

MINUTES

ZONING MEETING
KEY BISCAIYNE, FLORIDA

TUESDAY, FEBRUARY 24, 2015

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The Mayor called the meeting to order at 7:05 p.m. Present were Councilmembers Luis de la Cruz, Michael E. Kelly, James S. Taintor, Edward London, Vice Mayor Franklin H. Caplan and Mayor Mayra P. Lindsay. Councilmember Theodore Holloway was absent. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.

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

At this time the Key Biscayne Field Hockey Team who won the Disney Field Hockey Showcase Champion US16, presented the trophy to the Council. The Mayor, on behalf of the Council, congratulated the Team and the Coach.

3. **BRIEF COMMENTS BY COUNCIL:** The Mayor gave a brief update on the status of the litigation against the City of Miami regarding the Miami Marine Stadium. The Mayor also mentioned that former Councilmember Ray Sullivan is very ill and asked everyone to keep Mr. Sullivan and his family in their prayers.

4. **AGENDA:** Councilmember Kelly requested the addition of a discussion regarding safety on the Causeway as Item 9A6; Councilmember Taintor requested the addition of a presentation by former Councilmember Michael Davey regarding the Key Biscayne Beach Club as Item 5B and the Manager requested the addition of a discussion regarding the March 3rd Council Meeting as Item 9D3. There was no objection to the agenda changes.

5. **SPECIAL PRESENTATIONS:** The Manager introduced Mr. David Foster who gave a State Park End of Year Report.

At this time former Councilmember Michael Davey addressed the Council regarding the Key Biscayne Beach Club.

The Attorney also addressed the Council regarding the acquisition of the Key Biscayne Beach Club.

Councilmember Taintor made a motion to direct the Attorney to work with Mr. Davey and the Manager to take the necessary steps to bring forward an analysis, studies and legislation regarding the purchase of the Key Biscayne Beach Club by April 14th. The motion was seconded by Councilmember Kelly and approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

At this time the Mayor opened public comments. The following residents addressed the Council: Cristina Figueredo Ziezold, 798 Crandon Boulevard; Alejandro Ziezold, 798 Crandon Boulevard; Fernando Figueredo, 117 East Enid Drive; Bradley Newsom, 345 Pacific; Don Pryor, 798 Crandon Boulevard; Cristina Chartouni, 340 Harbor Drive and Jacquie Kellogg, 115 Sunrise Drive.

6. **APPROVAL OF MINUTES:** Councilmember Kelly made a motion to approve the minutes of the October 14, 2014 CIP Workshop. The motion was seconded by Vice Mayor Caplan and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes. Councilmember de la Cruz abstained.

Councilmember Kelly made a motion to approve the minutes of the October 14, 2014 Regular Council Meeting. The motion was seconded by Vice Mayor Caplan and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes. Councilmember de la Cruz abstained.

Councilmember Kelly made a motion to approve the minutes of the February 3, 2015 Special Council Meeting. The motion was seconded by Vice Mayor Caplan and approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Councilmember Kelly made a motion to approve the minutes of the February 6, 2015 Special Council Meeting. The motion was seconded by Vice Mayor Caplan and approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Councilmember Kelly made a motion to approve the minutes of the February 9, 2015 Special Council Meeting. The motion was seconded by Vice Mayor Caplan and approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Councilmember Kelly made a motion to approve the minutes of the February 10, 2015 Regular Council Meeting. The motion was seconded by Vice Mayor Caplan and approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

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

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

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING THE BID OF E & M EQUIPMENT CORP. FOR OUTFALL O-15R IMPROVEMENTS WITHIN DRAINAGE BASIN 8 AT 398 HARBOR DRIVE (“PROJECT”); AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT FOR SUCH PROJECT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Kelly made a motion to approve the resolution. The motion was seconded by Councilmember London.

The Manager addressed the Council recommending the approval of the resolution authorizing the Manager to execute an Agreement with E & M Equipment Corporation.

Jose Lopez, Owner Representative Services for the Village addressed the Council.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

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

Mayor and Councilmembers. Councilmember Kelly requested to review the current consultant selection process by the Manager and Council.

