

MINUTES

REGULAR COUNCIL MEETING MONDAY, MARCH 9, 2020

6:00 P.M.

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The Mayor called the meeting to order at 6:00 p.m. Present were Councilmembers Luis Lauredo, Allison McCormick, Katie Petros, Ignacio J. Segurola, Vice Mayor Brett Moss and Mayor Michael W. Davey. Also present were Village Manager Andrea Agha, Interim Village Clerk Conchita H. Alvarez and Village Attorney Chad Friedman. Councilmember Edward London was absent.
2. **INVOCATION:** Pastor Dennis Eastling with the Key Biscayne Community Church
3. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the Council and the public regarding the Coronavirus urging the residents to take the necessary precautions to mitigate the risk and also addressed the Council regarding a rash of kids harassing people, especially harassing a resident and defamed this resident in public chats; Councilmember McCormick addressed the Council regarding the passing of Lois Greenberg; Councilmember Lauredo welcomed back Interim Village Clerk Conchita Alvarez and also addressed the Council regarding the lack of civility.
5. **AGENDA:** Mayor Davey requested the addition of a discussion about the homeless under Mayor and Councilmembers as Item 11A14; Councilmember Segurola requested to hear Item 11A7 together with Item 11A5; Councilmember Lauredo requested to hear Item 11A8 prior to Item 11A1; the Clerk, on behalf of Mayor Davey, requested the addition of a Proclamation in honor of Father Libby prior to Item 7A and Vice Mayor Moss requested to hear Item 11A10 together with Item 10D. There was no objection to the agenda changes.

6. **PUBLIC COMMENTS:** The following residents addressed the Council: Alexa Helms, 360 Ocean Drive, addressed the Council regarding the lack of police enforcement; Bill Durham, 230 Seaview Drive addressed the Council regarding productivity of Village employees; Milagros Ponce de Leon, 455 Woodcrest Road, Barbara Diaz, 524 Woodcrest Road and Chiara Bergonzi, 798 Crandon Boulevard addressed the Council regarding the Foundation It Takes A Village and the inclusion of persons with special needs; Robert Duzoglou, 785 Glenridge Road addressed the Council regarding the program for new sidewalks; Betty Sime Conroy; 785 Crandon Boulevard addressed the Council regarding the passing of Lois Greenberg and also addressed the Council regarding the Village Manager's roll and Louisa Conway, 151 Crandon Boulevard addressed the Council regarding smart traffic lights.

Councilmember Laredo addressed the Council regarding how does the Village addresses all the concerns presented by the residents. The Village Manager addressed the Council stating that she will direct the appropriate staff to talk to the residents before they leave.

7. **SPECIAL PRESENTATIONS:** Mayor Davey read a proclamation in honor of Father Robert Libby.

Mr. Juan Porro addressed the Council regarding installing garage doors in the houses on the Key. Councilmembers McCormick, Vice Mayor Moss and Councilmember Petros addressed the Council regarding this issue. Vice Mayor Moss invited Mr. Porro to attend the next Zoning Matrix Review meeting.

Councilmember Laredo addressed the Council regarding the process for Special Presentations. The Clerk addressed the Council regarding the Council process for meetings pursuant to Roberts Rules of Order.

8. **CONSENT AGENDA:** Councilmember Laredo requested to remove the minutes of the February 11, 2020 Regular Council Meeting from the consent agenda. There was no objection to the request.

Mayor Davey made a motion to approve the following Consent Agenda. The motion was seconded by Councilmember Petros and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING REVIZE LLC FOR WEBSITE REDESIGN SERVICES, WEB HOSTING, SUPPORT AND MAINTENANCE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time the February 11, 2020 minutes were heard. Councilmember Laredo addressed the Council regarding the minutes and requested that his statements regarding the statement made by Mayor Davey be reflected exactly as said. Councilmember Petros also addressed the Council regarding the minutes.

The Clerk addressed the Council stating that pursuant to Roberts Rules of Order adopted by the Council the minutes shall reflect only actions taken by Council.

It was the consensus of Council to defer the minutes to the next Council Meeting.

