

MINUTES  
**SPECIAL COUNCIL MEETING**  
VILLAGE OF KEY BISCAYNE, FLORIDA

MONDAY, JUNE 17, 2002

COUNCIL CHAMBER  
85 WEST MCINTYRE STREET, SECOND FLOOR

**1. CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 8:19 a.m. Present were Councilmembers Scott Bass, Martha F. Broucek, Alan H. Fein, Mortimer Fried, James L. Peters and Mayor Joe I. Rasco. Vice Mayor Robert Oldakowski was absent. Also present were Village Manager Jacqueline R. Menendez and Village Attorneys Joseph Serota and Mitchell J. Burnstein.

The Mayor addressed the Council stating that the purpose of this meeting is to discuss the acquisition of the Citgo Gas Station property. Mayor Rasco also stated that this property is a very important public, open space that is critical to the Village and a necessary element in completing the Civic Center.

Mayor Rasco made a motion to purchase the Citgo property under eminent domain. The motion was seconded by Councilmember Bass.

Attorneys Serota and Burnstein addressed the Council regarding the eminent domain process.

There was extensive discussion from Council on this issue.

The following residents addressed the Council: John Festa, 695 Harbor Lane; Camille Guething, 260 Seaview Drive; Michael Kahn, 881 Ocean Drive and Carol Diaz-Castro, 240 Hampton Lane.

The Attorney clarified the Mayor's original motion as follows: 1. The Village Manager and Village Attorney shall notify the current owner of the Council's intent to acquire the parcel by voluntary conveyance or eminent domain; 2. The Village Manager and Village Attorney shall retain an appraiser to prepare a new appraisal of the parcel in order to negotiate in good faith with the current owner and 3. The Village Manager and Village Attorney shall comply with the provisions of Section 73.015 Florida Statutes, and take such further action as is reasonably required to fully accomplish this purpose.

The motion was approved by a 6-0 roll call. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Peters and Mayor Rasco voting Yes.

**2. ADJOURNMENT:** The meeting was adjourned at 9:45 a.m.

**Respectfully submitted:**

**Conchita H. Alvarez, CMC**  
**Village Clerk**

**Approved this 2nd day of July, 2002:**

**Joe I. Rasco**  
**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.**