

MINUTES

REGULAR COUNCIL MEETING  
KEY BISCAWAYNE, FLORIDA

TUESDAY, MAY 8, 2018

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:30 p.m. Present were Councilmembers Luis de la Cruz, Gary R. Gross, Allison McCormick, Brett G. Moss, Kathleen Petros and Vice Mayor Allison McCormick and Mayor Mayra P Lindsay. Also present were Village Manager John C. Gilbert, Village Clerk Jennifer Medina and Village Attorney's Chad Friedman and Stephen H. Helfman.
2. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.
3. **INVOCATION:** Rabbi Yoel Caroline from Chabad of Key Biscayne provided an invocation.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Lindsay acknowledged the large number of residents interested in the sea level rise initiatives. Councilmember Petros addressed the public apologizing for the late start of the Council meeting.
5. **AGENDA:** Councilmember Petros requested to withdraw Item 10A4. Mayor Lindsay requested to revise the discussion Item 10A16 by removing the word "pocket" and also requested the addition of a discussion regarding eliminating plastic straws as Item 10A17 and lastly, requested to defer Item 10A8 to the next regularly scheduled Council meeting. Councilmember de la Cruz requested to defer Item 10A14 to the next regularly scheduled Council meeting. Vice Mayor Caplan requested to defer Item 10A10 to the next regularly scheduled Council meeting. There were no objections to the agenda changes.
6. **PUBLIC COMMENTS:** The following residents addressed the Council: Betty Conroy, 785 Crandon Boulevard; Pat Woodson, 472 Warren Lane; Derek Duzoglou, 155 Sunrise Drive; Michael Kelly, 395 Gulf Road and Theodore Holloway, 575 Crandon Boulevard.

7. **SPECIAL PRESENTATIONS:** Manny Rionda, 155 Sunrise Drive, presented to the Council efforts of Key Biscayne volunteers towards beach clean-ups.

At this time, Item 7B was heard.

The Mayor presented a proclamation in observance of the Florida Flood Awareness week.

At this time, Item 7C was heard.

W.D. Higginbotham, Jr. from Mercer Group Florida, LLC. addressed the Council regarding a status update of the search for a Village Manager.

There was extensive discussion by Council regarding the finalists for the Village Manager position.

It was the consensus of Council to review the credentials of all eight (8) candidates and select the top five (5) candidates for the Village Manager position and each Councilmember will then send the top five (5) candidates by 12:00 p.m. on May 16, 2018 to the Village Clerk. At that time, the Clerk will then compile the results and forward the results to Council.

It was the consensus of Council to schedule interviews for the final five (5) candidates for the Village Manager position on Sunday, June 3, 2018 and Monday, June 4, 2018 and select the finalist for the Village Manager position at the Tuesday, June 5, 2018 Regular Council Meeting.

At this time, Mayor Lindsay addressed the Council requesting to hear Item 9B before Item 9A. There no objections to the agenda change.

At this time, Item 9B was heard.

The Clerk read the following resolution, by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A SETTLEMENT AGREEMENT BETWEEN THE VILLAGE OF KEY BISCAYNE AND THE NATIONAL MARINE MANUFACTURERS ASSOCIATION IN THE PENDING ACTION STYLED VILLAGE OF KEY BISCAYNE V. CITY OF MIAMI, ET AL, MIAMI-DADE COUNTY CASE NO. 15-2997CA-01 (21); PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Mayor Lindsay allowed for public comments. There were no speakers present. The Mayor closed public comments.

There was extensive discussion by Council regarding this resolution.

At this time, Ian DeMello representing the Village from Shubin & Bass addressed the Council regarding this resolution.

At this time, Police Chief Charles R. Press addressed the Council regarding the traffic caused by the Miami International Boat Show at the Marine Stadium.

It was the consensus of Council to revise Sections 9(G) and 9(H) of the settlement agreement between the Village and National Marine Manufacturers Association (NMMA) to read as follows:

9(G) Drop-off for Taxi, Uber, and other for-hire car services and prepaid VIP parking will manage and minimize stacking as approved in the MOT to reduce traffic impact on the Rickenbacker Causeway. The NMMA will work with the City of Miami taxi regulators, and other for-hire car operators such as Uber and Lyft, to establish designated drop-off points on the north side of Rickenbacker Causeway to guard against stacking within the Rickenbacker Causeway; and

9(H) The NMMA will use best efforts not to exceed 4,000 pre-paid parking spaces per day on Virginia Key and agrees that the total number of pre-paid parking spaces on Virginia Key will not exceed 4,500 parking spaces per day.

The resolution, as amended, was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Luis de la Cruz, Gary R. Gross, Allison McCormick, Brett G. Moss, Kathleen Petros and Vice Mayor Franklin H. Caplan and Mayor Mayra P Lindsay voting Yes.

8. **ORDINANCES:** There were no ordinances heard.

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

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO CALVIN, GIORDANO & ASSOCIATES, INC. FOR DESIGN CRITERIA PROFESSIONAL SERVICES AND CONSTRUCTION ADMINISTRATION SERVICES FOR UTILITY UNDERGROUNDING AND INCORPORATION OF A PUMP TRACK AT THE PARK LOCATED AT 530 CRANDON BOULEVARD; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Moss made a motion to approve the resolution. The motion was seconded by Councilmember Petros.

The Manager addressed the Council recommending approval of this resolution.

Vice Mayor Caplan addressed the Council providing an update on a meeting with the Miami-Dade County Library Director regarding the Key Biscayne Library.

