



VILLAGE OF KEY BISCAINE

Village Council

Joe I. Rasco, Mayor
Franklin H. Caplan, Vice Mayor
Edward London
Allison McCormick
Brett G. Moss
Oscar Sardinas
Fernando A. Vazquez

REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 10, 2023
6:30 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

FATHER JUAN CARLOS PAGUAGA
SAINT AGNES CATHOLIC CHURCH

4. BRIEF COMMENTS BY COUNCIL

5. PUBLIC COMMENTS:

If you would like to speak during public comments, please fill out a blue request form available at the Council Chamber entrance and submit it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium and state your name and address. (If applicable, please state if you are a hired consultant or Village employee and/or engaged in lobbying activities and/or representing an organization.) Unless otherwise provided by Council, members of the public will have three (3) minutes to speak.

6. AGENDA:

APPROVAL/DEFERRALS/ADDITIONS/DELETIONS/SUBSTITUTIONS/WITHDRAWALS

7. SPECIAL PRESENTATIONS:

7.A. A PRESENTATION OF EVENTS FOR THE E.F. CONCOURS DE L'ELEGANCE WEEK (PREVIOUSLY KNOWN AS KEY BISCAINE CAR WEEK) BY SALE STOJANOVIC (VILLAGE MANAGER)

- 7.B. PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL E-WASTE DAY (MAYOR RASCO)

TAB 1

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. AUGUST 29, 2023 MINUTES
(REGULAR COUNCIL MEETING)

TAB 2

8.B.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **ACCEPTING A FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) RESILIENT FLORIDA GRANT IN AN AMOUNT OF \$885,626 TO COMPLETE THE 30-100% DESIGN OF THE ZONE 1 K8 STORMWATER BASIN RESILIENT INFRASTRUCTURE IMPROVEMENTS PROJECT AND APPROVING AN AGREEMENT RELATED TO THE SAME; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**(CIP AND GRANTS MANAGER COLLEEN BLANK)

RECOMMENDATION: APPROVAL

TAB 3

8.C.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR A MATCHING HAZARD MITIGATION ASSISTANCE GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO OBTAIN FUNDING FOR A STORMWATER PUMP STATION AT HARBOR PARK; AND PROVIDING FOR AN EFFECTIVE DATE.**(CIP AND GRANTS MANAGER COLLEEN BLANK)

RECOMMENDATION: APPROVAL

TAB 4

8.D.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY

BISCAYNE, FLORIDA, **ACCEPTING A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MATCHING HAZARD MITIGATION GRANT IN AN AMOUNT OF \$358,150 TO COMPLETE PHASE 1 OF THE GARDENS DISTRICT DRAINAGE IMPROVEMENTS PROJECT AND APPROVING AN AGREEMENT RELATED TO THE SAME;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.(CIP AND GRANTS MANAGER COLLEEN BLANK)

RECOMMENDATION: APPROVAL

TAB 5

- 8.E. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING AND ACCEPTING A STORMWATER DRAINAGE EASEMENT AGREEMENT WITH NICOLAS MOLINA RELATING TO THE PROPERTY LOCATED AT 425 WEST MASHTA DRIVE;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING, AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: APPROVAL

TAB 6

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

- 9.A. AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **CREATING ARTICLE VIII OF CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES ESTABLISHING SUPPLEMENTAL OPEN MEETING PROCEDURES;** PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.(COUNCILMEMBER MCCORMICK)

SECOND READING
PUBLIC HEARING

RECOMMENDATION: APPROVAL

TAB 7

- 9.B. AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **ADOPTING THE EVALUATION AND APPRAISAL REPORT-BASED AMENDMENTS TO THE COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL;** PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

SECOND READING

PUBLIC HEARING

RECOMMENDATION: APPROVAL

TAB 8

9.C.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS" OF THE VILLAGE CODE OF ORDINANCES, BY AMENDING SECTION 30-4 "ZONING AND PLANNING APPLICATION FEES," RELATING TO COST RECOVERY**; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.(BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

FIRST READING

RECOMMENDATION: APPROVAL

TAB 9

9.D.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS" OF THE VILLAGE CODE OF ORDINANCES, BY AMENDING SECTION 30-73 "SITE PLAN REVIEW PROCEDURES" RELATING TO VOTING PROCEDURES**; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.(BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

