana Rasco, Principal, Key Biscayne Community School and Henny Groschel-Becker, 290 Mashta Drive addressed the Council.

Jud Kurlancheek, Building, Zoning and Planning Director, Armando Nunez, Public Works Director and the Manager addressed the Council regarding this resolution.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA; APPROVING A BID TO CONSTRUCT A BUS SHELTER NEAR THE CURRENT STOP AT CRANDON BOULEVARD NORTH OF OCEAN LANE DRIVE; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Peters.

The Manager, Director Kurlancheek and Suzanne LaPlant, Manager, Passenger Facilities Planning, Miami-Dade Transit addressed the Council regarding this resolution.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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

Mayor and Councilmembers. Mayor Oldakowski addressed the Council regarding the possibility of becoming a wireless village.

It was the consensus of Council to direct the Manager to do an RFP for this technology and report back to Council.

Councilmember Broucek addressed the Council regarding the Adelphia Cable rates for condominiums.

Gary Resnick, Weiss Serota Helfman Pastoriza & Guedes addressed the Council regarding cable

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services.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager addressed the Council regarding establishing guidelines for Channel 16 (Village of Key Biscayne Access Channel).

Gary Resnick, Weiss Serota Helfman Pastoriza & Guedes addressed the Council regarding proposed Village of Key Biscayne Access Channel Guidelines.

Mabel Miller, 210 Seaview Drive; Annika Akerlund-Tarajano, 200 Cypress Drive; Benjamin S. Waxman, Cooperating Attorney, Miami Americans Civic Liberty Union; Manny Cambo, 621 Harbor Drive; Adriana Guillen, 573 Satinwood Drive and Camille Guething, 260 Harbor Drive addressed the Council.

There was extensive discussion from Council regarding this issue.

It was the consensus of Council to direct the Manager to continue working with the Attorney on establishing guidelines for Channel 16.

The Clerk addressed the Council requesting that Council hold a meeting immediately before the Budget Workshop on Tuesday, July 1, 2003 at 6:00 p.m. to bring before Council a resolution regarding the proposed millage rate and setting the budget hearing dates. It was the consensus of Council to hold such a meeting.

At this time the Council took a five minute recess. The Mayor reconvened the meeting at 9:45 p.m.

Dr. Henny Groschel-Becker, Chairman, Crandon Boulevard Streetscape Advisory Committee addressed the Council giving a progress report.

The Manager introduced Carlos Gimenez, with Carlos A. Gimenez and Associates. Mr. Gimenez addressed the Council presenting a report of the study requested by the Village of Key Biscayne Council to review certain aspects of the organizational structure, management practices, emergency response resources, communications capabilities and contractual agreements of the Village of Key Biscayne Fire Rescue Department.

Chief of Fire Rescue, John C. Gilbert addressed the Council.

The Manager addressed the Council presenting requested information on Juvenile Curfew and

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Proposed Options.

Director Nunez addressed the Council giving an update on the Grapetree Traffic Calming project.

Councilmember Diaz-Castro addressed the Council regarding the handicap rail at the Police Department.

Councilmember Diaz-Castro requested a report on the dewatering of the Community Center site. The Manager addressed the Council reporting on the progress of the dewatering process.

Councilmember Diaz-Castro made a motion to extend the meeting to 11:05 p.m. The motion was seconded by Councilmember Vernon and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

Councilmember Vernon addressed the Council giving a brief history of the coconut plantation that Key Biscayne used to be.

8. **OTHER BUSINESS/GENERAL DISCUSSION:** There were no further items 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 11:05 p.m.

Respectfully submitted:

*Conchita H. Alvarez, CMC
Village Clerk*

Approved this 26th day of August, 2003:

*Robert Oldakowski
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.