

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAWAYNE, FLORIDA

TUESDAY, OCTOBER 14, 2008

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, Patricia Weinman, Vice Mayor Jorge E. Mendia and Mayor Robert L. Vernon. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **INVOCATION:** Rabbi Yoel Caroline, Chabad of Key Biscayne was unable to attend the meeting.
3. **PLEDGE OF ALLEGIANCE:** Councilmember Liedman led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** State Representative Luis R. Garcia, District 107 addressed the Council wishing farewell to Councilmembers Weinman and Liedman and thanked them for their service to the community.

Chief of Fire Rescue John C. Gilbert, presented to the Council the Accreditation Plaque for the Village of Key Biscayne Fire Rescue Department.

Mr. Robert Bailey, Chairman of the Youth Athletics Advisory Board, addressed the Council regarding the athletic programs. The Advisory Board is recommending that the Parks and Recreation Department direct their efforts and allocate available resources for the primary purpose of supporting affordable "in-season" intramural athletic programs.

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

6. **AGENDA:** Councilmember Davey requested the addition of a discussion item regarding Holiday Decoration Contest as Item 10A13 and the Manager requested the addition of the approval of an agreement with the Key Biscayne Presbyterian Church as Item 9B. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the September 23, 2008 Second Budget Hearing. The motion was seconded by Councilmember Thornton 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.

8. **ORDINANCES:** There were no ordinances considered by Council.

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

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, CONCERNING THE CONSTRUCTION AND INSTALLATION OF AN ADDITIONAL ELEVATOR FOR THE KEY BISCAIYNE COMMUNITY CENTER (THE "PROJECT"); ACCEPTING COMPETITIVE BIDS AND AUTHORIZING THE PROJECT; AUTHORIZING VILLAGE MANAGER TO EXECUTE PURCHASE ORDERS AND RELATED DOCUMENTS FOR THE PROJECT; AUTHORIZING EXPENDITURE OF FUNDS; AUTHORIZING IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

The Manager addressed the Council recommending approval of the resolution which awards the following bids for the installation of the second elevator in the Community Center. The General Contract bid is awarded to ABC Construction Inc., the electrical work to Baylighting of Miami Corp., and the elevator to Schindler Corp.

Paul Abbott with Skyline Management addressed the Council regarding the elevator in the Community Center.

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

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE KEY BISCAIYNE PRESBYTERIAN CHURCH, INC., FOR USE OF BASKETBALL COURTS AND PROVIDING FOR AN EFFECTIVE DATE.

The Manager addressed the Council recommending approval of the agreement between the Village and the Key Biscayne Presbyterian Church to permit the use of the church facilities for youth basketball.

Parks and Recreation Director Todd Hofferberth and the Attorney addressed the Council regarding this agreement.

Councilmember Garcia made a motion to approve the resolution. The motion was seconded by Councilmember Davey 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. Councilmember Garcia addressed the Council regarding the beach and the beach park. The Manager, Public Works Director Armando Nunez and Tim Blankenship with Coastal Systems gave an update on the situation of the beach.

Mike Kelly, 395 Gulf Road addressed the Council.

The Attorney addressed the Council regarding the application and permitting process for beach renourishment.

The Mayor addressed the Council regarding the appointment of Community Center Advisory Board Members. The Mayor proposed to appoint the following residents: Eileen Ortega, Ernesto Alvarez and Barbara Lamar.

Councilmember Liedman made a motion to approve the appointments of Ms. Ortega, Mr. Alvarez and Ms. Lamar to the Community Center Advisory Board. 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.

The Mayor also addressed the Council regarding the appointment of a new Youth Athletics Advisory Board Member, due to the vacancy left by the election of Bobby Gusman to the Village Council. The Mayor proposed to appoint Mr. Glen Waldman to the Youth Athletics Advisory Board.

Councilmember Garcia made a motion to approve the appointment of Mr. Waldman to the Youth Athletics Advisory Board. The motion was seconded by Councilmember Thornton 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.

Vice Mayor Mendia addressed the Council regarding the vote on November 4th on the proposed Village of Key Biscayne Charter Amendment on Land Use Regulations.

The Attorney also addressed the Council regarding the proposed Charter Amendment.

Councilmember Davey made a motion to authorize the Manager to mount a public campaign on behalf of the Council in favor of a YES vote for the above proposed Charter Amendment. The motion was seconded by Councilmember Liedman 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.