FIRST READING

RECOMMENDATION: APPROVAL

TAB 10

10. RESOLUTIONS:

10.A.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING THE PURCHASE OF PROTECTIVE BALLISTIC VESTS FROM FEDERAL EASTERN INTERNATIONAL, LLC IN AN AMOUNT NOT TO EXCEED \$73,268.64**; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.(CHIEF OF POLICE FRANK SOUSA)

RECOMMENDATION: APPROVAL

TAB 11

10.B.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING THE PURCHASE OF FOUR POLICE VEHICLES FROM ALAN JAY AUTOMOTIVE MANAGEMENT, INC. D/B/A ALAN JAY FLEET SALES IN AN AMOUNT NOT TO EXCEED \$235,000; PROVIDING FOR AUTHORIZATION; PROVIDING FOR THE IDENTIFICATION AND SALE OR DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**(CHIEF OF POLICE FRANK SOUSA)

RECOMMENDATION: APPROVAL

TAB 12

10.C.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **SELECTING DEX IMAGING, LLC, FOR COPIER MACHINE RENTAL AND MAINTENANCE SERVICES IN AN AMOUNT NOT TO EXCEED \$98,525.07 FOR A 63-MONTH TERM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**(CHIEF OF POLICE FRANK SOUSA)

RECOMMENDATION: APPROVAL

TAB 13

10.D.

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 PRE-DESIGN SERVICES RELATING TO THE K-8 SCHOOL STORMWATER DRAINAGE IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$926,923.60; AND PROVIDING FOR AN EFFECTIVE DATE.**(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: APPROVAL

TAB 14

10.E.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING A VARIANCE REQUEST FOR THE MODIFICATION OF A NONCONFORMING DOCK TO PERMIT THE DOCK WIDTH TO BE EXPANDED FROM APPROXIMATELY 4 FEET TO 5 FEET IN**

WIDTH ON PROPERTY LOCATED AT 740 HARBOR DRIVE; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.(BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: APPROVAL

TAB 15

10.F.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ADOPTING AN AMENDED FLEET REPLACEMENT POLICY; REPEALING RESOLUTION NO. 2019-6; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.(CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

RECOMMENDATION: APPROVAL

TAB 16

11. PUBLIC COMMENTS: (AT APPROXIMATELY 8:00 P.M.)

If you would like to speak during public comments, please fill out a blue request form available at the Council Chamber entrance and submit it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium and state your name and address. (If applicable, please state if you are a hired consultant or Village employee and/or engaged in lobbying activities and/or representing an organization.) Unless otherwise provided by Council, members of the public will have three (3) minutes to speak.

12. REPORTS AND RECOMMENDATIONS:

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

MANAGER'S REPORT

TAB 17

1.) SAFE AND SECURE VILLAGE

A. COMMUNITY POLICING UPDATE (CHIEF OF POLICE FRANK SOUSA)

2.) THRIVING AND VIBRANT LOCAL COMMUNITY AND MARKETPLACE

A. RICKENBACKER CAUSEWAY UPDATE (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

3.) ENGAGING AND ACTIVE PUBLIC SPACES AND PROGRAMS

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

A. TRAFFIC SOLUTIONS (PUBLIC WORKS DIRECTOR CAIRO CANGAS)

5.) RESILIENT AND SUSTAINABLE ENVIRONMENT AND INFRASTRUCTURE

6.) EFFECTIVE AND EFFICIENT GOVERNMENT SERVICES

A. CAPITAL IMPROVEMENT PROGRAM UPDATE (CIP AND GRANTS MANAGER COLLEEN BLANK)

[HTTPS://VILLAGE-KEY-BISCAYNE-FL-PROJECTS.CLEARGOV.COM/](https://village-key-biscayne-fl-projects.cleargov.com/)

B. MAYOR AND COUNCILMEMBERS

1. DISCUSSION OF CODE ENFORCEMENT ISSUES IN OUR SWALES (MAYOR RASCO)

2. DISCUSSION ON STORMWATER + RIAP MEETING SCHEDULE (MAYOR RASCO)

C. VILLAGE ATTORNEY

NONE

D. VILLAGE CLERK

NONE

13. OTHER BUSINESS/GENERAL DISCUSSION

NONE

14. SCHEDULE OF FUTURE MEETINGS/EVENTS:

REGULAR COUNCIL MEETING

TUESDAY, NOVEMBER 14, 2023, 6:30 P.M., COUNCIL CHAMBER

REGULAR COUNCIL MEETING

TUESDAY, DECEMBER 12, 2023, 6:30 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 TO VIEW THE MEETING SCHEDULE.