

MINUTES

REGULAR COUNCIL MEETING
KEY BISCAVNE, FLORIDA

TUESDAY, JULY 1, 2014

COUNCIL CHAMBER
560 CRANDON BOULEVARD

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 Theodore Holloway, Michael E. Kelly, Mayra Lindsay, Edward London, James S. Taintor, Vice Mayor Michael W. Davey and Mayor Franklin H. Caplan. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Caplan led the Pledge of Allegiance.
3. **BRIEF COMMENTS BY COUNCIL:** Councilmember Kelly congratulated Mayor Elect Mayra Lindsay; Councilmember Taintor addressed the Council regarding his participation in a Council Meeting via Skype; Mayor Caplan stated that participating in a Council Meeting via Skype will be deferred until there is better technology and the Mayor also addressed the Council regarding the upcoming meeting of the MDLC at the Grand Bay.
4. **SPECIAL INTRODUCTION:** There were no Special Introductions.
5. **PUBLIC COMMENTS:** Michele Estevez, on behalf of the 4th of July Parade Committee, addressed the Council.

6. **AGENDA:** The Attorney requested the withdrawal of Items 9B and 9D; Vice Mayor Davey requested the addition of a discussion regarding beach access as Item 10A2 and also requested the addition of a discussion regarding the Beach Club as Item 10A3; Councilmember Holloway requested the addition of a discussion regarding the creation of a Sustainability Committee as Item 10A4 and the Village Manager requested the addition of a discussion regarding a proposed Needs Assessment Survey as Item 10D1 and also requested to hear Item 9E before Item 9A. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Vice Mayor Davey made a motion to approve the minutes of the June 17, 2014 Special Council Meeting. The motion was seconded by Councilmember Lindsay and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

Councilmember Kelly made a motion to approve the minutes of the June 17, 2014 Budget Workshop. The motion was seconded by Councilmember Lindsay and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

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

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

A RESOLUTION OF THE VILLAGE OF KEY BISCAWAYNE, FLORIDA, AUTHORIZING THE ISSUANCE OF SCHOOL IMPROVEMENT REVENUE BONDS, SERIES 2014, OF THE VILLAGE OF KEY BISCAWAYNE, FLORIDA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$4,575,000 FOR THE PURPOSE OF PROVIDING A PORTION OF THE FINANCING OF A PERMANENT SECONDARY EDUCATIONAL FACILITY AND RECREATIONAL FIELDS FOR VILLAGE RESIDENTS LOCATED AT THE MAST ACADEMY CAMPUS AS WELL AS NECESSARY RENOVATIONS OF THE KEY BISCAWAYNE K-8 CENTER, 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 TD BANK, N.A.; PROVIDING FOR SECURITY FOR THE BONDS; PROVIDING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Lindsay.

The Manager addressed the Council regarding this resolution.

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Lourdes Abadin, Financial Advisor to the Village, with Estrada Hinojosa addressed the Council.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

The Clerk 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 Lindsay made a motion to approve the resolution. The motion was seconded by Councilmember Kelly.

Councilmember London made a motion to lower the millage rate to 2.5. The motion died for lack of a second.

Councilmember Kelly made a motion to lower the millage rate to 2.7. The motion was seconded by Councilmember London.

There was extensive discussion from Council regarding lowering the millage rate.

The Kelly amending motion failed by a 2-5 roll call vote. Councilmembers Kelly and London voting Yes. Councilmembers Davey, Holloway, Lindsay, Vice Mayor Davey and Mayor Caplan voting No.

The resolution, as proposed, was approved by a 5-2 roll call vote. The vote was as follows: Councilmembers Holloway, Lindsay, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes. Councilmembers Kelly and London voting No.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA (“VILLAGE”), PROVIDING FOR RATIFICATION OF THE 2013-2016 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE AND THE INTERNATIONAL UNION OF POLICE ASSOCIATIONS, AFL-CIO, FOR THE

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BARGAINING UNIT CONSISTING OF THE VILLAGE'S GENERAL EMPLOYEES; AUTHORIZING THE VILLAGE MANAGER TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Lindsay made a motion to approve the resolution. The motion was seconded by Councilmember London.

The Manager addressed the Council regarding this resolution.

Madelin Lopez, Union President, addressed the Council.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Holloway, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes. Councilmember Kelly was out of the Chamber at the time the vote was taken.

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

Mayor and Councilmembers. Councilmember Taintor addressed the Council regarding the Senior Center.

There was extensive discussion from Council regarding the proposed Senior Center.

Todd Hofferberth, Parks and Recreation Director addressed the Council regarding the expansion of the Community Center.

Vice Mayor Davey addressed the Council regarding access to non-motorized vessels to the beach proposing to give these vessels some access to the beach.

There was extensive discussion from Council regarding the above proposal. It was the consensus of Council to work on legislation to allow access to the beach to non-motorized vessels.

Vice Mayor Davey also addressed the Council regarding the KB Beach Club. There was extensive discussion from Council regarding the possibility of purchasing the land underneath the KB Beach Club. The Attorney also addressed the Council regarding the KB Beach Club.

Councilmember Holloway addressed the Council regarding the creation of a Sustainability Advisory Committee. It was the consensus of Council to direct staff to draft legislation for the creation of such a committee.

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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 regarding an RFP for a Public Opinion and Needs Assessment Surveying services requesting that the Council review the RFP.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
12. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was provided to the Council.
13. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
14. **ADJOURNMENT:** The meeting was adjourned at 8:45 p.m.

Respectfully submitted:

Conchita H. Alvarez, MMC
Village Clerk

Approved this 10th day of March, 2015:

Franklin H. Caplan
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.