Councilmember Weinman addressed the Council regarding the Green Initiative Committee's status and the need for an ordinance to create an official Council Committee.

Councilmember Davey made a motion to direct staff to draft an ordinance that will establish a Green Initiative Committee Advisory Board. The motion was seconded by Vice Mayor Mendia 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.

Councilmember Weinman also addressed the Council regarding a Community Safety Initiative.

Councilmember Weinman made a motion requesting that Chief of Police Press and Fire Rescue Chief Gilbert bring before Council a list of recommendations for a Community Safety Initiative. The motion was seconded by Councilmember Davey 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.

Vice Mayor Mendia addressed the Council regarding the scope of services of Fielding Nair, Consultant assisting the Village in the investigation of the feasibility of a Municipal Charter High School.

The Attorney, the Manager and Director Kurlancheek addressed the Council regarding the contract with Fielding Nair.

Angel Martin, 151 Crandon Boulevard; Kathy King, 745 Fernwood Road; Mike Kelly, 395 Gulf Road and Charlotte De Kanter Chung, 711 Crandon Boulevard addressed the Council.

Councilmember Weinman addressed the Council regarding the workshops by the Educational Consultant: including the whole community in discussions of a potential high school.

Councilmember Weinman made a motion to add the following language to the flyers and brochures that will be sent out to the public regarding the proposed Municipal Charter School: "Shared Community Learning Center". The motion was seconded by Councilmember Davey 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.

Councilmember Weinman also addressed the Council regarding the problem with open dumpsters. It was the consensus of Council to direct staff to draft an ordinance that would require dumpsters to be covered.

Kathy King, 745 Fernwood Road addressed the Council.

Councilmember Weinman also addressed the Council regarding the state of the stormwater drainage system after the rains.

The Manager and Public Works Director Nunez addressed the Council reporting that the stormwater drains are cleaned on a regular basis.

Mayor Vernon addressed the Council requesting to schedule a January Landscape Committee Workshop in order to discuss the proposed Landscape Master Plan. The Manager will bring a proposed date for this workshop to the next Council Meeting.

Mayor Vernon also addressed the Council regarding a request from the Key Biscayne Chamber of Commerce to allow banners in front of shopping centers. Building Zoning and Planning Director Kurlancheek will meet with the Chamber to coordinate the banners within what is allowed under the Key Biscayne Code.

Councilmember Davey addressed the Council regarding a Holiday Decoration Contest encouraging residents to participate. Councilmember Garcia was nominated to serve as judge for this contest.

Village Attorney. The Attorney presented to the Council a draft ordinance that would create a Charter High School Advisory Board to provide recommendations to the Village Council and the Village Manager regarding establishing a charter high school within the Village of Key Biscayne.

Village Clerk. The Office of the Mayor issued the following proclamation during the month of August: Martha Philips in recognition of her service to the Key Biscayne Branch Library.

The Clerk also presented to the Council a proposed 2009 Council Meeting schedule.

Village Manager. The Manager addressed the Council recommending the vertical expansion of the Community Center, due to the value it would add to the Community Center and provide for a space that can meet many current and future programming needs. Since funds have not been allocated towards the construction of this project, the Manager is recommending to add the project to be considered when the 5-year Capital Improvement Plan comes before Council for review and approval.

Paul Abbott with Skyline Management addressed the Council regarding this expansion.

It was the consensus of Council to hold a workshop in early December regarding the 5 -year Capital Improvement Plan and include, at that time, the proposed vertical expansion of the Community Center in the plan.

The Manager addressed the Council requesting authorization to execute an amendment to the Village's agreement with PST Services, Inc., by which the Village may continue to receive professional billing and account management services for the Village 's Fire Rescue Transport Fees for a one year period.

Chief Gilbert addressed the Council regarding the transport fees.

Councilmember Davey made a motion to authorize the Village Manager to execute the Amendment 1 to the Village's agreement with PST Services, Inc., by which the Village may continue to receive professional billing and account management services for the Village 's Fire Rescue Transport Fees. The motion was seconded by Councilmember Garcia 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.

The Manager requested Council approval, as per employee agreement, to hold the Office of Vice - President with the Miami -Dade County and City Management Association. There was no objection to the request.

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 10:10 p.m.

Respectfully submitted:

*Conchita H. Alvarez, CMC
Village Clerk*

Approved this 27th day of October, 2008:

*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.