

MINUTES

ZONING MEETING  
KEY BISCAWAYNE, FLORIDA

TUESDAY, APRIL 26, 2016

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The Mayor called the meeting to order at 7:15 p.m. Present were Councilmembers Franklin H. Caplan, Luis de la Cruz, Theodore Holloway (arrived and 9:45 p.m.), Gary R. Gross, Michael E. Kelly, Vice Mayor Edward London and Mayor Mayra P. Lindsay. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Stephen H. Helfman.

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

At this time State Representative Jose Javier Rodriguez addressed the Council regarding the 2016 Session in Tallahassee.

3. **BRIEF COMMENTS BY COUNCIL:** Councilmember Kelly announced that there will be a park opening at 401 Hampton Lane this coming Saturday, April 30th; Councilmember London apologized for his choice of words at the last Council Meeting; Councilmember Caplan addressed the Council thanking everyone for their support during his loss and Mayor Lindsay congratulated her daughter Christina Lindsay for her accomplishments..

4. **SPECIAL PRESENTATION:** On March 8, 2016, seven firms submitted a response to the RFQ for Professional Services. The Selection Committee reviewed and determined that all seven proposers met the minimum requirements and short listed the highest five consultants. Following are the firms listed in alphabetical order: Calvin, Giordano and Associates, The Corradino Group, Inc., EAC Consulting, Inc., Stantec Consulting Services, Inc. and Tetra Tech. Each of these firms will make a presentation to Council.

After the presentations, there was extensive discussion from Council regarding the different consultants. The Attorney also addressed the Council regarding the selection process.

Mayor Lindsay, Councilmembers de la Cruz, Gross and Kelly selected CGA, Corradino and EAC; Councilmember Caplan selected Corradino, EAC and Tetra Tech and Councilmember London selected CGA, Corradino and Tetra Tech. The Manager recommended Corradino, EAC and Tetra Tech.

It was the consensus of Council to direct the Manager to negotiate agreements with CGA, Corradino and EAC.

5. **AGENDA:** Councilmember Gross requested the withdrawal of Item 9A2; Mayor Lindsay requested the addition of a discussion on mandatory Ethics Training as Item 9A 6, also requested the addition of a discussion regarding procedure for follow up on Council Meeting action items as Item 9A7 and also requested the addition of a request from the PSAT and EAB Boards from the Key Biscayne Community School for a proclamation thanking the School Board as Item 9A8. There was no objection to the agenda changes.

6. **APPROVAL OF MINUTES:** Councilmember Caplan made a motion to approve the minutes of the April 12, 2016 Regular Council Meeting. The motion was seconded by Councilmember Kelly and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, de la Cruz, Gross, Holloway, Kelly, Vice Mayor London and Mayor Lindsay voting Yes.

7. **ORDINANCES:** The Clerk read the following ordinance on first reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,500,000 OF SEWER IMPROVEMENT REVENUE BONDS OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE WITH FINANCIAL INSTITUTIONS FOR PURCHASE OF THE BONDS AND TO ENTER INTO A RATE LOCK AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

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Councilmember Kelly made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Holloway

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

The Manager and Lourdes Abadin with Estrada Hinojosa, Financial Advisor for the Village addressed the Council.

It was the consensus of Council to increase the borrowing amount to \$5,500,000.

The ordinance, as amended, was adopted on first reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Caplan, de la Cruz, Gross, Holloway, Kelly, Vice Mayor London and Mayor Lindsay voting Yes.

The clerk announced the second reading for May 24, 2016.

The Clerk read the following ordinance on second reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 31-1 "PARKS AND RECREATIONAL OPEN SPACE LANDS TRUST FUND" OF THE VILLAGE CODE OF ORDINANCES; OBLIGATING THE VILLAGE COUNCIL TO ANNUALLY ALLOCATE AT LEAST ONE PERCENT OF AD VALOREM TAX REVENUES TO THE PARKS AND RECREATIONAL OPEN SPACE LANDS TRUST FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Kelly made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Gross.

