

MINUTES

ZONING MEETING  
KEY BISCAYNE, FLORIDA

TUESDAY, JANUARY 26, 2016

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The Mayor called the meeting to order at 7:00 p.m. Present were Councilmembers Franklin H. Caplan (by phone), Luis de la Cruz, Theodore Holloway, Michael E. Kelly, Edward London and Mayor Mayra Lindsay. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Chad Friedman.

2. **PLEDGE OF ALLEGIANCE:** Mayor Lindsay led the Pledge of Allegiance.

3. **BRIEF COMMENTS BY COUNCIL:** Councilmember Holloway addressed the Council thanking the Winter Concert Committee for the wonderful concert held last Sunday.

Councilmember Holloway made a motion to allow Councilmember Caplan to participate by phone. The motion was seconded by Councilmember Kelly and approved by a 5-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Holloway, Kelly, London and Mayor Lindsay voting Yes.

4. **SPECIAL PRESENTATIONS:** IT Administrator, Michael Fleming addressed the Council regarding the Council Chamber improvements.

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Ms. Lourdes Abadin with Estrada Hinojosa, Financial Advisor for the Village addressed the Council giving an overview of the Village debt and finances and the possibility of financing the purchase of 401 Hampton Lane.

There was extensive discussion from Council regarding borrowing money to purchase land.

5. **AGENDA:**Councilmember Caplan requested the deferral of Item 9A5 to the February 9th Council Meeting; Councilmember Kelly requested the addition of a discussion regarding the Duran Duran Concert at the Tennis Center as Item 9A9; Councilmember London requested the addition of a discussion regarding sidewalks and street lights on all Village streets as Item 9A10 and the Manager requested the addition of a report on MAST Academy as Item 9D7. There was no objection to the agenda changes.

6. **APPROVAL OF MINUTES:** Councilmember Kelly made a motion to approve the minutes of the January 12, 2016 Regular Council Meeting. The motion was seconded by Councilmember Holloway and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Caplan, de la Cruz, Holloway, Kelly, London and Mayor Lindsay voting Yes.

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

8. **RESOLUTIONS:** There were no resolutions considered by Council.

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

Mayor and Councilmembers. Mayor Lindsay addressed the Council regarding the 2016 Council Priorities.

It was the consensus of Council to rank the 12 month priorities as follows: 1.) Dog Park; 2.) Police Parking Lot; 3.) Crandon Boulevard Traffic Light Improvements; 4.) Safe Routes to School-implementation; Extending Bike Lane Green Paint along Crandon Boulevard; Sidewalk and Street light on all Village Streets; Addressing Environmental and Safety Impacts to village residents i.e. Boat Show; Parking Issues; 5.) Parking Garage; 6.) Feasibility study for burying utility lines; 7.) MAST Academy improvements to Auditorium and 8.) Needs Assessment of K-8 School modernization and sustainability of older buildings.

Councilmember Kelly addressed the Council regarding amending the Village Charter so that replacement of a departed Councilmember be done by appointment by the Council and the term of the appointed Councilmember would last until the next regularly scheduled Election.

Also recommended to amend the Charter by clarifying how the appointment would be done.

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It was the consensus of Council to direct the Attorney to draft legislation to amend the Charter to reflect the above.

Councilmember Kelly also addressed the Council proposing to name the vessel exclusion zone within Village Limits on Biscayne Bay the "Taintor Flats".

It was the consensus of Council to direct the Attorney to draft a resolution naming the vessel exclusion zone within Village Limits on Biscayne Bay the "Taintor Flats".

Councilmember de la Cruz addressed the Council on the policy and procedure regarding CIP and other items/projects being worked on by Councilmembers and the Manager.

There was extensive discussion from Council regarding the policy and procedures regarding CIP and other projects.

The Attorney also addressed the Council regarding the above issue.

Mayor Lindsay directed the Clerk to provide the adopted 2016 CIP and the Strategic Planning to all Councilmembers. There was no objection to the request.

Mayor Lindsay addressed the Council on the policy regarding public high volume non-athletic events on Village Green fields. There was extensive discussion regarding the state of the playing fields.