9. **ORDINANCES:** The Clerk read the following ordinance on second reading by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE IV, "FINANCE", DIVISION 2, "PURCHASING" OF THE VILLAGE CODE OF ORDINANCES BY UPDATING THE VILLAGE'S PROCUREMENT PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Laredo.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The ordinance was adopted by a 6-0 roll call vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

10. **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, APPROVING THE PURCHASE OF AR-15 SBR RIFLES FROM SABAL ARMS, INC.; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager and Chief of Police Charles Press addressed the Council regarding this resolution. Chief Press reported that this purchase will not incur in any taxpayer's money, these rifles will be paid with the Forfeiture Asset Money Fund.

Councilmembers Laredo, Segurola, Petros Vice Mayor Moss and Mayor Davey, addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING KB SOCCER, INC. FOR MANAGEMENT OF THE VILLAGE'S YOUTH SOCCER PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding this resolution.

Councilmembers Laredo, Segurola, Petros, McCormick and Vice Mayor Moss addressed the Council regarding this resolution.

There was extensive discussion from Council regarding the length of the contract.

Councilmember Segurola made an amendment to have an initial two year contract with two subsequent two year options. The motion was seconded by Vice Mayor Moss and failed by a 3-3 roll call vote. The vote was as follows: Councilmembers Laredo, Segurola and Vice Mayor Moss voting Yes. Councilmembers McCormick, Petros and Mayor Davey voting No.

The resolution, as presented, was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A LICENSE AGREEMENT WITH OCEANWEATHER INC. FOR THE USE OF WAVE DATA FOR THE MIAMI-DADE COUNTY COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Vice Mayor Moss.

The Attorney addressed the Council regarding this resolution.

Councilmember Petros made a motion to amend the resolution by not spending the \$10,000 at this time for one copy of the licensed data, but instead wait for the Army Corps of Engineering to tell the Village that the money needs to be spent for the data. The motion was seconded by Mayor Davey and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The resolution, as amended, was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, London, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING A CHANGE ORDER FOR KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE SAFE ROUTES TO SCHOOLS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Vice Mayor Moss.

The Manager and BZP Director Jake Ozyman addressed the Council regarding this resolution.

There was extensive discussion from Council regarding this resolution giving direction to the Manager to investigate permeable sidewalks.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

At this time the Manager's report was heard.

The Village's coastal engineer Tim Blankenship with Moffat & Nichols and our beach lobbyist Spencer Crowley with Ackerman addressed the Council giving an update on developments regarding our shoreline protection. Mr. Crowley stated that the Army Corps of Engineer will take a good look at the Village's feasibility study.

Councilmembers Petros and McCormick also addressed the Council regarding the above mentioned issue and thanked all those working on this project.

The Manager also addressed the Council giving an update on septic tanks reporting that the Village has a total of 144 homes on septic including 141 homes within the EQCB and 3 properties outside the project. A total of 9 residents connected to the sewers since the last reporting date.

There was discussion from Council regarding the sewers.

Mayor Davey, BZP Director Ozyman and the Manager addressed the Council regarding the smart traffic lights.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, INDICATING THE VILLAGE'S OFFICIAL INTENT TO ISSUE TAX-EXEMPT BONDS IN AN AMOUNT NOT TO EXCEED \$18,000,000 TO FINANCE THE COSTS OF IMPROVEMENTS TO THE VILLAGE'S STORMWATER SYSTEM, AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Moss made a motion to approve the resolution. The motion was seconded by Mayor Davey.

The Manager addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN AGREEMENT WITH BEEFREE, LLC D/B/A FREEBEE FOR TRANSPORTATION SERVICES; WAIVING COMPETITIVE BIDDING PROCEDURES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE PURCHASE OF RADIO EQUIPMENT FOR THE FIRE DEPARTMENT FROM MOTOROLA SOLUTIONS, INC.; PROVIDING FOR AUTHORIZATION; DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY; AUTHORIZING THE SALE OR DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Attorney addressed the Council stating that the resolution needs to be amended to reflect the amount of \$215,804.95 to match the staff memorandum.

Mayor Davey made a motion to amend the resolution to reflect the above mentioned amount. The motion was seconded by Councilmember Laredo.

Councilmember Laredo requested that from now on the title of the resolution include the amount of the purchase. There was no objection to the request.

The Manager addressed the Council regarding this resolution.

The resolution, as amended, was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, SELECTING SOUTHEASTERN ENGINEERING CONTRACTORS, INC. FOR THE O-13 OUTFALL CONSTRUCTION PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager and BZP Director Ozyman addressed the Council regarding this resolution.