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

It was the consensus of Council to amend Section 31-1 (b) (5) to reflect a majority of votes of the Council to allocate an amount greater than one percent (1%).

The ordinance, as amended, was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Caplan, de la Cruz, Gross, Holloway, Kelly, Vice Mayor London and Mayor Lindsay voting Yes.

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

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

Mayor and Councilmembers. The conceptual plans for 530 Crandon Boulevard were presented to the Council so that they may select one of the plans.

There was extensive discussion from Council regarding the conceptual plans for 530 Crandon Boulevard.

The Attorney also addressed the Council regarding the process for 530 Crandon Boulevard. It was the consensus of Council to let one of the new firms that were selected today to execute the drawings and then go out to bid. It was also the consensus of Council that after the selection of the firms for Professional Services, that their first priority of business will be 530 Crandon Boulevard.

At this time the Manager's Report was heard.

Village Manager. The Manager addressed the Council regarding the Request for Proposals for the Village Hall parking garage.

The Manager reported that the appraisal for the lot behind Village Hall will be ready for the next Council Meeting. At this time, the Manager does not have a timeline for when the Miami-Dade County appraisal will be available.

There was extensive discussion from Council regarding the purchase of the parking lot behind Village Hall.

The Manager addressed the Council regarding the Village Green Playing Fields Analysis provided by Alan Sigwardt, Senior Grounds Superintendent for the Miami Dolphins and Mathew Tacilaukaus, Superintendent for the Palm Beach Country Golf Course.

The Analysis concludes that the corrective measures provided by the Contractor, Green Source Landscaping Sports Turf, Inc., is not feasible due to the inadequacies with the existing irrigation design and the inability to provide the intense maintenance required. In addition, the report addresses that the implementation of this corrective maintenance plan will only further delay the accessibility to an acceptable playing surface for this community. In order to maintain a successful natural surface playing field the cost to re-design and construct the irrigation system, re-sod and maintain the fields will total approximately \$1,019,860 (using professional level sod for both fields). The implementation of the recommendations along with the hiring/procurement process may not be completed by this Fall due to the confined timeframe for the recommended growing season.

The alternative option to install an artificial surface on both playing fields was discussed by Council during the April 12<sup>th</sup> Council meeting. The estimated cost to install an artificial surface on both

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fields is \$1,180,000. The estimated time of completion to install artificial turf will be four (4) months from the date of Council approval.

Parks and Recreation Director Todd Hofferberth addressed the Council regarding the different options of artificial turf for the playing fields.

The Attorney also addressed the Council regarding the playing fields. There was extensive discussion from Council regarding the playing fields.

Councilmember Kelly made a motion to extend the meeting to 11:10 p.m. The motion was seconded by Councilmember Holloway and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, de la Cruz, Gross, Holloway, Kelly, Vice Mayor London and Mayor Lindsay voting Yes.

Councilmember London made a motion to direct the Manager to seek proposals for the placement of artificial turf for both playing fields. The motion was seconded by Councilmember Kelly and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Caplan, de la Cruz, Gross, Holloway, Kelly, Vice Mayor London and Mayor Lindsay voting Yes.

Mayor Lindsay, with consensus of Council, appointed former Mayor Robert Vernon to the City of Miami Virginia Key Advisory Board.

Mayor Lindsay reported that she has a request from PSAT and EAB Boards of the Key Biscayne School for a proclamation to the School Board. It was the consensus of Council to issue the proclamation.

Mayor Lindsay also addressed the Council regarding the 2016-2017 policy for Mosquito Control within Village of Key Biscayne boundaries.

Mayor Lindsay also addressed the Council regarding the mandatory Ethics Training. The Council addressed the Council reporting that Weiss Serota Helfman has been approved to give the mandatory Miami-Dade County Ethics Training.

The Mayor also addressed the Council regarding the fact sheet regarding the Dog Park which will be mailed to all Village residents.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

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

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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 11:15 p.m.

*Respectfully submitted:*



Conchita H. Alvarez, MMC  
Village Clerk



Approved this 10th day of May, 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.**