



VILLAGE OF KEY BISCAYNE

Office of the Village Manager

MEMORANDUM

Village Council
Franklin H. Caplan, *Mayor*
Mayra P. Lindsay, *Vice Mayor*
Michael W. Davey
Theodore J. Holloway
Michael E. Kelly
Ed London
James S. Taintor

Village Manager
John C. Gilbert

DATE: April 9, 2013

TO: Honorable Mayor and Members of the Village Council

FROM: John C. Gilbert, Village Manager

RE: Resolution urging Miami-Dade County to preserve the existing fields and lights in Crandon Park

RECOMMENDATION

It is recommended that the Village Council approve the provided Resolution to initiate the process for consideration of an amendment to the Crandon Park Master Plan related to the closing of the lit playing fields located in Crandon park.

BACKGROUND

The Village Council previously initiated this process in November of 2001 with Resolution 2001-74, attached as Exhibit "A". On December 18 2001, the Miami-Dade Board of County Commissioners adopted Resolution R-1444-01, attached as Exhibit "B". Resolution R-1444-01 permitted this process to continue and authorize the "Committee on Amendment of the Crandon Park Master Plan" to convene. The process concluded on May 4, 2005 with a conditional extension of the lit playing fields as described in the "Report on Meeting of the Committee on the Amendment of the Crandon Park Master Plan", attached as Exhibit "C".

RESOLUTION NO. 2013 - _____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, URGING THE COUNTY MAYOR AND BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, TO TAKE ACTION TO PRESERVE THE EXISTING PLAYING FIELDS AND LIGHTS IN CRANDON PARK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne is a growing community with residents in need of active recreational fields, including baseball and other multi-purpose playing fields; and

WHEREAS, Miami-Dade County residents have enjoyed the playing fields on Crandon Park for many years.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The recitals stated above are hereby confirmed and adopted.

Section 2. Request. The Village Council hereby requests that the County Mayor and Board of County Commissioners take all necessary action to preserve the existing playing fields in Crandon Park including the approval of a resolution by the County Commission seeking an amendment to the Crandon Park Master Plan which would allow the existing ballfields and lights to remain.

Section 3. Authorization. The Village Council hereby authorizes the Village Manager to immediately take any and all action necessary to implement the purpose and intent of this Resolution. The Village Manager is also authorized to continue to utilize the services of the Village Attorney and any other professionals who may be able to assist in accomplishing the purposes of this Resolution.

Section 4. **Effective Date.** That this Resolution shall be effective immediately from and after adoption hereof.

PASSED AND ADOPTED this ____ day of _____, 2013.

MAYOR FRANKLIN H. CAPLAN

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY

EXHIBIT “A”

RESOLUTION NO. 2001-74

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, URGING THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, TO TAKE ACTION TO PRESERVE THE EXISTING PLAYING FIELDS AND LIGHTS IN CRANDON PARK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County is a growing community with residents in need of active recreational fields, including baseball and other multi-purpose playing fields; and

WHEREAS, Miami-Dade County residents have enjoyed the playing fields on Crandon Park for many years.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

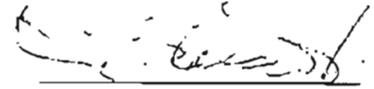
Section 1. Recitals Adopted. The recitals stated above are hereby confirmed and adopted.

Section 2. Request. The Village Council hereby requests that the Board of County Commissioners take all necessary action to preserve the existing playing fields in Crandon Park including the approval of a resolution seeking an amendment to the Crandon Park Master Plan which would allow the existing ballfields and lights to remain.

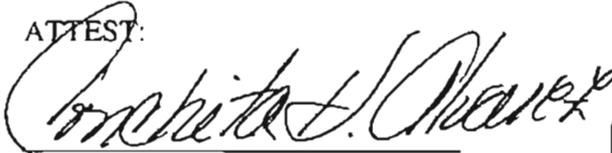
Section 3. The Village Council hereby authorizes the Village Manager to immediately take any and all action necessary and expedient to implement the purpose and intent of this Resolution, including the provision to the County of the specific text of the requested amendment to the Crandon Park Master Plan. The Village Manager is also authorized to continue to utilize the services of the Village Attorney and any other professionals who may be able to assist in accomplishing the purposes of this Resolution.

Section 4. Effective Date. That this Resolution shall be effective immediately from and after adoption hereof.

PASSED AND ADOPTED this 13th day of November, 2001.

