

MINUTES

VILLAGE COUNCIL MEETING  
KEY BISCAVNE, FLORIDA

TUESDAY, DECEMBER 5, 2006

COUNCIL CHAMBER  
560 CRANDON BOULERVARD

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. Max Puyanik led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:** There were no special presentations.
5. **PUBLIC COMMENTS:** Max Puyanik, 480 S. Mashta Drive addressed the Council.
6. **AGENDA:** Councilmember Garcia requested the addition of an update regarding the Sanitary Sewer Project as Item 10D2; Councilmember Weinman requested the addition of a discussion regarding temporary lighting at the North end of the Village Green for soccer season as Item 10A4 and the Clerk requested to substitute the minutes submitted for approval with the agenda with the revised minutes before Council. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Councilmember Liedman made a motion to approve the amended minutes of the November 28, 2006 Zoning Meeting. The motion was seconded by Councilmember Thornton 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 second reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAVNE, FLORIDA CREATING AN ADVISORY BOARD TO BE KNOWN AS THE ZONING ORDINANCE REVIEW COMMITTEE; PROVIDING, AMONG OTHER THINGS, THE NUMBER AND QUALIFICATIONS OF BOARD MEMBERS, RULES OF PROCEDURE AND THE DUTIES AND RESPONSIBILITIES OF THE BOARD; 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 second reading. The motion was seconded by Councilmember Thornton.

The Mayor opened the public hearing. Hector Formoso-Murias, 471 N. Mashta Drive; Max D. Puyanic, 480 S. Mashta Drive; Arturo Aballi, 91 Island Drive and Edgardo Defortuna, 760 Harbor Drive addressed the Council. The Mayor closed the public hearing.

The Attorney addressed the Council regarding this ordinance. There was extensive discussion from Council regarding this ordinance.

The ordinance was adopted, on second 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.

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

**A RESOLUTION OF THE VILLAGE OF KEY BISCAVNE, FLORIDA, AUTHORIZING THE ISSUANCE OF ROAD IMPROVEMENT REVENUE BONDS, SERIES 2006, OF THE VILLAGE OF KEY BISCAVNE, FLORIDA, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,000,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF ROAD IMPROVEMENTS WITHIN THE VILLAGE (CRANDON BOULEVARD IMPROVEMENTS--PHASE III), FINANCING ARCHITECTURAL, ENGINEERING, ENVIRONMENTAL, LEGAL AND OTHER PLANNING COSTS RELATED THERETO, AND PAYING COSTS OF ISSUANCE OF THE BONDS; AWARDING THE SALE OF THE BONDS TO SUNTRUST BANK; PROVIDING FOR SECURITY FOR THE BONDS;**

December 5, 2006

**PROVIDING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

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

The Manager and Finance Director Randolph G. White 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. Pursuant to Section 7.06 of the Charter of the Village of Key Biscayne the Council proceeded to appoint the Members of the Charter Revision Commission. The Mayor proposed to appoint the following residents to the Charter Revision Commission: Councilmember Steve Liedman, Mr. Stuart Ames, Mrs. Betty Sime Conroy, Mr. Robert Fernandez and Mr. Mark Fried.

Vice Mayor Mendia made a motion to appoint the above mentioned residents to the Charter Revision Commission. The motion was seconded by Councilmember Davey 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.

The Mayor addressed the Council regarding a group of residents interested in preserving Key Biscayne's history. It was the consensus of Council to direct staff to meet with this group and provide any assistance they might need.

Councilmember Weinman addressed the Council regarding the creation and funding of a Performing Arts Conservatory for Key Biscayne.

It was the consensus of Council to direct the Manager to look for space to be used for the purpose of a Performing Arts Conservatory and report back to Council in January of her findings.

Councilmember Weinman also addressed the Council regarding the possibility of installing temporary lighting at the North end of the Village Green for the soccer program.

December 5, 2006

Parks and Recreation Director Todd Hofferberth addressed the Council regarding this issue. It was the consensus of Council to direct staff to bring back a resolution approving temporary lighting at the North end of the Village Green for the soccer program, for Council approval.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager addressed the Council recommending approval of the proposed response to the South Florida Regional Planning Council findings with regard to our Master Plan Evaluation and Appraisal Report (EAR).

Silvia Vargas with WRT made a presentation to Council regarding the proposed response to the SFRPC.

Max Puyanic, 480 S. Mashta Drive; Marika Formoso-Murias, 471 N. Mashta Drive; Michael Kelly, 395 Gulf Road; Arturo Aballi, 91 Island Drive; Julio Padilla, 325 Atlantic Road; Hector Formoso-Murias, 471 N. Mashta Drive; Betty Sime Conroy, 785 Crandon Boulevard; Patricia Romano, 361 Beechwood; Cecile Sanchez, 260 Cypress Drive; Carter McDowell, Miami representing the Sonesta Property; Linda Davitian, 720 Myrtlewood Lane; Eduardo Sanchez, 260 Cypress Drive and Joe Rasco, 310 West Heather Drive addressed the Council.

The Attorney addressed the Council regarding the proposed response to the SFRPC. There was extensive discussion from Council regarding this issue.

Councilmember Liedman made a motion to approve the proposed response to the SFRPC, except for the Recreational and Open Space Level of Service. The motion was seconded by Vice Mayor Mendia 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.

Councilmember Garcia addressed the Council requesting an update on the proposed Sanitary Sewer Project. The Manager addressed the Council giving an update.

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 10:10 p.m.

December 5, 2006

*Respectfully submitted:*

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*Conchita H. Alvarez, CMC  
Village Clerk*

*Approved this 9th day of January, 2007:*

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*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.***