

MINUTES

VILLAGE COUNCIL MEETING  
KEY BISCAZYNE, FLORIDA

TUESDAY, MARCH 9, 2004

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 Attorney Stephen P. Helfman.
2. **INVOCATION:** Reverend David Moran, Key Biscayne Presbyterian Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mr. William Pickell led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** There were no special presentations.
5. **PUBLIC COMMENTS:** The following resident addressed the Council: Annika Akerlund-Tarajano, 200 Cypress Drive addressed the Council.
6. **AGENDA:** The Manager requested the deferral of Item 9C and Councilmember Fried requested the addition of a discussion regarding the property at 530 Crandon Boulevard as Item 10A1. There was no objection to the agenda changes.
7. **APPROVAL OF MINUTES:** Councilmember Fried made a motion to approve the minutes

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of the February 24, 2004 Zoning Meeting. The motion was seconded by Councilmember Diaz-Castro 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.

8. **ORDINANCES:** There were no ordinances considered on first reading.

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

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE VILLAGE CODE BY CREATING ARTICLE IX "LOBBYING" CONSISTING OF SECTION 2-161 "LOBBYISTS" OF CHAPTER 2 "ADMINISTRATION," ADOPTING SECTION 2-11.1(S) OF THE MIAMI-DADE COUNTY CODE CONCERNING LOBBYING, AS MODIFIED HEREIN; PROVIDING FOR RELATED FEES AND OTHER PROVISIONS CONCERNING LOBBYISTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE.**

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

The Attorney 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 second 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 second reading, by title:

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA CREATING AN ADVISORY BOARD TO BE KNOWN AS THE CRANDON BOULEVARD MASTER PLAN IMPLEMENTATION COMMITTEE; PROVIDING, AMONG OTHER THINGS, THE NUMBER AND QUALIFICATIONS OF BOARD MEMBERS, RULES OF PROCEDURE AND THE DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

The Mayor opened the public hearing. Jim Taintor, 355 Harbor Drive addressed the

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Council. The Mayor closed the public hearing.

The ordinance was adopted on second 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.

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

**A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING THE VILLAGE OF KEY BISCAYNE CIVIC CENTER PROJECT; AUTHORIZING CONSTRUCTION EXPENSE ITEMS DESCRIBED HEREIN; AUTHORIZING AMENDMENT NO. 16 TO AGREEMENT BETWEEN OWNER AND CONSTRUCTION MANAGER CONCERNING MATTERS DESCRIBED THEREIN; PROVIDING FOR EFFECTIVE DATE.**

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

The Manager and Paul Abbott, Construction Manager for the project addressed the Council regarding this resolution and the re-opening of McIntyre Street as it relates to the temporary parking for Village Hall.

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.

It was the consensus of Council to approve the temporary parking spaces on Fernwood Road, as submitted by the Manager.

The Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; APPROVING INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE OF KEY BISCAYNE CONCERNING CONTINUED PROVISION BY COUNTY OF EXTENDED OPERATING HOURS AT THE KEY BISCAYNE BRANCH LIBRARY; PROVIDING FOR VILLAGE TO FURNISH LANDSCAPING MAINTENANCE SERVICES AT THE KEY BISCAYNE BRANCH LIBRARY TO THE COUNTY IN EXCHANGE FOR THE COUNTY'S CONTINUED PROVISION OF EXTENDED HOURS OF LIBRARY SERVICE; PROVIDING FOR AN EFFECTIVE DATE.**

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

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Mayor Oldakowski.

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 RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, PROVIDING FOR SCHEDULE OF FEES FOR USE OF THE VILLAGE'S COMMUNITY CENTER; PROVIDING FOR RELATED MATTERS; PROVIDING FOR EFFECTIVE DATE.**

Councilmember Vernon made a motion to approve the resolution. The motion was seconded by Vice Mayor Mendia.

The Manager and Todd Hofferberth, Parks and Recreation Department Director addressed the Council regarding this resolution.

Mr. Carlos Batlle and Bonnie Cooper, Community Center Advisory Board Members addressed the Council reporting on the progress of this Board during the last three months and recommending approval of the resolution.

Ed Meyer, 100 Sunrise Drive addressed the Council.

There was extensive discussion from 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.

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

Mayor and Councilmembers. Councilmember Fried addressed the Council regarding the property at 530 Crandon Boulevard.

The Manager also addressed the Council requesting a public hearing date to consider the use of the property at 530 Crandon Boulevard.

The Attorney addressed the Council regarding the public hearing.

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Wilfredo Borroto, 241 Harbor Drive addressed the Council regarding this property.

It was the consensus of Council to schedule the public hearing for the use of the above mentioned property on April 27, 2004.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk submitted to the Council a copy of the following proclamations issued by the Office of the Mayor during the month of March 2004: proclaiming the week of April 18-24, 2004 as Miami-Dade Public Library System Appreciation Week and proclaiming the week of April 18-25 as Days of Remembrance.

Village Manager. Ms. Marilyn Borroto Chair of the Art in Public Places Board addressed the Council reporting on the progress of this Board during the past three months.

Mr. William Pickell addressed the Council reporting on the progress of the Noise Ordinance Review Committee during the past three months.

The Manager and the Attorney addressed the Council giving an update on Channel 17.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** Mayor Oldakowski requested that the Manager look into videotaping the Committee Meetings and to post the Community Center fees on the Internet and Councilmember Broucek and the Attorney addressed the Council regarding the proposed Crandon Boulevard Traffic and Planning Study.

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 8:55 p.m.

*Respectfully submitted:*

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*Conchita H. Alvarez, CMC  
Village Clerk*

*Approved this 23rd day of March, 2004:*

*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.***