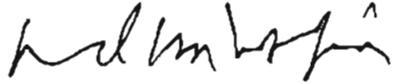

MAYOR JOE I. RASCO

ATTEST:



CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



RICHARD JAY WEISS, VILLAGE ATTORNEY

EXHIBIT “B”



Miami-Dade Legislative Item File Number: 013143

File Number: 013143 **File Type:** Resolution **Status:** Adopted
Version: 0 **Reference:** R-1444-01 **Control:** Recreation & Cultural Affairs Committee

File Name: AMENDT TO CRANDON PARK MASTER PLAN KEY BISCAYNE LIGHT BALL F **Introduced:** 11/29/2001

Requester: NONE **Cost:** **Final Action:** 12/18/2001

Agenda Date: 12/18/2001 **Agenda Item Number:** 9A1

Notes: Title: RESOLUTION DIRECTING THE COUNTY MANAGER TO INITIATE THE PROCESS TO ALLOW CONSIDERATION OF AN AMENDMENT TO THE CRANDON PARK MASTER PLAN REQUESTED BY THE VILLAGE OF KEY BISCAYNE, RELATING TO LIGHTING FOR BALL FIELDS AND TO THE CLOSING TIME OF PARK LANDS EAST OF CRANDON BOULEVARD

Indexes: CRANDON PARK **Sponsors:** Jimmy L. Morales
 MASTER PLAN
 VILLAGE OF KEY BISCAYNE
 COUNTY MANAGER
 AMENDMENT TO

Sunset Provision: No **Effective Date:** **Expiration Date:**

Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	12/18/2001	9A1	Adopted				P
Recreation & Cultural Affairs Committee	12/12/2001	2B	Forwarded to BCC without a recommendation				P

REPORT: Upon inquiry by Commissioner Seijas regarding the county's responsibility on the project, Assistant County Attorney Coffey-Armstrong indicated the county had no legal obligation to initiate the process, however the process would be similar to a governmental facilities hearing

inasmuch as it was still a county park and the proposed resolution was for the Board of County Commissioners to consider whether or not to have the item considered by an amendment committee. With regards to the cost of the project, Assistant County Manager Hudak indicated, in her opinion, there would be no issues related to cost inasmuch as the lighting issue was already in the master plan and is to be removed by 2005. Commissioner Seijas requested the item be forwarded to the Board of County Commissioners without a recommendation from the committee.

County Attorney 11/29/2001

Assigned

Joni
Coffey

11/29/2001

Legislative Text

TITLE

RESOLUTION DIRECTING THE COUNTY MANAGER TO INITIATE THE PROCESS TO ALLOW CONSIDERATION OF AN AMENDMENT TO THE CRANDON PARK MASTER PLAN REQUESTED BY THE VILLAGE OF KEY BISCAZYNE, RELATING TO LIGHTING FOR BALL FIELDS AND TO THE CLOSING TIME OF PARK LANDS EAST OF CRANDON BOULEVARD

BODY

WHEREAS, pursuant to a Settlement Agreement resolving litigation with the Matheson family concerning permissible public park uses for Crandon Park on Key Biscayne, this Board in July 1996 approved a Master Plan for Crandon Park ("Plan"); and

WHEREAS, this Board caused the approved Plan to be recorded in the public records of Miami-Dade County, Florida, as a declaration of restrictive covenants binding the Crandon Park lands; and

WHEREAS, the Plan establishes the uses permitted on all Crandon Park lands, as well as the guidelines and standards for the location and construction of all structures, improvements and recreational and other facilities in Crandon Park; and

WHEREAS, any modification to the Plan requires approval both by this Board, after public hearing, and also by a Committee on Amendment of the Crandon Park Master Plan, which may be convened only by resolution of this Board; and

WHEREAS, the County Manager has established a process to place before this Board proposals to amend the Plan; and

WHEREAS, the process requires professional staff review and public input through the governmental facilities process outlined in section 33-303 of the Code of Miami-Dade County; and

WHEREAS, the process also requires a determination by this Board as to whether a Committee on Amendment of the Crandon Park Master Plan should be convened to consider a particular proposal; and

WHEREAS, the Plan as adopted provides that the closing time for those portions of the Crandon Park lands east of Crandon Boulevard, where the ball fields are located, shall be sundown (except for ball fields until January 1, 2005); and

WHEREAS, the Plan further requires all field lighting to be removed by January 1, 2005; and

WHEREAS, the Village of Key Biscayne has adopted a resolution requesting that this Board direct the County Manager to initiate the process for considering a proposal pertaining to lighting for ball fields in Crandon Park and to the mandatory closing time for Crandon Park lands east of Crandon Boulevard, a copy of which is attached hereto and incorporated by reference; and

WHEREAS, this Board desires to consider the merits of the proposal by the Village of Key Biscayne,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Manager to initiate

the process by which the attached request of the Village of Key Biscayne to amend the Crandon Park Master Plan may be considered by this Board.

