

MINUTES

SPECIAL COUNCIL MEETING  
KEY BISCAIYNE, FLORIDA

FRIDAY, MAY 11, 2018

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:00 p.m. Present were Councilmembers Gary R. Gross, Brett G. Moss, Kathleen Petros and Mayor Mayra P. Lindsay. Vice Mayor Franklin H. Caplan and Councilmembers Allison McCormick and Luis de la Cruz arrived at 4:20 p.m. Also present were Village Manager John C. Gilbert, Village Special Counsel John Shubin and Ian de Mello with Shubin and Bass.
2. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.
3. **PUBLIC COMMENTS:** There were no speakers present.
4. **DISCUSSION:** Village Special Counsel Ian de Mello read the following pending litigation, by title:

**VILLAGE OF KEY BISCAIYNE V. CITY OF MIAMI, MIAMI-DADE COUNTY CITY COURT, CASE NO. 15-2997 CA 09 IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.**

Village Special Counsel John Shubin addressed the Council regarding Case No. 15-2997 CA 09.

There was extensive discussion by Council regarding Case No. 15-2997 CA 09.

Councilmember de la Cruz made a motion to ratify the settlement agreement with the National Marine Manufacturers Association. The motion was seconded by Councilmember McCormick and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Village Special Counsel John Shubin read the following pending litigations, by title:

**VILLAGE OF KEY BISCAYNE V. NMMA, MIAMI-DADE COUNTY CITY COURT, CASE NO. 15-9160 CA-11 IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.**

**VILLAGE OF KEY BISCAYNE V. MIAMI-DADE COUNTY, MIAMI-DADE COUNTY CITY COURT, CASE NO. 16-3899 CA 02 IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.**

Village Special Counsel John Shubin addressed the Council regarding Case No's. 15-2997 CA 09, 15-9160 CA-11 and 16-3899 CA 02.

Councilmember Gross made a motion to dismiss Case No's. 15-9160 CA-11 and 16-3899 CA 02 without prejudice. The motion was seconded by Vice Mayor Caplan and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

5. **ADJOURNMENT:** The meeting was adjourned at 4:10 p.m.

*Respectfully submitted:*

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*Jennifer Medina*  
*Village Clerk*

*Approved this \_\_\_\_ day of \_\_\_\_\_ 2018:*

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*Mayra P. 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.***