

## MINUTES

### SPECIAL VIRTUAL COUNCIL MEETING TUESDAY, APRIL 2, 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 Laredo, Edward London, Allison McCormick, Katie Petros, Ignacio J. Seguro, 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.

The Mayor addressed the Council and the public stating that regarding the circumstances the Council is meeting in this fashion.

2. **MAYOR AND COUNCILMEMBERS:** The following item was discussed:

**COVID -19 EMERGENCY MATTERS:** Councilmember London addressed the Council regarding establishing several test stations here in Key Biscayne. Councilmember London reported that he has been in touch with Carlos de la Cruz, Ed Easton and Melissa White regarding the possibility of testing in Key Biscayne. Councilmember London thanked Mr. de la Cruz, Mr. Easton and Ms. White for their help in providing contacts and information to this end.

The Manager addressed the Council regarding the testing, reporting that a testing pilot program has started for residents age 65 and older with the assistance of the Fire Department and under the Medical Director of the City of Miami.

Councilmember Seguro also addressed the Council regarding testing in Key Biscayne recommending that this should be contracted out to a medical administrator or provider and also to require people that are qualified to perform the test. Councilmember Seguro also addressed the Council regarding the frequency for the testing and who is going to pay for the testing, recommending that the first order of the day should be self-isolation.

Councilmember Laredo addressed the Council stating that this is a moving crisis and also expressed his concern with the issue of the availability of testing kits.

Chief of Fire Rescue Eric Lang addressed the Council regarding the availability of test kits reporting that City of Miami through their Medical Director have access to test kits, stating that these kits are available to Key Biscayne.

Melissa White with the Key Biscayne Community Foundation addressed the Council regarding the pilot program for testing residents 65 years and older.

Councilmember Petros addressed the Council commending the Fire Department, Chief Lang and Ms. White for getting some testing started in Key Biscayne. Councilmember Petros recommended to continue the testing for our most vulnerable residents including those with immune compromised medical conditions.

Vice Mayor Moss addressed the Council stating that the testing should have very specific criteria and also to look into the cost associated with a drive thru facility, recommending that if the Village goes in this direction, we should start with one or two testing lanes.

Councilmember Laredo addressed the Council asking if we are able to obtain test kits right now. Chief Lang addressed the Council stating that the Village is unable to obtain test kits to roll out a full testing facility tomorrow morning.

Councilmember McCormick addressed the Council stating that she shares most of the concerns stated by Council recommending that residents isolate and stay home.

Mayor Davey addressed the Council regarding the methodology on how to go about administering the test, also recommending isolation and stay home.

Councilmember Petros addressed the Council regarding the test that is available right now, which is the swab going up the nose and this needs to be administered by a professional. In a couple of weeks, the testing protocol might change dramatically, so the Village should keep this in mind.

Councilmembers London and McCormick also addressed the Council regarding the people that are still working on the Key and come into contact with the residents, recommending that these people should also be tested.

Chief Lang addressed the Council stating that the Village will look into the possibility of testing the people that come into daily contact with the residents.

Councilmember Seguro addressed the Council recommending that the Village continue to stress the importance of self-isolation and to reach out to some qualified medical vendor in order to create a testing station in the Village that would be handled by this vendor and not by Village personnel, prioritizing people that are symptomatic pursuant to CDC guidelines.

Mayor Davey addressed the Council recommending that the Chief of Fire Rescue and the Manager present a plan to Council at the next meeting.

Village Attorney, Chad Friedman, addressed the Council regarding mandatory testing vs consented testing.

Councilmember Laredo commended the Fire Chief, the Police Chief and the Manager and recommended that the Council give them the latitude to act.

The Manager addressed the Council regarding setting up a program on the Key to test residents as they become available. The Manager also reported that the Village has established a hotline for residents to call to make an appointment for testing and also to call regarding any other issue. The hotline number is 305-365-8910.

The Manager also addressed the Council reporting that the Village has deployed the mobile testing unit thru the City of Miami with the medical guidance of their Medical Director. Ten tests were the first badge that the Village did and these were sent off to the lab, once the results are received we have trained personnel within the Fire Department who will call the persons that were tested and will share the information with them and provide any counseling or guidance as to the next steps to take for those individuals.

