

MINUTES

VILLAGE COUNCIL MEETING  
KEY BISCAVNE, FLORIDA

TUESDAY, OCTOBER 9, 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, Patricia Weinman, Vice Mayor Jorge E. Mendia and Mayor Robert L. Vernon. Councilmember Thomas Thornton was absent. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **INVOCATION:** Reverend Miguel Baguer, Saint Christopher's by the Sea gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mathias Hincapie led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** John C. Gilbert, Fire Rescue Chief introduced the new members of the Village of Key Biscayne Fire Rescue Department to the Council. The new members were sworn in by the Clerk.
5. **PUBLIC COMMENTS:** The following residents addressed the Council: Adelia Paisley, 345 Redwood Lane; Cecile Sanchez, 260 Cypress Drive; Alison Owen, 1121 Crandon Boulevard

and John Rosser, 300 Redwood Lane.

6. **AGENDA:** Councilmember Weinman requested to hear Item 10A5 immediately after the approval of the minutes and also requested the addition of a discussion regarding the planning of the Charrette as Item 10A7 and Mayor Vernon requested the addition of an update regarding Grapetree lighting as Item 10D5. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the September 25, 2007 Second Budget Hearing. The motion was seconded by Councilmember Weinman and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

At this time, Councilmember Weinman addressed the Council regarding the installation of a plaque in memory of Ellen Merrit as the Founder of the Library Community Garden.

Linda Davitian, 720 Myrtlewood Lane addressed the Council.

Councilmember Weinman made a motion to install a plaque in memory of Ellen Merrit as the Founder of the Key Biscayne Library Community Garden. The motion was seconded by Mayor Vernon and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,800,000 OF LAND ACQUISITION REVENUE BONDS OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; AND PROVIDING AN EFFECTIVE DATE.**

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

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

The Attorney addressed the Council regarding a clerical error in the first whereas clause and Section 1 of the ordinance. The land is located on West Enid Drive.

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

The Clerk announced the second reading on October 23, 2007.

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

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AMENDING CHAPTER 26 OF THE VILLAGE CODE, "TRAFFIC AND VEHICLES", BY CREATING ARTICLE IV, "DANGEROUS INTERSECTION SAFETY", PROVIDING FOR RECORDED IMAGE MONITORING AND ENFORCEMENT OF RED LIGHT INFRACTIONS AND FOR RELATED PROCEDURES AND PROVISIONS; AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE III "CODE ENFORCEMENT", SECTION 2-42 "CIVIL PENALTIES AND RELATED TERMS CONSTRUED", TO FACILITATE USE OF CODE ENFORCEMENT MECHANISM FOR DANGEROUS INTERSECTION SAFETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

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

The Mayor opened the public hearing. Pete Cuccaro with Traffipax addressed the Council. The Mayor closed the public hearing.

Vice Mayor Mendia made an amending motion to insert the word "substantially" to the language in Exhibit "A". The motion was seconded by Councilmember Weinman and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

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

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE SUPPORTING AND ENDORSING THE SOUTH FLORIDA PARKS COALITION CHARTER AND THE PRINCIPLES ON WHICH IT STANDS.**

The Manager addressed the Council regarding this resolution.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia 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, DECLARING AS SURPLUS CERTAIN PERSONAL PROPERTY OWNED BY THE VILLAGE OF KEY BISCAYNE AND AUTHORIZING THE VILLAGE MANAGER TO PROVIDE FOR THE SALE OR DISPOSITION OF SUCH SURPLUS PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Liedman made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Thornton, Weinman, Vice Mayor Mendia 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; APPROVING, AND CONFIRMING APPOINTMENTS TO THE COMMUNITY CENTER ADVISORY BOARD; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.**

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Weinman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

Mayor and Councilmembers. Mayor Vernon addressed the Council regarding the Police Officers/Firefighters Pension Board. Dr. Robert L. Maggs, Council appointee to the Board, gave an update regarding this Retirement Plan.

Fire Captain Michael Haring, Chairman of the Pension Board, also addressed the Council.

Mayor Vernon addressed the Council regarding a request received from the Florida League of Cities regarding the Mayor's Green City Action Accord adopted by the Board of Directors for the Florida League of Cities, Inc., on August 18, 2007.

Councilmember Davey made a motion to allow Mayor Vernon to sign a resolution endorsing the Mayor's Green City Action Accord adopted by the Board of Directors for the Florida League of

Cities, Inc. the motion was seconded by Vice Mayor Mendia and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

Mayor Vernon addressed the Council regarding the appointment/re -appointment of the Art in Public Places Board.

It was the consensus of Council to direct staff to draft appropriate language to amend the ordinance which created the Art in Public Places Board to create staggered terms and bring it before Council at a future meeting.

Rosa de la Cruz, 5 Harbor Point with the Art in Public Places Board addressed the Council.

Mayor Vernon addressed the Council regarding the appointment of a new Council appointee to the Board of Trustees Police Officers and Firefighters Retirement Plan due to the resignation of Ms. Cindy Mize.

The Mayor, with consensus of Council, appointed Ms. Sherry L. Reed to the Board of Trustees Police Officers and Firefighters Retirement Plan.

Councilmember Weinman addressed the Council regarding the Library garden as it relates to the proposed Village's Landscape Master Plan.

Councilmember Weinman also addressed the Council regarding the proposed Charrette.

Councilmember Weinman made a motion to direct staff to prepare an RFP to go out to bid for the proposed Charrette. The motion was seconded by Councilmember Davey and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

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 proposing to hold an Athletic Programs/KBAC Workshop on Tuesday, October 16, 2007 at 7:00 p.m. in the Council Chamber. There was no objection to the request.

The Manager also addressed the Council recommending acceptance of the five drawings by Jose Bedia as part of the Village's Art Collection.

Councilmember Weinman made a motion to accept Jose Bedia 's artwork as recommended by the Art in Public Places Board. The motion was seconded by Councilmember Davey.

Veronica Scharf-Garcia, Chairperson of the Art in Public Places Board addressed the Council.

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

The Manager also addressed the Council recommending acceptance of two sets of 17 prints each of the Mashta House Album and two original lithograph portraits of W. J. Matheson as part of the Village's Art Collection. These photographs and lithographs were donated by Joan and Finlay B. Matheson to the Village.

Councilmember Davey made a motion to accept the Matheson "Mashta House" photographs and lithograph portraits of W. J. Matheson as recommended by the Art in Public Places Board. The motion was seconded by Councilmember Liedman and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

The Manager addressed the Council regarding the Calusa Park site study and redesign plan.

The Manager recommended that the Village Council reject the four proposals that were submitted in response to the Calusa Park Request for Proposals. The Village has received a letter from Architect Wilfredo Borroto offering his architectural services on a pro -bono basis.

Councilmember Davey made a motion to reject the four RFP proposals, to accept pro -bono architectural services from Borroto Architects and to authorize the Village Manager to obtain professional services for land survey and environmental survey for Calusa Park. The motion was seconded by Councilmember Liedman and approved by a 6 -0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Liedman, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

The Manager addressed the Council giving an update on the proposed Grapetree lighting project.

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

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 9:05 p.m.

*Respectfully submitted:*

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*Conchita H. Alvarez, CMC  
Village Clerk*

*Approved this 23rd day of October, 2007:*

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*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.***