

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAAYNE, FLORIDA

TUESDAY, MARCH 13, 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, Thomas Thornton, Patricia Weinman, Vice Mayor Jorge E. Mendia and Mayor Robert L. Vernon. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.
2. **INVOCATION:** Reverend Jose Luis Hernando, Saint Agnes Catholic Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mr. Ramon Castella 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.

Ramon Castella with 3CTS addressed the Council regarding the conversion from overhead to underground utilities.

It was the consensus of Council to authorize the expenditure of up to \$30,000 to have FP L/BellSouth and Comcast provide the Village with designs and binding cost estimates for underground conversion within two small representative areas within the Village, one residential area and one commercial area.

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

6. **AGENDA:** Councilmember Weinman requested the addition of a report regarding a Town Hall Meeting on energy and the environment as Item 10A3. There was no objection to the agenda change.

7. **APPROVAL OF MINUTES:** Vice Mayor Mendia made a motion to approve the minutes of the February 26, 2007 Zoning Meeting and the minutes of the March 6, 2007 Concurrency Workshop. 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.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE II, "OCCUPATIONAL LICENSE TAX", OF CHAPTER 25 "TAXATION" TO CONFORM WITH RECENT REVISIONS TO FLORIDA STATUTE CHAPTER 205 BY CHANGING THE TERM OCCUPATIONAL LICENSE TO LOCAL BUSINESS TAX RECEIPT; MAKING COLLATERAL CONFORMING AMENDMENTS TO OTHER AFFECTED PROVISIONS OF THE VILLAGE CODE INCLUDING SECTIONS 30 -11, 30-63, 30-66, 30-72, 30-100, 30-102 AND 30-197; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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 Davey, Garcia, Liedman, Thornton, Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

The second reading of this ordinance will be on April 10 , 2007.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; APPROVING, CONFIRMING AND RATIFYING APPOINTMENTS TO THE COMMUNITY CENTER ADVISORY BOARD; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

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

The Attorney addressed the Council regarding this resolution.

The resolution was 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 BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO APPROVE A WORK AUTHORIZATION WITH POST BUCKLEY SCHUH AND JERNIGAN, INC. ("PBSJ"), PROVIDING FOR PBSJ TO PROVIDE DESIGN AND CERTAIN RELATED SERVICES FOR THE POTENTIAL REUSE WATER COMPONENT OF THE VILLAGE'S WATER AND SANITARY SEWER PROJECT, INCLUDING PREPARATION OF COST ESTIMATE FOR THE REUSE WATER COMPONENT OF THE PROJECT; PROVIDING FOR IMPLEMENTATION OF ENGINEERING WORK AUTHORIZED BY THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager and Public Works Director Armando Nunez addressed the Council regarding this resolution.

The resolution was 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 BISCAYNE, FLORIDA; SUPPORTING THE NATIONAL LEAGUE OF CITIES PARTNERSHIP FOR WORKING TOWARD INCLUSIVE COMMUNITIES PROGRAM.

The Clerk brought to the attention of the Council a scrivener's error on the first whereas clause, indicating that the following words should be inserted after the word "gender": gender orientation, identity.

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

Councilmember Weinman addressed the Council regarding this resolution.

The resolution was 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 Liedman requested an update on beach renourishment.

Director Nunez addressed the Council regarding the Dune Enhancement Project/Beach Renourishment Project.

Councilmember Liedman also addressed the Council regarding the proposed tax reform.

The Manager and Finance Director Randolph G. White addressed the Council regarding this proposal and the impact it would have on the Village of Key Biscayne.

Councilmember Weinman addressed the Council regarding a Town Hall Meeting on Energy and the Environment, proposing Tuesday, April 18, 2007.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk presented to the Council the Certificate of Sufficiency of Petition to amend the Charter by adding Article 4.15.

Max Puyanic, 480 S. Mashta Drive addressed the Council.

The Attorney and the Clerk addressed the Council regarding an election date for the proposed amendment to the Charter. The Miami Dade County Supervisors of Elections was contacted and proposed June 12, 2007 or June 19, 2007 for the Special Election.

Village Manager. The Manager addressed the Council proposing Tuesday, May 1, 2007 at 7:00 p.m. as the hearing date for the Sonesta Site Plan, replacing the April 24, 2007 Zoning Meeting.

After a lengthy discussion from Council regarding the hearing date for the Sonesta Site Plan, the Council decided to hold this hearing on Monday, April 16, 2007 at 7:00 p.m.

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 8:40 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 10th day of April, 2007:

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.