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EXHIBIT “C”

**Report on Meeting of the
Committee on the Amendment of the
Crandon Park Master Plan
May 04, 2005**

Purpose:

The Committee on the Amendment of the Crandon Park Master Plan conducted a public meeting in the conference room of the Hickman Building, 275 NW 2nd Street, Miami, Florida on Wednesday May 4, 2005, at 2:00 P.M. (agenda attached). This was a second follow-up to the meeting held on December 7, 2004, to hear of the Village of Key Biscayne's progress and give consideration to recommendations to allow the continuation of the lighted ballfields at Crandon Park.

The following Committee members were present:

Mary Munson, Chairperson
Dean C. Colson
George F. Knox
Bruce Matheson

The following Miami-Dade County Staff were present:

Alex Muñoz, Assistant County Manager
Vivian Donnell Rodriguez, Director, Park & Recreation Department
Oren Rosenthal, Assistant County Attorney
Diamela Del Castillo, Assistant County Attorney
Frank Faragalli, Assistant to Director P&R Department
Tim Byrnes, Region Manager, P&R

The following Village of Key Biscayne representatives and supporters were present:

Robert Oldakowski, Mayor, Village of Key Biscayne
Jacqueline Menendez, Manager, Village of Key Biscayne
Todd Hofferbeth, Director Village P&R Department
Joe Serota, Village Attorney

Also present:

Commissioner Carlos Gimenez
Joe Arriola, City Manager, City of Miami

Sign-in sheet is attached

I. Welcome & Introduction -

The Chairperson called the meeting to order at 2:10 p.m. with all members present and all introductions were made. Chairperson noted that Ms Mabel Miller had requested the opportunity to make a short presentation and that it would be inserted into the agenda at the conclusion of old business.

II. **Approval of the Minutes –**

The Chairperson asked for approval of the minutes from the December 7, 2004, meeting. Mr. Colson moved to approve the report, Mr. Matheson seconded, and the motion to approve the report passed unanimously.

III. **Old Business –**

The Chairperson asked the Village to update the Committee relevant to the issues and conclusions of the May 18, 2004 meeting.

Village Discussion:

The Mayor of the Village of Key Biscayne (Robert Oldakowski) thanked the CPAC for the extension through June 2005. He noted that the issues of the past meeting were still relevant, those being: Progress on a Virginia Key Master Plan (VKMP) and the Timetable for getting the plan done and construction to start. The Mayor noted that there was a new consideration in the proposed quid pro quo between the Village and the County for improvements at Crandon Park. The Mayor discussed the progress of the master plan development with the hiring of a consultant to lead the process. The City of Miami has issued a RFQ for the assessment of remediation and implementation of the landfill clean up and expects replies in about a week. In conclusion the Mayor asked the Committee to grant an 8-10 year extension, or sooner if the Virginia Key fields are ready. The Mayor also suggested a shorter time extension with benchmarks if the CPAC preferred. Mayor asked the Village Manager to present the proposal for a quid pro quo project with the Parks Director. In conclusion the Mayor reiterated that significant progress had been made in the VKMP, and that the Village accepted the extension as a short-term request, not a permanent solution. The Mayor also noted that the Village continues to build reserve funds for future athletic field development. Mayor asked Commissioner Gimenez and City Manager Arriola to make some comments.

Commissioner Gimenez spoke to the issue of the vision for Virginia Key, and expressed the County commitment to the planning process and the fact that the athletic fields were part of the vision, not only for the Village but also for other areas as a regional asset.

The Village Manager Menendez presented a proposal that the Village was willing to fund improvements to the Calusa area as part of the requirements of the master plan. The proposal consisted of renovation of the recreation center, upgrading the restrooms, adding a storage room, and converting the existing four tennis courts to multi-purpose use. This seems like a good project as the Village has the latitude to make it happen, because the area is within the jurisdiction of the Village. The project cost estimate is \$250-\$300K. The Director of the Parks Department noted that the County is in agreement that this a worthy project. There was some discussion concerning the scope of work being within and the master plan.