There was extensive discussion by Council regarding this resolution.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Luis de la Cruz, Gary R. Gross, Allison McCormick, Brett G. Moss, Kathleen Petros and Vice Mayor Franklin H. Caplan and Mayor Mayra P Lindsay voting Yes.

The Clerk read the following resolution, by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ENDORSING AND SUPPORTING THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION'S (TPO) STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Moss made a motion to approve the resolution. The motion was seconded by Vice Mayor Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Luis de la Cruz, Gary R. Gross, Allison McCormick, Brett G. Moss, Kathleen Petros and Vice Mayor Franklin H. Caplan and Mayor Mayra P Lindsay voting Yes.

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

Mayor and Councilmembers. Councilmember Moss addressed the Council regarding installing a license plate reader.

At this time, the Police Chief addressed the Council regarding the installation of a license plate reader.

There was extensive discussion by Council regarding the installation of a license plate reader.

It was the consensus of Council to direct the Manager to move forward with the installation of a license plate reader.

Councilmember Gross addressed the Council regarding issuing a Request for Proposals for a State lobbyist.

There was extensive discussion by Council regarding the issuance of a Request for Proposals for a State lobbyist.

It was consensus of Council to direct the Attorney to prepare a Request for Proposals for a State lobbyist.

Councilmember Moss addressed the Council regarding the Crandon Boulevard and Mashta Drive intersection traffic light.

The Manager and the Police Chief addressed the Council regarding completing the installation of the traffic light on the intersection of Crandon Boulevard and Mashta Drive by October of 2018.

There was extensive discussion by Council regarding the installation of the smart traffic lights.

The Attorney addressed the Council regarding the deadline to expend the monies for the installation of the smart traffic lights.

Item 10D4 was withdrawn earlier in the meeting.

Councilmember McCormick addressed the Council regarding the Village Council utilizing the Council Chamber meeting space.

There was extensive discussion by Council regarding a Village Council meeting space.

It was the consensus of Council to direct the Manager to provide for a 12x12 Council meeting space within Village Hall with easy accessibility.

Councilmember Moss addressed the Council regarding the addition of an Assistant Village Manager position.

There was extensive discussion by Council regarding the addition of an Assistant Village Manager position and the Finance Director position.

Councilmember McCormick addressed the Council regarding the Village's Council/Manager form of government.

Item 10D8 was withdrawn earlier in the meeting.

The Mayor, with the consensus of Council, reappointed the following individuals to the Board of Special Magistrates: Rosemary Salas, Nancy Stoner, Michelle Estevez, Michael Davey, Timothy Stickney and Gabriel Chavarria as the First Alternate.

At this time, the Mayor addressed the Council requesting to provide names of interested residents to the Clerk to fill the additional vacancy on the Board of Special Magistrates by the next regularly scheduled Council meeting.

Item 10D10 was withdrawn earlier in the meeting.

Councilmember Petros addressed the Council regarding the goal and objective setting with Charter employees.

There was extensive discussion by Council regarding the goal and objective setting with Charter employees.

At this time, Vice Mayor Caplan exited the Chambers (10:53 p.m.).

Councilmember Petros addressed the Council regarding circulating information thru the Clerk from municipal governments with an established Charter Official evaluation process for Charter employees.

At this time, Item 10D12 was heard.

Councilmember de la Cruz addressed the Council regarding the purchase of the entry block.

Councilmember Moss made a motion to obtain a new appraisal for the entry block. The motion was seconded by Mayor Lindsay and approved by a 7-0 voice vote. The vote was as follows: The vote was as follows: Councilmembers Luis de la Cruz, Gary R. Gross, Allison McCormick, Brett G. Moss, Kathleen Petros and Vice Mayor Franklin H. Caplan and Mayor Mayra P Lindsay voting Yes.

At this time, Item 10A16 was heard.

Mayor Lindsay addressed the Council regarding a Park Master Plan Workshop.

It was the consensus of Council to direct the Clerk to coordinate a date and time with the Council to schedule a Park Master Plan Workshop.

Item 10D13 was deferred to the next regularly scheduled Council meeting.

Item 10D14 was withdrawn earlier in the meeting.

Item 10D15 was deferred to the next regularly scheduled Council meeting.

At this time, Item 10D17 was heard.

The Mayor addressed the Council regarding the Seawall Coalition.

It was the consensus of Council to direct the Attorney to bring forth the necessary legislation regarding the Seawall Coalition at the next regularly scheduled Council meeting.

At this time, Item 10D18 was heard.

The Mayor addressed the Council regarding banning plastic straws.

It was the consensus of Council to direct the Attorney to draft the legislation necessary by the next regularly scheduled Council meeting to ban plastic straws.

At this time, the Mayor addressed the Council requesting a Special Council Meeting regarding the Village's litigation cases with the City of Miami, NMMA and Miami-Dade County on Friday, May 11, 2018 at 4:00 p.m. There were no objections by Council to schedule a Special Council Meeting on Friday, May 11, 2018 at 4:00 p.m. to discuss the Village's litigation cases with the City of Miami, NMMA and Miami-Dade County.

The remaining items on the agenda were deferred to the next regularly scheduled Council meeting.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk's report was deferred to the next regularly scheduled Council Meeting.

Village Manager. The Manager did not submit a report.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
12. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented 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 11:00 p.m.

***Respectfully submitted:***

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***Jennifer Medina***  
***Village Clerk***

***Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2019:***

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***Michael W. Davey***  
***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.***