

MINUTES

VILLAGE COUNCIL MEETING KEY BISCAVNE, FLORIDA

TUESDAY, JULY 31, 2007

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:25 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 Acting Village Manager Jud Kurlancheek and Village Attorney Stephen P. Helfman.
2. **AGENDA:** Vice Mayor Mendia requested the addition of a motion to engage a land planner to design Calusa Park with playing fields and to study other playing fields as Item 5A2, requested the addition of a motion to hire a facilitator for the Concurrency Charette as Item 5A3 and requested the addition of a motion to create a Land Acquisition Committee as Item 5A4 and Mayor Vernon requested the addition of the appointment of a Councilmember to negotiate contract with new Village Manager as Item 5A5. There was no objection to the agenda changes.

At this time the new Village Manager, Genaro "Chip" Iglesias addressed the Council thanking the Council for their vote of confidence.

3. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the July 2, 2007. The motion was seconded by Councilmember Davey and approved by a 7-0 voice vote. The vote was as follows: Council members Davey, Garcia, Liedman, Thornton,

Weinman, Vice Mayor Mendia and Mayor Vernon voting Yes.

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

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING YACHT CLUB FRONTAGE, WEST OF WOODCREST DRIVE, PORTION OF HARBOR DRIVE IMPROVEMENT PROJECT; AUTHORIZING SIXTH CHANGE ORDER TO CONSTRUCTION CONTRACT BETWEEN THE VILLAGE AND M. VILA AND ASSOCIATES, INC., IN ORDER TO PROVIDE FOR CERTAIN WORK ON HARBOR DRIVE AS EXTENSION OF WORK TO BE DONE BY THE CONTRACTOR OF THE CRANDON BOULEVARD IMPROVEMENTS - PHASE II AND III PROJECTS; PROVIDING FOR APPROVAL OF CHANGE ORDER NO. 6 TO CONTRACT FOR CONSTRUCTION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR EFFECTIVE DATE.

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

Ramon Castella with C3TS and the Acting Manager 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 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 APPROVE WORK AUTHORIZATION WITH POST BUCKLEY SCHUH AND JERNIGAN, INC. ("PBSJ"), PROVIDING FOR PBSJ TO PROVIDE DESIGN AND CERTAIN RELATED SERVICES FOR THE VILLAGE'S WATER, SANITARY SEWER AND REUSE WATER PROJECT; PROVIDING FOR IMPLEMENTATION OF ENGINEERING WORK AUTHORIZED BY THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Patricia Carney with PBS&J, Jose Lopez, Owner's Representative for the Village's Sanitary Sewer, Water and Water Reuse Project and Ramon Castella with C3TS addressed the Council regarding the work authorization.

There was extensive discussion from Council regarding this resolution.

Councilmember Davey made a motion to table the resolution to the August 28, 2007 Regular Council Meeting. 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.

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

Mayor and Councilmembers. Councilmember Garcia addressed the Council regarding vehicles that run red lights on Crandon Boulevard.

Ramon Castella with C3TS addressed the Council regarding the placement of cameras on traffic lights.

The Attorney also addressed the Council regarding the placement of cameras on traffic lights.

It was the consensus of Council to direct staff to contact Mr. Eric Soroka, City Manager for the City of Aventura in order to get information regarding their process for the placement of cameras on traffic lights. Staff was directed to report back to Council at the August 28th, 2007 Regular Council Meeting.

Vice Mayor Mendia addressed the Council regarding the redesigning of Calusa Park. It was the consensus of Council to direct staff to prepare an RFP to go out to bid for a Land Planner for the design of Calusa Park.

Vice Mayor Mendia also addressed the Council regarding the use of a facilitator for the Concurrency Charette. It was the consensus of Council to direct staff to look into this and report back to Council.

The Mayor addressed the Council nominating Councilmember Davey to negotiate a contract with the new Manager and present it to the Council at the August 28, 2007 Council Meeting. There was no objection to the nomination.

Camille Guething, 260 Seaview Drive addressed the Council.

At this time the Attorney read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, ADOPTING THE REVISED COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT (EAR) PURSUANT TO SECTION 163.3191, FLORIDA STATUTES; PROVIDING FOR ADOPTION AND TRANSMITTAL TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Lindsey Withrow with Wallace Roberts & Todd addressed the Council regarding the proposed changes to the EAR report.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

Councilmember Thornton made a motion to adopt the proposed response to DCA and the amended EAR report, except for the Recreation and Open Space element. The motion was seconded by Councilmember Liedman 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.

At this time Councilmember Garcia and Mayor Vernon excused themselves from the meeting.

The Acting Manager addressed the Council regarding the recreational and open space component of the EAR report.

Frank Caplan, Chairman of the EAR Committee; Camille Guething, 260 Seaview Drive; Steve Simon 335 Harbor Lane; Max Puyanic, 480 S. Mashta Drive; Basha Hicks, 1121 Crandon Boulevard; Cecile Sanchez, 260 Cypress Drive; Linda Davitian, 720 Myrtlewood Lane and Carter McDowell, attorney representing the Sonesta property addressed the Council regarding concurrency.

It was the consensus of Council to eliminate from the inventory of recreation and open space the following: Crandon Pocket Parks and Monaco Pools.

It was the consensus of Council to eliminate the money amount from the Financing Strategies (1) Environmental and Recreational Planning Study for Calusa Park.

It was also the consensus of Council to add the following language to Financing Strategies (2): 25% of the surplus up to 1.0 M until concurrency is achieved.

It was the consensus of Council to eliminate "acquire 200 Harbor Drive" and insert the following language: acquire land for bay front park.

Councilmember Thornton made a motion to approve the amended Recreation and Open Space portion of the EAR. The motion was seconded by Councilmember Liedman and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Davey, Liedman, Thornton, Weinman and Vice Mayor Mendia voting Yes.

It was the consensus of Council to direct staff to look into the purchase of 200 Harbor Drive and report back to Council at the August 28th Council Meeting.

Village Manager. The Manager did not submit a report.

6. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
7. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
8. **ADJOURNMENT:** The meeting was adjourned at 10:20 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 28th day of August, 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.