

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAWAYNE, FLORIDA

TUESDAY, APRIL 13, 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, Vice Mayor Jorge Mendia and Mayor Robert Oldakowski. Councilmember Robert L. Vernon was absent. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.
2. **INVOCATION:** Reverend Gabriel Sinisi, St. Christopher's By The Sea gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Ms. Linda Davitian led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** Mr. Michael Futterman, CPA, Director for Rachlin Cohen & Holtz LLP Certified Public Accountant made a presentation to the Council regarding the 2003 Comprehensive Annual Financial Report.
5. **PUBLIC COMMENTS:** The following residents addressed the Council: Annika Akerlund-Tarajano, 200 Cypress Drive and Sam Davitian, 720 Myrtlewood Lane.
6. **AGENDA:** Councilmember Peters urged all residents to participate in the Relay for Life

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Event which will be held on the Village Green on April 23, 2004 and requested the addition of a discussion regarding the use of designated funds as Item 10A1; Councilmember Broucek requested the addition of a brief discussion regarding the Key Biscayne Community TV for the purposes of issuing an RFP as Item 10A2 and Councilmember Diaz-Castro requested the addition of a discussion regarding the airing of Committee Meetings on Channel 16 as Item 10A3. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Broucek made a motion to approve the minutes of the March 23, 2004 Zoning Meeting. The motion was seconded by Councilmember Diaz-Castro and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vice Mayor Mendia and Mayor Oldakowski 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 BISCAVNE, FLORIDA, CONCERNING THE VILLAGE OF KEY BISCAVNE CIVIC CENTER PROJECT; AUTHORIZING CONSTRUCTION EXPENSE ITEMS DESCRIBED HEREIN; AUTHORIZING AMENDMENT NO. 17 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 Vice Mayor Mendia.

The Manager and Paul Abbott, Construction Manager for the project addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, 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 BISCAVNE, FLORIDA, APPROVING AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAVNE AND THE CITY OF MIAMI FOR FIRE, RESCUE, AUTOMATIC AIDE AND ANCILLARY SERVICES AT THE VILLAGE OF KEY BISCAVNE, FLORIDA; PROVIDING FOR CONTINUED SERVICES TO BE PROVIDED BY THE CITY OF MIAMI TO THE VILLAGE OF KEY BISCAVNE FOR AUGMENTATION OF FIRE RESCUE AND RELATED SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

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

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Vice Mayor Mendia.

The Manager and Emergency Services Director, John C. Gilbert addressed the Council regarding this resolution.

Linda Davitian, 720 Myrtlewood Lane addressed the Council.

There was extensive discussion from Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, 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 BISCAIYNE, FLORIDA; RECOGNIZING KEY BISCAIYNE PROFESSIONAL FIREFIGHTERS LOCAL 3638, IAFF, AS COLLECTIVE BARGAINING REPRESENTATIVE; PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Broucek, Diaz-Castro, Fried, Peters, Vice Mayor Mendia and Mayor Oldakowski voting Yes, thereby authorizing the Manager to implement the recognition.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, APPROVING THE PURCHASE ORDER FOR SALE OF VILLAGE FIRE TRUCK AND RELATED PERSONAL PROPERTY BETWEEN THE VILLAGE OF KEY BISCAIYNE AND THE PUTNAM COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING AN EFFECTIVE DATE.

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

The Manager and Chief Gilbert addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers

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Broucek, Diaz-Castro, Fried, Peters, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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

Mayor and Councilmembers. Councilmember Peters addressed the Council regarding the use of designated funds.

The Attorney addressed the Council regarding this issue.

Sam Davitian, 720 Myrtlewood Lane addressed the Council.

It was the consensus of Council to direct the Attorney to report back to Council with a legal analysis on the use of these funds.

Councilmember Broucek addressed the Council regarding the Key Biscayne Community TV, March 23, 2004 agenda item for the purposes of issuing Request for Proposals.

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

Councilmember Diaz-Castro addressed the Council regarding the airing of Committee Meetings on Channel 16.

It was the consensus of Council to direct the Manager to bring back a proposal to Council regarding this issue.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk submitted to the Council, for their information, a letter from Constance A. Kaplan, Supervisor of Elections, Miami-Dade County, regarding minimum time requirement between elections.

The Attorney and the Clerk addressed the Council regarding the minimum time requirement between elections. The Clerk announced that she will be meeting with the Miami-Dade County Supervisor of Elections on April 14 and will address this issue at that meeting.

The Clerk submitted to the Council a copy of the following proclamation issued by the Office of the Mayor during the month of March 2004: proclaiming the month of May as Civility Month.

Village Manager. The Manager addressed the Council recommending approval of the issuance of a Request for Proposals to: 1.) Obtain planning services to prepare the Evaluation and Appraisal Report relating to the Village's Comprehensive Plan which was prepared in 1995; and 2.) Prepare a planning document which sets forth a vision to guide the future development and quality of life in

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the Village.

The Attorney also addressed the Council regarding the Village's Comprehensive Plan.

It was the consensus of Council to direct the Manager to go ahead with the Request for Proposals.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** Todd Hofferberth, Parks and Recreation Director announced that the Village of Key Biscayne's Art in Public Places Board together with the Parks and Recreation Department will present Teatro Avante's The Fair of Discoveries based on Galileo's life and discoveries on Sunday, April 18th, 2004 from 5 to 6 p.m. at the Beach Park. All residents are invited to attend.

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 10:00 p.m.

Respectfully submitted:

*Conchita H. Alvarez, CMC
Village Clerk*

Approved this 27th day of April, 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.