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# VILLAGE OF KEY BISCAINE

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*Village Council*

Michael W. Davey, Mayor

Brett G. Moss, Vice Mayor

Franklin H. Caplan

Luis Lauredo

Edward London

Allison McCormick

Ignacio J. Segurola

## REGULAR COUNCIL MEETING

TUESDAY, JULY 26, 2022

6:00 PM

**1. CALL TO ORDER/ROLL CALL OF MEMBERS**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

REVEREND FELIPE ASSIS

KEY BISCAINE PRESBYTERIAN CHURCH

**4. BRIEF COMMENTS BY COUNCIL**

**5. PUBLIC COMMENTS:**

There is a (3) minute time limit for each speaker during public comments. Your cooperation is appreciated in observing the (3) minute rule. If you have a matter you would like to discuss during public comments, a request form is available at the entrance of the Council Chamber, please fill-it in and return it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium. Or if you are joining the meeting remotely, please dial any of the following Zoom numbers, US: +1 (312) 626-6799 or +1 (929) 205-6099 or +1 (301) 715-8592, and enter the Zoom Meeting ID: 231 627 8415, followed by #. There is no participant ID. Press # again. Please press \*9 to "raise your hand" which places you in a queue to speak. You will be called upon by the last three digits of your telephone number when it is your turn to speak. When called upon, please press \*6 to unmute yourself. PLEASE STATE YOUR NAME, ADDRESS, IF YOU ARE A HIRED CONSULTANT OR VILLAGE EMPLOYEE AND/OR IF ENGAGED IN LOBBYING ACTIVITIES AND/OR REPRESENTING AN ORGANIZATION FOR THE RECORD.

6. **AGENDA:**

APPROVAL/DEFERRALS/ADDITIONS/DELETIONS/SUBSTITUTIONS/WITHDRAWALS

7. **SPECIAL PRESENTATIONS:**

7.A. PRESENTATION: STATUS OF THE STRATEGIC VISION BOARD PLAN

8. **CONSENT AGENDA:**

(Consent agenda items are those which are routine, do not require discussion or explanation prior to Village Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request on an individual Councilmember for independent consideration provided such request is made during the approval/deferrals/additions/deletions/substitutions/withdrawals segment of the meeting, prior to the vote on the consent agenda.)

8.A. MAY 10, 2022 MINUTES  
(REGULAR COUNCIL MEETING)

TAB 1

8.B. JUNE 14, 2022 MINUTES  
(REGULAR COUNCIL MEETING)

TAB 2

8.C. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **CONFIRMING THE VILLAGE'S ABILITY TO FUND AND SUPPORT THE PERMITTING, DESIGN, CONSTRUCTION, AND MONITORING OF THE VILLAGE'S BEACH RENOURISHMENT PROJECT;** PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: Approval

TAB 3

8.D. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **SELECTING AQUATIC LANDSCAPING DESIGN, INC. FOR PLANTING OF NEW TREES AND RELATED WATERING SERVICES IN AN AMOUNT NOT TO EXCEED \$66,220;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR JAKE OZYMAN)

RECOMMENDATION: Approval

TAB 4

8.E.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING PROFESSIONAL SERVICE AGREEMENTS WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC., DAVID MANCINI & SONS, INC., AND GPE ENGINEERING & GENERAL CONTRACTOR CORP. FOR MISCELLANEOUS STORMWATER CONSTRUCTION AND REPAIR SERVICES ON AN AS-NEEDED BASIS, USING THE TERMS AND CONDITIONS OF THE CITY OF FORT LAUDERDALE CONTRACT COMPETITIVELY AWARDED PURSUANT TO INVITATION TO BID NO.12504-613; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR JAKE OZYMAN)**

RECOMMENDATION: Approval

TAB 5

**9. ORDINANCES: (NOT LATER THAN 7:30 P.M.)**

- 9.A. AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING CHAPTER 29 "STORMWATER UTILITY SYSTEM," SECTIONS 29-2, ENTITLED "DEFINITIONS," 29-3, ENTITLED "FINDINGS AND DETERMINATIONS" AND 29-4, ENTITLED "STORMWATER UTILITY FEE" OF THE VILLAGE CODE OF ORDINANCES RELATING TO THE VILLAGE'S STORMWATER UTILITY APPORTIONATE METHODOLOGY FOR ALLOCATING STORMWATER UTILITY FEES AND APPEALS OR ADJUSTMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR JAKE OZYMAN AND CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)**

