

MINUTES
SPECIAL VILLAGE COUNCIL MEETING
VILLAGE OF KEY BISCAYNE, FLORIDA

TUESDAY, JULY 23, 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 7:00 p.m. Present were Councilmembers Scott Bass, Martha F. Broucek, Alan H. Fein, Mortimer Fried, James L. Peters, Vice Mayor Robert Oldakowski and Mayor Joe I. Rasco. Also present were Village Manager Jacqueline R. Menendez and Village Attorney Stephen J. Helfman.

2. PLEDGE OF ALLEGIANCE: Mayor Rasco led the Pledge of Allegiance.

3. APPROVAL OF MINUTES: Councilmember Fried made a motion to approve the minutes of the June 27, 2002 Budget Workshop, the minutes of the July 1, 2002 Special Council Meeting, the minutes of the July 2, 2002 Regular Council Meeting and the minutes of the July 16, 2002 Goals and Objectives Workshop. The motion was seconded by Councilmember Bass.

Councilmember Peters offered an amendment to the Minutes of the June 27, 2002 Budget Workshop to include the addition of the following columns to the budget on the next budget presentation. Adopted 2001, Actual 2001, Adopted 2002, Year to Date 2002 and Proposed 2003.

The June 27, 2002 Budget Workshop Minutes as amended, the minutes of the July 1, 2002 Special Council Meeting, the minutes of the July 2, 2002 Regular Council Meeting and the minutes of the July 16, 2002 Goals and Objectives Workshop were approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Peters, Vice Mayor Oldakowski and Mayor Rasco voting Yes.

The Mayor requested to change the order of the agenda and hear the resolutions in the following order: Items 4A, 4D, 4B and 4C and Councilmember Bass requested the addition of a discussion under Item 4C. There was no objection to the agenda changes.

4. RESOLUTIONS: The Attorney read the following resolution by title:

**A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA;
DETERMINING THE PROPOSED MILLAGE RATE, THE CURRENT YEAR ROLLED-BACK RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE CLERK AND MANAGER TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Broucek and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Peters, Vice Mayor Oldakowski and Mayor Rasco voting Yes.

The Attorney read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A JOINT PARTICIPATION AGREEMENT WITH THE MIAMI-DADE COUNTY PUBLIC SCHOOLS (SCHOOL DISTRICT) FOR THE INSTALLATION OF AN EIGHT (8) INCH SANITARY SEWER FORCE MAIN IN CONJUNCTION WITH THE PROPOSED ADDITION AT THE KEY BISCAYNE COMMUNITY SCHOOL; APPROVING CHANGE ORDER TO THE SCOPE OF WORK WITH JAMES A. CUMMINGS, INC. TO CONSTRUCT THE FORCE MAIN; PROVIDING FOR AN EFFECTIVE DATE.

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

Henny Groschel-Becker, 290 West Mashta Drive addressed the Council.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Peters, Vice Mayor Oldakowski and Mayor Rasco voting Yes.

The Attorney read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; APPROVING A SITE PLAN OF DEVELOPMENT FOR A VILLAGE COMMUNITY CENTER AT 85 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

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

All witnesses giving testimony in the public hearing were sworn in by the Attorney.

Jose Aguila, Robert Currie Partnership, Inc., Architect for the project; Todd Hofferberth, Recreation Director; Guillermo Olmedillo, Consultant for the project; Robert Maphis, Vice President of Operations, James A. Cummings, Inc. and Jud Kurlancheek, Director of Building, Zoning and Planning addressed the Council regarding the proposed site plan for the Community Center.

There was extensive discussion from Council regarding this resolution.

The Mayor opened the public hearing. Steve Sonnabend, 5 Coconut Lane; Shirley Feldman, 1121 Crandon Boulevard; Patricia Romano, 361 Beechwood Road; Larry Radzville, 77 Crandon Boulevard; Jorge Mendia, 111 Island Drive; Mary Tataronis, 232 Seaview Drive; Sidney Cooper, 170 Ocean Lane Drive; Ed Meyer, 100 Sunrise Drive; Carol Diaz-Castro, 240 Hampton Lane; Arturo Aballi, 91 Island Drive; Donna

Rice, 325 Redwood Lane; Bonnie Cooper, 77 Crandon Boulevard; Henny Groschel-Becker, 290 West Mashta Drive; Diana Garmendia, 881 Ocean Drive; Jim Taintor, 355 Harbor Drive; Jim Leavitt, 240 Island Drive; Mike Kelly, 395 Gulf Road; Steve Simon, 335 Harbor Lane; Camille Guething, 260 Seaview Drive; Jacqueline Sanchez-Volny, 385 Ridgewood Road; Richard Gregory, Key Biscayne; Barry Goldmeir, 1000 Mariner Drive and Luis Arrondo, 350 Grapetree Drive addressed the Council. The Mayor closed the public hearing.

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

The resolution was approved by a 6-1 roll call vote. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Vice Mayor Oldakowski and Mayor Rasco voting Yes. Councilmember Peters voting No.

The Attorney read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; DIRECTING THE VILLAGE MANAGER TO IMMEDIATELY COMMENCE NEGOTIATIONS WITH JAMES A. CUMMINGS, INC. FOR A GUARANTEED MAXIMUM PRICE CONTRACT FOR THE CONSTRUCTION OF THE VILLAGE COMMUNITY RECREATIONAL CENTER AND DIRECTING THE VILLAGE MANAGER TO IMMEDIATELY COMMENCE NEGOTIATIONS WITH ROBERT A. CURRIE PARTNERSHIP, INC. FOR AN AGREEMENT FOR THE PREPARATION OF CONSTRUCTION/PERMIT PLANS FOR THE COMMUNITY RECREATIONAL CENTER; PROVIDING FOR AN EFFECTIVE DATE.

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

The Attorney, the Manager and Director Kurlancheek addressed the Council regarding this resolution.

Carol Diaz-Castro, 240 Hampton Lane; Barry Goldmeir, 1000 Mariner Drive; Jose Aguila, Robert Currie Partnership, Inc.; Arturo Aballi, 91 Island Drive and James Taintor, 355 Harbor Drive addressed the Council.

There was extensive discussion from Council regarding this resolution.

Vice Mayor Oldakowski made a motion to extend the meeting to 11:15 p.m. The motion was seconded by Councilmember Broucek and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Peters, Vice Mayor Oldakowski and Mayor Rasco voting Yes.

The resolution was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Bass, Broucek, Fein, Fried, Peters, Vice Mayor Oldakowski and Mayor Rasco voting Yes.

5. ADJOURNMENT: The meeting was adjourned at 11:15 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 27th day of August , 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.