There was discussion from Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Laredo, London, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

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

Mayor and Councilmembers. Mayor Davey and Councilmember Petros addressed the Council regarding Village functions.

There was extensive discussion from Council regarding issues reported to Council and how they will be addressed by the Manager. It was the consensus of Council to address this at the Strategic Planning Workshop.

There was also extensive discussion from Council regarding the item Brief Comments by Council on the agenda.

Councilmember Segurola addressed the Council regarding the Community Group Grant and Funding Application Form and reported that the Manager requested not to implement the use of

this form at this time, but to give her an opportunity to use her own form and process for the upcoming budget hearing.

There was extensive discussion from Council regarding the above subject.

Councilmember Petros addressed the Council regarding the Clerk's Job Announcement and Job Description. There was extensive discussion from Council regarding the Clerk's Job Announcement and Job Description.

The Clerk also addressed the Council regarding the Clerk's position.

It was the consensus of Council to direct Councilmember Petros to work with the Clerk in order to come up with an advertisement and job description for the Clerk.

Councilmember Segurolo addressed the Council regarding a Key Biscayne Publicity Campaign, recommending hiring an advertising company to this end. There was extensive discussion from Council regarding this subject. It was suggested that the Village work with the Key Biscayne Chamber of Commerce in order to help advertise Key Biscayne. It was the consensus of Council to have this discussion at the Strategic Planning Workshop.

Mayor Davey addressed the Council regarding the crossing guards. Chief Press addressed the Council indicating that the most dangerous intersection right now on the Key is Grand Bay heading Northbound. The Chief reported that starting today, at least temporarily, crossing guards and also a couple of police cars were working at this intersection to help with the safety of this crosswalk. The Chief also recommended the addition of crossing guards at the East Heather pedestrian area and Sunrise Drive for the next budget cycle.

Mayor Davey gave an update on the trips to Tallahassee. Mayor Davey reported together with Councilmember Segurolo that the Village had requested \$500,00 for Sargassum seaweed response on the beach, but the Village was only granted \$200,000.

Chief of Fire Rescue Eric Lang also addressed the Council regarding Flash Reports from the Governor on Emergency Management. The Chief stated that these Notices will be forwarded to Council.

Councilmember McCormick gave an update on school hours stating that Superintendent Carvalho sent a letter out recommending that if you're sick to stay home and this will have no impact on your perfect attendance record. Councilmember McCormick also reported that the goal of the School Board is to change the bell start time for students. This effort will improve the traffic issues that Key Biscayne currently has due to the current school hours.

Mayor Davey addressed the Council on how we want Code Enforcement to operate and what is the direction of Council to staff. Mayor Davey stated that this item will be discussed at the Strategic Workshop on Sunday.

Councilmember Petros addressed the Council regarding the Waste Management scheduling recommending reducing the waste pick up to once a week and encourage residents to recycle and also increase the time between Bulk pickup.

There was discussion from Council regarding recycling and waste pickup, recommending doing a campaign first to reduce waste before any action is taken.

Cecile Sanchez, 260 Cypress Drive addressed the Council regarding the above issue.

It was the consensus of Council to consider the waste and bulk pickup dates when the next waste contract comes up.

Councilmember Petros addressed the Council regarding the adoption of a Climate Emergency Resolution. Councilmember Petros will work with the Village Attorney in order to bring a resolution regarding this issue to the next Council Meeting.

Mayor Davey addressed the Council regarding the homeless problem within the Village. The Mayor is recommending to enact some ordinances that the Village could use making it so that people cannot drink in public. Also panhandling is becoming a problem. The Village will work with the Village Attorney in order to address this problem.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager's report was heard earlier in the meeting

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

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 10:15 p.m.

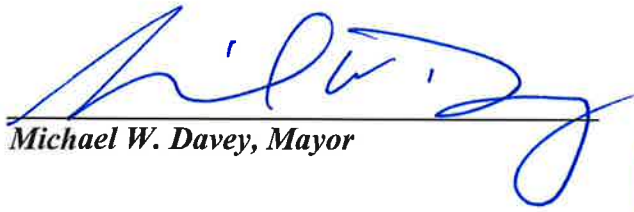
Respectfully submitted:



*Conchita H. Alvarez, MMC
Interim Village Clerk*

Approved this 7th day of April, 2020:

March 9, 2020


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.