The Attorney addressed the Council regarding the above mentioned matter. There was extensive discussion from Council regarding this process.

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Mayor Lindsay addressed the Council proposing to purchase the Key Biscayne Coconut Swamp Art Piece by Artist Prudence Blank. It was the consensus of Council to refer this proposal to the Art in Public Places Committee to make a recommendation to Council.

Mayor Lindsay and Councilmember de la Cruz addressed the Council regarding reconsidering the motion to authorize the Village Manager to issue an RFP to resurface with artificial turf the South portion of the Village Green and resurface with Sod the North Portion of the Village Green.

There was extensive discussion from Council regarding this issue. The Attorney also addressed the Council regarding the process.

Vice Mayor Caplan made a motion to reconsider the motion to authorize the Village Manager to issue an RFP to resurface with artificial turf the South portion of the Village Green and resurface with Sod the North Portion of the Village Green. The motion was seconded by Councilmember Kelly. Vice Mayor Caplan withdrew his motion.

Councilmember London made a motion to defer action on prior direction to the Manager to issue an RFP to resurface with artificial turf the South portion of the Village Green and resurface with Sod the North Portion of the Village Green. The motion was seconded by Vice Mayor Caplan and approved by a 6-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Councilmember de la Cruz made a motion to direct the Manager to explore all alternatives within the artificial turf and without the artificial turf and provide interim solutions by the April 14th Council Meeting. The motion was seconded by Councilmember Taintor and approved by a 6-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Kelly, London, Taintor, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Councilmember de la Cruz addressed the Council regarding the recent developments of the Links Golf Course. There was discussion from Council regarding this issue.

Councilmember de la Cruz also addressed the Council regarding traffic signaling and infrastructure. The Manager addressed the Council regarding traffic signaling and infrastructure and will be scheduling a meeting with Miami-Dade County to discuss this issue.

There was discussion from Council regarding this issue. Chief Press also addressed the Council regarding the above mentioned issue proposing to hire Traffic Aids to operate the traffic lights at certain intersections.

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Councilmember Kelly addressed the Council regarding safety on the Causeway. Councilmember Kelly reported that the only illegal activity going on the Causeway as far as cyclists are concern are the pelotons. Chief Press addressed the Council regarding stopping pelotons on the Causeway and the danger it can cause unless you have enough manpower to enforce this. Chief Pres also reported that he is working with the City of Miami and Miami-Dade County in order to safely enforce this between the three entities.

There was extensive discussion from Council regarding this problem on the Causeway.

Village Attorney. The Attorney requested an Executive Session regarding the Entry Block.

Village Clerk. The Clerk did not submit a report.

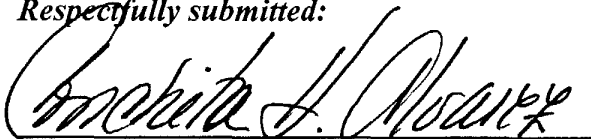
Village Manager. The Manager addressed the Council giving a status update on the shower stations at the end of beach access walkways.

The Manager also gave a status update on the Community Center Expansion Project Staging Plan.

The Manager also addressed the Council regarding the Council Meeting scheduled for March 3rd reporting that there are no items for that meeting recommending that we cancel this meeting. It was the consensus of Council to cancel the meeting of the 3rd.

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 9:50 p.m.

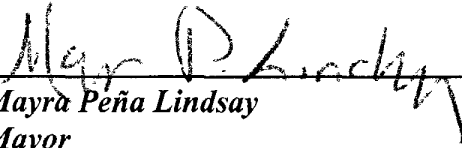
Respectfully submitted:



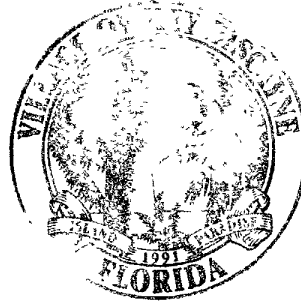
Conchita H. Alvarez, MMC
Village Clerk

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Approved this 10th day of March 2015:



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.