

MINUTES

SPECIAL VILLAGE COUNCIL MEETING  
KEY BISCAIYNE, FLORIDA

TUESDAY, JULY 10, 2012

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 Michael W. Davey (via telephone), Enrique Garcia, Robert Gusman, Mayra P. Lindsay, James S. Taintor, Vice Mayor Michael E. Kelly and Mayor Franklin H. Caplan. Also present were Village Manager John C. Gilbert, Acting Village Clerk Jennifer Duque and Village Attorney Stephen J. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Caplan led the Pledge of Allegiance.
3. **SPECIAL PRESENTATIONS:** Mr. Carlos Lopez-Cantera, Candidate for Property Appraiser of Miami-Dade County.
4. **APPROVAL OF MINUTES:** There were no minutes considered by Council.
5. **ORDINANCES:** There were no ordinances, on first reading, considered by Council.

The Manager requested to hear Item 5B3 first. There was no objection to the request.

*July 10, 2012*

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

**A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY REGARDING THE FINANCING OF A PERMANENT SECONDARY EDUCATIONAL FACILITY AND RECREATIONAL FIELDS LOCATED AT THE MAST ACADEMY CAMPUS AS WELL AS NECESSARY RENOVATIONS OF THE KEY BISCAYNE K-8 CENTER AT A COST NOT TO EXCEED \$23,000,000; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Lindsay made a motion to approve the ordinance on second reading. The motion was seconded by Vice Mayor Kelly.

The Manager addressed the Council introducing the following School Board Staff: Iraida Mendez-Cartaya, Assistant Superintendent, Office of Intergovernmental Affairs, Grants Administration and Community Engagement; Ana Rijo-Conde, Eco-Sustainability Officer, Planning, Design and Sustainability Department; Jaime Torrens, Chief Facilities Officer, Office of School Facilities and Dr. Helen Blanch, Assistant Superintendent, School Choice, School Operations.

The Mayor opened the public hearing. Conchita Suarez, 201 Crandon Boulevard; Charles Viscito, 141 Crandon Boulevard; Manny Cambo, 621 Harbor Drive; Miguel A. Suarez, 281 Island Drive; Gwen Wurm, 131 Buttonwood; Michele Estevez, 798 Crandon Boulevard; Alan Fein, 525 Allendale Road and Ricardo Martinez, 1111 Crandon Boulevard addressed the Council. The Mayor closed the public hearing.

Silvia Tarafa, Principal of the Key Biscayne Community School addressed the Council.

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

The motion to adopt the ordinance, on second reading, was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey (via telephone), Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

*July 10, 2012*

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

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$23,000,000 OF SCHOOL IMPROVEMENT REVENUE BONDS OF THE VILLAGE OF KEY BISCAYNE, FLORIDA FOR THE PURPOSE OF PROVIDING A PORTION OF THE FINANCING OF A PERMANENT SECONDARY EDUCATIONAL FACILITY AND RECREATIONAL FIELDS LOCATED AT THE MAST ACADEMY CAMPUS AS WELL AS NECESSARY RENOVATIONS OF THE KEY BISCAYNE K-8 CENTER; PROVIDING FOR SUPPLEMENTAL RESOLUTIONS SETTING FORTH THE DETAILS OF SAID BONDS; AND PROVIDING AN EFFECTIVE DATE.**

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

The Manager and the Attorney addressed the Council regarding this ordinance.

Lourdes Abadin with Estrada Hinojosa, Village's Financial Consultant addressed the Council regarding this ordinance.

There was extensive discussion from Council regarding this ordinance.

The Mayor opened the public hearing. Manny Cambo, 621 Harbor Drive addressed the Council. The Mayor closed the public hearing.

The ordinance was approved on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey (via telephone), Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

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

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING SECTION 19-13 "PUBLIC DEMONSTRATION, GATHERINGS, PERFORMANCES, ATHLETIC EVENTS, ETC." TO REQUIRE ALL PERSONS WHO USE THE VILLAGE'S PUBLIC PARKS TO CONDUCT FITNESS CLASSES/TRAINING TO REGISTER WITH THE VILLAGE, MEET CERTAIN REQUIREMENTS AND PAY A REGISTRATION FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

The Manager and the Attorney address the Council regarding this ordinance.

The Mayor opened the public hearing. Michele Estevez, 798 Crandon Boulevard addressed the Council. The Mayor closed the public hearing.

Parks and Recreation Department Director Todd Hofferberth addressed the Council regarding this ordinance.

There was extensive discussion from Council regarding this ordinance.

The ordinance was approved on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

6. **RESOLUTIONS:** There were no resolutions considered by Council.
7. **REPORTS AND RECOMMENDATIONS:** There were no reports or recommendations.
8. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
9. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.
10. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
11. **ADJOURNMENT:** The meeting was adjourned at 9:42 p.m.

Respectfully submitted:



Conchita H. Alvarez, MMC  
Village Clerk

Approved this 12th day of February 2013:



July 10, 2012



**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.***