

MINUTES
VILLAGE COUNCIL MEETING

TUESDAY, JUNE 12, 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, Enrique Garcia, Robert Gusman, Mayra P. Lindsay, Vice Mayor Michael E. Kelly and Mayor Franklin H. Caplan. Councilmember James S. Taintor was absent. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **INVOCATION:** Rabbi Yoel Caroline, Chabad of Key Biscayne gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mayor Caplan led the Pledge of Allegiance.
4. **BRIEF COMMENTS BY COUNCIL:** The Mayor announced that Room 120 at Village Hall is available with chairs and a TV to watch the Council Meeting live. Also available are registration forms in case anyone would like to speak on any item on the agenda.

The Mayor also addressed the Council regarding a candidate for Circuit Judge who will be introduced after the presentation by the Honorable Xavier Suarez.

5. **PUBLIC COMMENTS:** The following resident addressed the Council: Mortimer Fried, 291 Harbour Court.

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6. **CONSENT AGENDA:** The Clerk read the following resolutions, by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE VILLAGE ELECTORS FOR APPROVAL OR DISAPPROVAL OF A SERIES OF PROPOSED AMENDMENTS TO THE VILLAGE CHARTER, AS PROVIDED BY THE REPORT OF THE CHARTER REVISION COMMISSION, IN ACCORDANCE WITH SECTION 7.06 OF THE VILLAGE CHARTER; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION OF THE CHARTER AMENDMENTS TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED CHARTER AMENDMENTS TO BE HELD ON TUESDAY, THE 6TH DAY OF NOVEMBER, 2012, IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SAID DATE; PROVIDING FOR VOTING AT THE POLLS; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE PURCHASE OF A 30 FOOT CONTENDER VESSEL, INCLUDING ENGINES AND OTHER REQUIRED MARINE PERIPHERALS FOR THE POLICE DEPARTMENT; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Davey made a motion to approve the following consent agenda. The motion was seconded by Councilmember Lindsay and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Vice Mayor Kelly and Mayor Caplan voting Yes.

7. **SPECIAL PRESENTATIONS:** District 7, Miami-Dade County Commissioner Xavier Suarez and Donald Wolfe, Legislative Aide to the Commissioner addressed the Council regarding the Draft Bike Action Plan Report.

The Mayor introduced Lourdes Cambo, candidate for Circuit Judge. Ms. Cambo addressed the Council and the public.

The Honorable Raquel Regalado Miami-Dade County School Board Member for District 6 addressed the Council.

The following School Board Staff made a presentation to Council: 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; Dr. Helen Blanch, Assistant Superintendent, School Choice, School Operations and Sylvia R. Rojas, Treasurer, Office

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of Treasury Management.

The following additional School Board Staff was present: Dr. Richard Hinds, Associate Superintendent, Chief Financial Officer, Financial Services; Dr. Alexis Martinez, Regional Center Superintendent, South Central Regional Center and Dr. Albert Payne, Regional Director.

The following persons addressed the Council: Alan Fein, 525 Allendale Road; Hector Ceballos, 121 Crandon Boulevard; Manny Cambo, 621 Harbor Drive; Jackie Kellogg, 115 Sunrise Drive; Monica Marena Dabney, 575 Crandon Boulevard; Bill Stephens, 159 East Enid Drive; Leo Brito, 775 Curtiswood Drive; Heidi Brito, 775 Curtiswood Drive; Charles Viscito, 141 Crandon Boulevard; Evelyn Sheehan, 151 Crandon Boulevard; Michele Estevez, 798 Crandon Boulevard; Joe Rasco, 310 West Heather Drive; Kamilah Acebal, 370 West McIntyre Street; Sara Fernandez Mendoza, 686 Fernwood Road; Paul Keenan, 50 Ocean Lane Drive; Patricia Woodson, 940 Mariner Drive; Taimar Hervas, 250 Galen Drive; Carlos Fernandez, 615 Harbor Circle; Julie Dick, 251 Crandon Boulevard; Maria del Pilar Gutierrez Billiel, 236 West Mashta Drive; Aurelio Fernandez, 400 S. Mashta Drive; Tosca Lichtenheld, 440 Palmwood Lane; Raquel Perez, 415 Warren Lane; Gabriel Moreno, 575 Crandon Boulevard; Gwen Worn, 131 Buttonwood; Sean Schlthingmmer, Miami Lakes; Melissa White, 628 Ridgewood and Alicia Rojo, 515 Hampton Lane.

There was extensive discussion from Council regarding this proposal.

At this time Item 11 A was heard.

The Clerk read the following resolution, by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY REGARDING THE FUNDING, IN PART, OF THE CONSTRUCTION OF A PERMANENT SECONDARY EDUCATIONAL FACILITY AND RECREATIONAL FIELDS FOR VILLAGE RESIDENTS LOCATED AT THE MAST ACADEMY CAMPUS AS WELL AS RENOVATIONS AT THE KEY BISCAIYNE K-8 CENTER; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Davey made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 6-0 roll call vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Vice Mayor Kelly and Mayor Caplan voting Yes.

At this time the Council took a brief break.

8. **AGENDA:** There were no agenda changes.

9. **APPROVAL OF MINUTES:** Councilmember Gusman made a motion to approve the minutes of the May 8, 2012 Regular Council Meeting, the minutes of the May 22, 2012 Strategic Planning Presentation and the minutes of the May 22, 2012 Zoning Meeting. The motion was seconded by Councilmember Davey and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Vice Mayor Kelly and Mayor Caplan voting Yes.

10. **ORDINANCES:** There were no ordinances considered by Council.

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

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA AUTHORIZING AND PROVIDING FOR THE VILLAGE TO PURCHASE EQUIPMENT, TO-WIT: SEVEN (7) POLICE VEHICLES, EMERGENCY EQUIPMENT AND INSTALLATION, GRAPHIC INSTALLATION AND WINDOW TREATMENTS, ONE (1) BUILDING, ZONING AND PLANNING DEPARTMENT VEHICLE AND (1) PUBLIC WORKS DEPARTMENT VEHICLE IN AN AMOUNT NOT EXCEEDING \$255,000; SELECTING BANK PROPOSAL TO PROVIDE FINANCING; AUTHORIZING THE VILLAGE MANAGER AND OTHERS TO NEGOTIATE FINAL TERMS AND PREPARE AND EXECUTE DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Gusman made a motion to approve the resolution. The motion was seconded by Councilmember Davey.

The Manager addressed the Council recommending that the Council consider the Village Departments' request to lease seven (7) Police vehicles and accompanying emergency equipment, one (1) Building, Zoning and Planning Department Vehicle and one (1) Public Works Department Vehicle.

Councilmember Lindsay made an amending motion to purchase only the seven (7) police vehicles. The motion was seconded by Vice Mayor Kelly and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Vice Mayor Kelly and Mayor Caplan voting Yes.

The resolution, as amended, was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Lindsay, Vice Mayor Kelly and Mayor Caplan voting Yes.

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

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Mayor and Councilmembers. The Council did not submit a report.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk reported that the Office of the Mayor had issued the following proclamation during the month of June: Greetings to the Mayor of Murcia, Spain.

Village Manager. The Manager did not submit a report.

13. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

14. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.

15. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

16. **ADJOURNMENT:** The meeting was adjourned at 11:00 p.m.

Respectfully submitted:

Conchita H. Alvarez, MMC
Village Clerk

Approved this 26th day of June, 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.