MINUTES

REGULAR COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, JUNE 9, 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 P. Lindsay was absent. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.

2. **INVOCATION:** Reverend Juan Carlos Paguaga with Saint Agnes Catholic Church gave an invocation.

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

At this time the following items were heard:

8. **APPROVAL OF MINUTES:** Councilmember Kelly made a motion to approve the minutes of the May 26, 2015 Zoning Meeting. The motion was seconded by Councilmember Holloway.

Councilmember Taintor proposed to change the wording on page 6 under Reports and Recommendations as follows: "the Manager advised the Council that to perform a traffic study regarding the closure of McIntyre Street from Crandon Boulevard to Village Green Way was estimated to cost $22,600". There was no objection to the proposed amendment to the minutes.

The minutes, as amended, were 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.

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

The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 30-100 "SINGLE-FAMILY AND TWO-FAMILY DISTRICTS" OF THE VILLAGE CODE OF ORDINANCES RELATING TO POOL FENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Holloway made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Kelly.

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

Vice Mayor Caplan proposed to add the following language to section (e) fences (ii): "It is not an acceptable alternative under Section 515.27, Florida Statutes". There is no objection to this change.

The ordinance, as amended, was approved on second reading by a 6-0 roll call 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 ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING ARTICLE XIX CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO PURCHASE AGREEMENTS FOR THE ACQUISITION OF REAL PROPERTY SUBJECT TO VILLAGE COUNCIL APPROVAL; AUTHORIZING THE LAND ACQUISITION COMMITTEE TO RECOMMEND THAT THE VILLAGE MANAGER NEGOTIATE AND ENTER INTO PURCHASE AGREEMENTS FOR THE ACQUISITION OF INTERESTS IN REAL PROPERTY CONDITIONED ON VILLAGE COUNCIL APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Holloway made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Kelly.

The Vice Mayor opened the public hearing. Pat Woodson, 940 Mariner Drive and Mary Jo Pinedo, 365 Atlantic Road addressed the Council. The Vice Mayor closed the public hearing.

There was discussion from Council regarding this ordinance.

Vice Mayor Caplan proposed an amendment to the second whereas clause as follows: "Whereas, the Village Council desires to utilize the Land Acquisition Committee (the "Committee"), among other resources to recommend land acquisition opportunities for such purposes, and to assist the Village Manager, in the Manager's discretion in prioritizing opportunities and negotiating and entering into conditional purchase agreements on long-term leases for park, recreation and open space purposes; and" There was no objection to the proposed amendment.

The ordinance, as amended, was approved on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Holloway, Kelly, London, Taintor and Vice Mayor Caplan voting Yes.

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, SELECTING CT SOLUTIONS SOUTH, INC. FOR THE PURCHASE OF A VOICE OVER INTERNET PROTOCOL (VOIP) SYSTEM FOR THE VILLAGE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council recommending approval of the resolution to enter into an agreement with CT Solutions to install and configure a Voice over Internet Protocol (CoIP) phone system for the Civic Center campus in an amount not to exceed $87,229. Funding for this project is in the FY2015 Capital Improvement Plan.

There was extensive discussion from Council regarding this resolution.

Jose Calvo, IT Supervisor for the Police Department addressed the Council.

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 BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN AMENDMENT TO THE CONTRACT WITH STANTEC ASSOCIATES, INC., AWARDED PURSUANT TO RFP 2014-01, TO COMPLETE THE DESIGN OF A DOG PARK AT THE VILLAGE GREEN; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO ADVERTISE FOR THE CONSTRUCTION OF THE DOG PARK UPON COMPLETION OF THE DESIGN; PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council recommending approval of a new amendment to the contract with Stantec to complete the design of the dog park at the Village Green, authorizing the Village Manager to execute the contract amendment for Bid and Construction Services and to advertise for the construction. Funding for the project is in the Capital Improvements Plan (CIP).

There was extensive discussion from Council regarding this resolution.

Javier Salman with Stantec addressed the Council.

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.

At this time the following items were heard:

4. **BRIEF COMMENTS BY COUNCIL:** Councilmember London addressed the Council regarding the no parking issue for our residents at SunTrust parking lot, unless you are conducting business at the bank.

At this time Councilmember London excused himself from the meeting.

Vice Mayor Caplan congratulated Councilmember de la Cruz for being chosen to be part of the Good Government Initiative.

Vice Mayor Caplan and Councilmember Taintor reported on a meeting held with the organizers of the Boat Show and also addressed the Council and the public regarding the upcoming joint session with the City of Miami on Tuesday, June 16, 2015 at 10:00 a.m., at Miami Dade College, Wolfson Campus.

The Manager reported that the Village bus will be available to transport residents to the Miami-Dade College, Wolfson Campus in order to attend the above mentioned meeting.

5. **SPECIAL INTRODUCTION:** There were no special introductions.

6. **PUBLIC COMMENTS:** The following persons addressed the Council: Gloria Izaguirre, 285 Hampton Lane; Cristina Figueredo Zizold, 798 Crandon Boulevard; Elizabeth Schiavone, 650 Ocean Drive; Julie Lambert, 798 Crandon Boulevard; Robert Knecht, 1121 Crandon Boulevard; Raul de la Heria, 641 Glenridge Road and Mayra Garcia, Vice President, Branch Manager for SunTrust Bank.

7. **AGENDA:** Councilmember Taintor requested the addition of a discussion regarding the SunTrust Parking as Item 11A1. There was no objection to the agenda change.

At this time the following items were heard.

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

Mayor and Councilmembers. Councilmember Taintor addressed the Council regarding the issue with residents parking in the SunTrust Bank parking lot.

The Manager addressed the Council regarding this issue. There was extensive discussion from Council regarding this issue.

It was the consensus of Council to direct the Manager to meet with Ms. Garcia from SunTrust and try to find a solution to the parking issues at SunTrust.

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 the planning of the 25th Anniversary of Incorporation. The Manager recommended to hold the Anniversary celebration on September 23, 2015. Since the first meeting of the Board of Trustees was held on September 23, 1991..

The Manager addressed the Council regarding the Land Acquisition Committee recommended Priorities for the Acquisition of Land.

Pat Woodson, Chairperson of the Land Acquisition Committee, addressed the Council.

There was extensive discussion from Council regarding the purchasing of land within the Village.

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 9:00 p.m.

Respectfully submitted:

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Conchita H. Alvarez, MMC
Village Clerk

Approved this 23rd day of June 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.