City Manager Arriola noted that remediation for the clean up would begin in 90 days, with an estimated start of the clean up being 2008. How long the clean up will take is really unknown at this time. The Manager also confirmed that athletic fields are definitely part of the plan and reiterated that this is not just a City park, but also a park for everyone. The Manager was asked how the park would work. He replied that the park was too large for the City to manage and that possibly they would put a board together to govern the park. Mr. Knox noted that whatever the plan is there will be included a permanent solution to the CPAC narrow issue of the ballfields at Crandon Park. Mr.

Arriola concurred. There followed a discussion of the timing of the extension and the Village commitment of \$200-\$300K. Ms. Munson asked if giving an 8-10 year extension could be contingent upon ballfields being part of the VKMP? Mayor responded positively, asking if the commitment of the funds could be delayed until it was assured that the ballfields were part of the VKMP. This was rejected by the CPAC. The funds should be committed at the onset.

There was further discussion by Mr. Matheson on the size of the Virginia Key project and when the project would be done. Mr. Arriola noted the following preliminary schedule: 90 days to begin remediation; nine (9) months to complete the assessment; VKMP to be finished in 12-18 months. Timing of the VKMP will depend on the community involvement, which is important part of this projects process.

Mr. Matheson discussed the Calusa renovations including public access to the bay for viewing. He asked that the Village include the 3,500 ft. Mangrove boardwalk, which is part of the Master Plan. There followed a discussion of the value of the commitment related to the costs and improvements both off and on Crandon Park and the proposed improvements to the Village Green by the Village.

Committee Discussion and Proposals:

Discussion and questions from Committee members following the public presentation.

Ms Munson – Asked Committee to consider granting an 8-10 year extension or until the fields are actually built, but it would be contingent upon the lights and new ballfields being put into the VKMP, and also be contingent upon the quid pro quo.

Mr. Knox – Asked if there might be a way to fund the boardwalk. Commissioner Gimenez noted that we needed to know when GOB funds would be available for Crandon Park and as the County prioritizes projects, what needs to be done as part of the master plan including the boardwalk.

Mr. Knox - If appropriate that the Chairperson's suggestion be incorporated into a motion, with the understanding that maximum effort will be given by the Village and the County to expedite the contemplated improvements at Calusa, than he would move the adoption of the suggestion.

Ms Munson – Asked to amend the proposal in terms of the expectation for not only Calusa, but also all of Crandon Park. Mr. Knox noted that he was trying to focus on the Village interest and investment and that was the reason why Calusa was singled-out.

Mr. Matheson – Asked about the 8-10 years.

Ms Munson – Suggest up to eight (8) years, or less depending on completion of Virginia Key fields, contingent upon the ballfields being part of the VKMP, and contingent upon the quid pro quo.

Mr. Colson – There needs to be a time put on the quid pro quo. It needs to be funded and complete in up to two (2) years. If the Virginia Key project is not ready in eight (8) years the Village must to come back for another extension request.

Mr. Matheson commented on how quickly these kinds of projects could be completed.

Mr. Knox called the question and Mr. Colson seconded. The Chair asked CA Rosenthal to frame the motion that follows:

“The question before the Committee is to amend the Master Plan to allow for up to an additional eight (8) years of lights on the ballfields in question. That extension would be extinguished earlier if there were equal and suitable lit ballfields on the Virginia Key project at the time when it happens. Secondly, that would be contingent upon the

inclusion of the lighted ballfields in the VKMP, and the master plan being completed within two (2) years, and also contingent upon the quid pro quo as introduced by the Village to be completed in two (2) years.”

There was some discussion by the Committee on the proposal. The motion was amended to add that the CPAC would meet after two (2) years to review the progress of the two (2) contingencies that were granted two (2) years to be completed by.

Mr. Colson called the question, Mr. Knox seconded.

The motion passed unanimously

IV. **New Business:**

1. The Chair recognized Mabel Miller to discuss the idea of her offering her services to design the beginnings of a mangrove trail in the Calusa area. Ms. Miller noted that a pocket of mangrove next to the FPL sub-station could be developed into an elevated trail. She also noted that funding might be available. Ms Miller spoke of the possible advantages of this spot as a learning center.

2. The Chair noted that there were members on the Committee who could not continue, and given that issues the Committee has been dealing with were resolved today, that this may be the appropriate time to dissolve the existing Committee, which will than be re-appointed as allowed by the process and the Master Plan. Mr. Rosenthal affirmed that this was an appropriate motion for the Committee to consider.

Mr. Colson moved to dissolve the Committee, to be re-constituted later as per the Master Plan and to review the amendment passed today regarding the two (2) year review of the Village issue. Me. Knox seconded the motion.

The motion passed unanimously

Having no further business the meeting was adjourned.