RECOMMENDATION: Approval

(SECOND READING)

*(DEFERRED FROM THE JUNE 14, 2022, REGULAR COUNCIL MEETING)*

TAB 6

**10. RESOLUTIONS:**

10.A.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **RELATING TO THE PROVISION OF A STORMWATER MANAGEMENT SYSTEM WITHIN THE VILLAGE; DECLARING THE IMPOSITION OF A STORMWATER UTILITY FEE; ESTABLISHING THE METHOD BY WHICH THE PROPOSED STORMWATER UTILITY FEE SHALL BE CALCULATED; DESIGNATING THE LANDS UPON WHICH THE**

**STORMWATER UTILITY FEE SHALL BE LEVIED; STATING THE ESTIMATED COST OF PROVIDING STORMWATER MANAGEMENT, THE INITIAL RATE AND THE MAXIMUM RATE FOR THE PROVISION OF STORMWATER MANAGEMENT; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED STORMWATER UTILITY FEE AND THE RATES TO BE IMPOSED AND THE METHOD OF THEIR COLLECTION AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR JAKE OZYMAN)**

RECOMMENDATION: Approval

TAB 7

10.B.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING FAMILY CROSSING GUARD, LLC FOR SCHOOL CROSSING GUARD SERVICES IN AN AMOUNT NOT TO EXCEED \$226,195 ANNUALLY;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF OF POLICE FRANK SOUSA)

RECOMMENDATION: Approval

TAB 8

10.C.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING THE PURCHASE OF POLICE BODY-WORN CAMERA EQUIPMENT, TASERS, DATA STORAGE, AND RELATED MAINTENANCE AND TECHNICAL SERVICES FROM AXON ENTERPRISE, INC. IN AN AMOUNT NOT TO EXCEED \$296,568.64 OVER A FIVE-YEAR PERIOD;** PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE (CHIEF OF POLICE FRANK SOUSA)

RECOMMENDATION: Approval

TAB 9

10.D.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING THE PURCHASE OF SECURITY CAMERAS FOR VILLAGE FACILITIES FROM ER TECH SYSTEMS INC. D/B/A BROADCAST SYSTEMS IN AN AMOUNT NOT TO EXCEED \$154,107.85;** PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.(CHIEF OF POLICE FRANK SOUSA)

RECOMMENDATION: Approval

TAB 10

10.E.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO AECOM TECHNICAL SERVICES, INC. FOR THE DEVELOPMENT OF A BASIS OF DESIGN REPORT RELATING TO THE K-8 SCHOOL STORMWATER DRAINAGE IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$265,480;** AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY AND PUBLIC WORKS DIRECTOR JAKE OZYMAN)

RECOMMENDATION: Approval

TAB 11

10.F.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO AECOM TECHNICAL SERVICES, INC. FOR THE PREPARATION OF A PROBABLE COST EVALUATION REPORT RELATING TO SYSTEM-WIDE STORMWATER DRAINAGE UPGRADES IN AN AMOUNT NOT TO EXCEED \$359,769;** AND PROVIDING FOR AN EFFECTIVE DATE.(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY AND PUBLIC WORKS DIRECTOR JAKE OZYMAN)

RECOMMENDATION: Approval

TAB 12

10.G.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING A CONTINUING PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH CORPORATION FOR PROFESSIONAL ENGINEERING, PROJECT MANAGEMENT, AND RELATED SERVICES FOR THE RESILIENT INFRASTRUCTURE PROGRAM STRATEGY AND INTEGRATED IMPLEMENTATION PLAN AND SUPPORTING PROGRAM MANAGEMENT AND EXECUTION PROJECT;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: Approval

TAB 13

- 10.H. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BEEFREE, LLC D/B/A FREEBEE TO ADD ONE VEHICLE TO THE VILLAGE'S ON-DEMAND TRANSIT SERVICE FOR THE REMAINDER OF THE CONTRACT TERM IN AN AMOUNT NOT TO EXCEED \$77,000;** AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: Approval

TAB 14

- 10.I. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO THE TAMARA PEACOCK COMPANY ARCHITECTS OF FLORIDA, INC. TO PROVIDE PROFESSIONAL DESIGN AND ENGINEERING SERVICES FOR THE VILLAGE BEACH PARK IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$162,888;** AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR JAKE OZYMAN)

RECOMMENDATION: Approval

TAB 15

## 11. PUBLIC COMMENTS:

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## 12. REPORTS AND RECOMENDATIONS:

### A. VILLAGE MANAGER (NOT LATER THAN 8:00 P.M.)

#### MANAGER'S REPORT

TAB 16

## **1.) SAFE AND SECURE VILLAGE**

A. ELECTRIC SCOOTER AND MOTORIZED BIKE SAFETY UPDATE (CHIEF OF POLICE FRANK SOUSA)

## **2.) THRIVING AND VIBRANT LOCAL COMMUNITY AND MARKETPLACE**

NO UPDATES TO REPORT

## **3.) ENGAGING AND ACTIVE PUBLIC SPACES AND PROGRAMS**

A. YOUTH, SENIOR, SPECIAL NEEDS AND ATHLETIC FIELDS PROGRAM UPDATES (PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

## **4.) ACCESSIBLE, CONNECTED AND MOBILE VILLAGE-WIDE TRANSPORTATION**

NO UPDATES TO REPORT

## **5.) RESILIENT AND SUSTAINABLE ENVIRONMENT AND INFRASTRUCTURE**

NO UPDATES TO REPORT

## **6.) EFFECTIVE AND EFFICIENT GOVERNMENT SERVICES**

A. QUARTERLY FINANCIAL UPDATE (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

B. A MOTION DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

C. CIP PROJECT UPDATES (CAPITAL IMPROVEMENT PROGRAM AND GRANTS MANAGER COLLEEN BLANK)

## **B. MAYOR AND COUNCILMEMBERS**

A. MIAMI-DADE COUNTY'S RECENT TRAFFIC CHANGES ON RICKENBACKER CAUSEWAY (VICE MAYOR MOSS)

**C. VILLAGE ATTORNEY**

**D. VILLAGE CLERK**

A. COUNCIL MEETING DATE CHANGES

B. PUBLIC RECORDS AND ACCESS: PUBLIC RECORDS REQUEST POLICY

TAB 17

**13. OTHER BUSINESS/GENERAL DISCUSSION**

**14. SCHEDULE OF FUTURE MEETINGS/EVENTS:**

A. QUALIFYING PERIOD FOR THE OFFICE OF VILLAGE COUNCIL  
FROM 12:00 P.M. NOON ON MONDAY, AUGUST 15, 2022, AND NO  
LATER THAN 12:00 P.M. NOON ON THURSDAY, AUGUST 25, 2022,  
OFFICE OF THE VILLAGE CLERK

B. PRIMARY ELECTION  
TUESDAY, AUGUST 23, 2022, 7:00 A.M. TO 7:00 P.M.,  
KEY BISCAYNE COMMUNITY CENTER

C. REGULAR COUNCIL MEETING  
TUESDAY, AUGUST 23, 2022, 6:00 P.M., COUNCIL CHAMBER

D. FIRST BUDGET HEARING  
TUESDAY, SEPTEMBER 6, 2022, 6:00 P.M., COUNCIL CHAMBER

**15. ADJOURNMENT**

I. ANY PERSON WISHING TO ADDRESS THE VILLAGE COUNCIL ON AN ITEM ON THIS AGENDA IS ASKED TO REGISTER WITH THE VILLAGE CLERK PRIOR TO THAT ITEM BEING HEARD. PRIOR TO MAKING A STATEMENT, PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

II. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK, 88 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA 33149, TELEPHONE NUMBER (305) 365-5506, NOT LATER THAN TWO BUSINESS DAYS PRIOR TO SUCH PROCEEDINGS.

III. 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 (F.S.286.0105).

IV. IN ACCORDANCE WITH VILLAGE CODE SECTION 2-161, ADOPTING SECTION 2-11.1(s) OF THE MIAMI-DADE COUNTY CODE, ANY PERSON ENGAGING IN LOBBYING ACTIVITIES, AS DEFINED THEREIN, MUST REGISTER AT THE VILLAGE CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON THE ABOVE MATTERS OR ENGAGING IN LOBBYING ACTIVITIES.

**THE ABOVE MEETINGS ARE HELD IN THE COUNCIL CHAMBER, 560 CRANDON BOULEVARD AND ARE SUBJECT TO CHANGE. ZONING MEETINGS AND SPECIAL COUNCIL MEETINGS WILL BE SCHEDULED ON AN AS NEEDED BASIS. PLEASE VISIT [www.keybiscayne.fl.gov](http://www.keybiscayne.fl.gov) TO VIEW THE MEETING SCHEDULE.**