MINUTES

REGULAR COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, SEPTEMBER 1, 2015

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Vice Mayor at 7:00 p.m. Present were Councilmembers Luis de la Cruz, Theodore Holloway Michael E. Kelly, Edward London, James S. Taintor and Vice Mayor Franklin H. Caplan. Mayor Mayra Lindsay was absent. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman

2. **INVOCATION:** Pastor Dennis Eastling with the Key Biscayne Community Church was unable to attend the meeting.

3. **PLEDGE OF ALLEGIANCE:** Vice Mayor Caplan led the Pledge of Allegiance.

4. **BRIEF COMMENTS BY COUNCIL:** Vice Mayor Caplan addressed the Council regarding Texting while Driving and was thankful that the Village was able to put on the Outgoing Sign Not to Text and Drive in order to help the Wanninkhof Family.

5. **SPECIAL INTRODUCTION:** Mr. Robert Hollander with Brown and Brown made a presentation to Council regarding the renewal of property and liability insurance.

There was discussion from Council regarding the property and liability insurance.

Mr. Roger Gonzalez and Ms. Michelle Gonzalez-Febres from National Marketing Group Services, Inc., made a presentation regarding the Employee Health Insurance Policy renewals.

There was discussion from Council regarding the Employee Health Insurance Policy.

Mr. Chris Tatham with Leisure Vision (a division of ETC Institute) made a presentation to Council with the results of the Needs Assessment Survey.

There was discussion from Council regarding the results of the Needs Assessment Survey.

Ms. Patricia Woodson, Chairman of the Land Acquisition Committee and Dr. Steve Simon, Committee Member made a presentation to Council regarding the process for land acquisition.

There was discussion from Council regarding the process for land acquisition.

Ms. Ovaira Santamaria and Ray Stallings with Stantec made a presentation to Council regarding plans for 530 Crandon Boulevard.

There was discussion from Council regarding the plans for 530 Crandon Boulevard and the possibility of including an underground parking garage.

Building, Zoning and Planning Director addressed the Council regarding the proposed plans for 530 Crandon Boulevard, recommending that the Council make a decision on whether to go with the underground parking or not.

6. **PUBLIC COMMENTS:** The following residents addressed the Council: Betty Sime Conroy, 785 Crandon Boulevard; Manny Rionda, 155 Sunrise Drive; Kathy King, Key Biscayne; Bill Stephens, 159 East Enid; Scott Hardie, 155 Sunrise Drive; Jacquie Kellogg, 115 Sunrise Drive; Helen White, 241 East Enid Drive and Bradley Newsom, 345 Pacific.

7. **AGENDA:** Councilmember de la Cruz requested the deferral of Item 11A1 to the next meeting; Councilmember Taintor requested the addition of a discussion regarding the library expansion as Item 11A3; Councilmember London requested the addition of a report by the Attorney on the peacock issue as Item 11B1; the Manager requested the addition of an update on the Stormwater Workshop as Item 11D1; requested the addition of a report regarding transportation from MAST as Item 11D2 and also a requested the addition of a report on the EOC Team as Item 11D3. There was no objection to the agenda changes.

8. **APPROVAL OF MINUTES:** There were no minutes considered by Council.

9. **ORDINANCES:** There were no ordinances considered by Council.

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

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE PURCHASE OF MICROSOFT SOFTWARE LICENSES OF EXCHANGE SERVER, SQL SERVER, SERVER 2012, AND OTHER SERVERS, DESKTOPS, AND LAPTOPS SOFTWARE LICENSES; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION AND AUTHORIZING THE VILLAGE MANAGER TO COMPLETE THE PURCHASE OF THE SOFTWARE LICENSES AND EXECUTE AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Kelly made a motion to approve the resolution. The motion was seconded by Vice Mayor Caplan.

The Manager and Jose Calvo, IT for the Police Department addressed the Council recommending approval of the resolution authorizing the purchase of Microsoft software licenses of Exchange Server, SQL server, Server 2012, and other servers, desktops, and laptops software licenses. The funding source shall be the CIP fund under Information Technology CIP Software not to exceed $24,527 for the third of a total of three (3) payments.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Holloway, Kelly, London, Taintor and Vice Mayor Caplan voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A PROPOSAL FOR SERVICES WITH THE KEY BISCAYNE COMMUNITY FOUNDATION, INC.; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Caplan made a motion to approve the resolution. The motion was seconded by Councilmember Kelly.

The Manager addressed the Council recommending approval of the agreement between the Village of Key Biscayne and the Key Biscayne Community Foundation.

There was extensive discussion regarding this agreement.

The Attorney addressed the Council regarding this resolution stating that this resolution is not needed at this time.

The motion to approve the resolution was withdrawn.

It was the consensus of Council to direct the Village Attorney to bring back an agreement with the KB Foundation for approval at a later date.

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

At this time the Manager's report was heard.

Village Manager. The Manager gave an update on the Stormwater Workshop reporting that it will be held on October 6, 2015 at 7:00 p.m.

The Manager also addressed the Council regarding the transportation from MAST Academy reporting that an additional bus will be added to transport the KB children.

The Manager thanked the staff on the work done by the EOC Team in preparing for Tropical Storm Erika.

Mayor and Councilmembers. Councilmember de la Cruz deferred the discussion of the proposed "Plan Z" at the request of Mayor Lindsay.

Councilmember de la Cruz addressed the Council regarding the Village Code on the Website and online updates.

The Clerk addressed the Council reporting that she had spoken to MuniCode and from now on, they will update the Village Code every time the Council adopts an ordinance that amends the Code. This will take approximately two to three weeks after the ordinance is executed and forwarded to MuniCode and it will be done at no extra charge.

The Manager addressed the Council regarding placing the Village Code on the home page.

There was extensive discussion regarding the website and whether it should be under the Manager.

The Attorney also addressed the Council regarding updating the Village Code proposing a link that states "Recently Enacted Legislation".

Councilmember Taintor addressed the Council regarding the Library expansion proposing to increase the footprint instead of going with a second floor.

There was discussion from Council regarding this issue.

Village Attorney. The Attorney addressed the Council giving an update on the peacock issue.

Village Clerk. The Clerk did not submit a report.

12. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

13. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.

14. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

15. **ADJOURNMENT:** The meeting was adjourned at 10:42 p.m.

Respectfully submitted:

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Conchita H. Alvarez, MMC
Village Clerk

Approved this 21st day of September, 2015:

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Mayra Peña Lindsay
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.