Todd Hofferberth, Directors of Park and Recreation addressed the Council regarding the playing fields.

Mayor Lindsay requested a report from the Director of Parks and Recreation regarding the Fourth of July picnic and best practice for future events.

Director Hofferberth addressed the Council regarding the Forth of July picnic. It was the consensus of Council to direct Director Hofferberth to send out a Request for Letters of Interest to local charitable non-profit service organizations and report back to Council on the responses.

Mayor Lindsay also addressed the Council on safety procedures and protocol at different Key Biscayne school campuses.

Chief of Police Charles Press addressed the Council regarding the above matter.

There was extensive discussion regarding the safety procedures and protocol at different Key Biscayne school campuses.

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Councilmember Kelly addressed the Council regarding the Duran Duran Concert planned at the Tennis Center at the end of the Miami Open Tennis Tournament.

The Village Attorney addressed the Council regarding the Duran Duran Concert reporting that Miami-Dade County agreed with the Village that the Tournament was in violation of the agreement. The County informed the Tennis Tournament that the sale of the tickets for the concert had to ceased immediately.

Mr. Adam Barrett with the Miami Open Tournament addressed the Council regarding the proposed Duran Duran Concert.

There was extensive discussion from Council regarding this Concert.

Councilmember London addressed the Council regarding sidewalks and street lights on all Village streets.

The Manager and Jud Kurlancheek, Building, Zoning and Planning Director addressed the Council regarding the above subject.

Village Attorney. The Attorney did not submit a report.

Village Clerk. Pursuant to Section 2.02 (b) of the Village Charter, an election was held for the Vice Mayor's seat.

The Mayor opened the floor for nominations. Mayor Lindsay nominated Councilmember Holloway. The motion was seconded by Councilmember London. Councilmember de la Cruz nominated Councilmember London. The motion was seconded by Councilmember Kelly. The Mayor closed the floor for nominations.

The nomination of Councilmember Holloway as Vice Mayor failed by a 2-3 roll call vote. The vote was as follows: Councilmember Holloway and Mayor Lindsay voting Yes. Councilmembers de la Cruz, Kelly and London voting No.

The nomination of Councilmember London as Vice Mayor was approved by a 5-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Holloway, Kelly, London and Mayor Lindsay voting Yes.

The Clerk submitted to the Council a report highlighting the activities of the Office of the Village Clerk throughout calendar year 2015.

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Village Manager. The Manager addressed the Council giving an update on the status of the purchase of the Police Parking Lot.

The Manager gave an update on the Miami International Boat Show traffic plan.

Chief Press addressed the Council regarding the Miami International Boat Show traffic plan.

The Manager addressed the Council on the possibility of financing 401 Hampton Lane. There was extensive discussion from Council regarding this issue. It was the consensus to pay cash for this property and have the Village's Financial Consultant come back before Council with proposals to borrow the money and replenish the Land Acquisition Fund.

The Manager addressed the Council recommending that the Council authorize the restriction on the use of the playing fields from 8:30 a.m. to 9:30 p.m. seven days a week. There was no objection to this proposal.

It was the consensus of Council to add to the next agenda a discussion item regarding litigation on the Village Green playing fields.

The Manager addressed the Council requesting authorization to issue an RFQ for Engineering Services. There was no objection to the request.

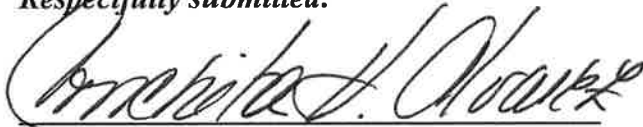
The Manager also gave an update on the transportation circulatory system, reporting that the CITT will be used for this service. An RFP will be presented to the Council at the February 9, 2016 Council Meeting.

The Manager gave an update on the MAST Academy.

10. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
11. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.
12. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
13. **ADJOURNMENT:** The meeting was adjourned at 10:25 p.m.

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Respectfully submitted:



Conchita H. Alvarez, MMC  
Village Clerk



Approved this 9th day of February, 2016:



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.**