Councilmember Laredo made a motion to direct staff to implement testing for residents 65 and older as testing kits are available. The motion was seconded by Mayor Davey.

There was extensive discussion from Council regarding on how the Village should proceed with testing, when the testing kits become available.

Councilmember McCormick made an amending motion to as soon as more testing kits are available to expand the program to include the employees of essential businesses that our residents are encountering on a daily basis like Winn Dixie, CVS, etc. the motion was seconded by Mayor Davey and failed by a 3-4 roll call vote. The vote was as follows: Councilmembers London, McCormick and Vice Mayor Moss voting Yes. Councilmembers Laredo, Petros, Segurola and Mayor Davey voting No.

Vice Mayor Moss made an amending motion to include any residents with compromised immune system and also with heart, pulmonary and diabetes medical conditions. The motion was seconded by Mayor Davey and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Laredo, London, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

Councilmember London made an amending motion to include residents that may have the virus but do not show any symptoms of this virus. The motion died for lack of a second.

Charles Collins, 1121 Crandon Boulevard addressed the Council.

The Laredo motion, as amended, was approved by a 7-0 roll call vote. The motion was seconded by Mayor Davey and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Laredo, London, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

Mayor Davey and Vice Mayor Moss addressed the Council regarding construction in condominiums and single-family homes.

Councilmember Segurola made a motion to restrict all construction in single family and multi-family condominiums except for emergency construction. The motion was seconded by Councilmember Laredo.

The Attorney addressed the Council regarding restricting construction on the Key.

Councilmember Petros and Vice Mayor Moss addressed the Council regarding landscapers, pool service people and care takers coming onto the Key.

Councilmember London made an amending motion to only limit construction in multi-family condominiums. The motion was seconded by Councilmember McCormick.

Councilmember Segurola did not accept the amendment to his motion.

Building, Zoning and Planning Director Jake Ozyman addressed the Council regarding the active construction sites on the Key.

The Segurola motion failed by a 3-4 roll call vote. The vote was as follows: Councilmembers Lauredo, Petros and Segurola voting Yes. Councilmembers London, McCormick, Vice Mayor Moss and Mayor Davey voting No.

Vice Mayor Moss made a motion to ban all construction in multi-family condominiums except for emergency repairs and maintenance and restrict single family construction pursuant to CDC guidelines and to wear protective gear. The motion was seconded by Mayor Davey and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Lauredo, London, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

Charles Collins, 1121 Crandon Boulevard; Cecilia Basher, 650 N. Mashta Drive; Charles Dunkin, Island Drive and Luis de la Cruz, 640 Allendale Road addressed the Council.

The Attorney addressed the Council regarding the Governor's order regarding the fact that local government can be more restrictive.

Councilmember Petros addressed the Council regarding allowing pool companies, landscaping companies, dog groomers, car washes and nannies/care takers on the Key.

There was extensive discussion from Council regarding allowing the above services to continue on the Key.

Chief of Police Press addressed the Council regarding the need for pool and landscaping companies to continue working on the Key.

The Attorney and the Manager addressed the Council regarding this issue.

It was the consensus of Council to not take any action at this time regarding the above services.

Councilmember London made a motion to allow pool companies and landscaping companies on the Key. The motion died for lack of a second.

Councilmember Petros also addressed the Council regarding requiring residents to wear regular face masks and also addressed the Council on how to go from crisis mode to sustaining mode.

The Manager addressed the Council regarding some projects within the Village that could be moved forward during this period.

Councilmember McCormick announced that the Miami-Dade County Public Schools sent out the acceptances for Magnet School programs in the last few days. It is important that people reply to this immediately.

**ADJOURNMENT:** The meeting was adjourned at 8:25 p.m.

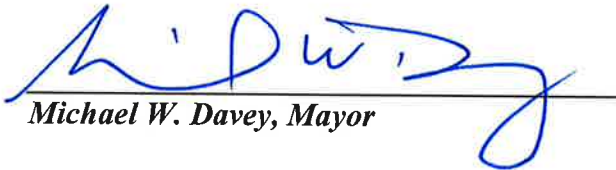
*Respectfully submitted:*



*Conchita H. Alvarez, MMC  
Interim Village Clerk*



*Approved this 28th day of April, 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.**