



VILLAGE OF KEY BISCAIYNE

Village Council

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

REGULAR COUNCIL MEETING
TUESDAY, APRIL 09, 2024
6:30 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

RABBI AVREMEL CAROLINE
CHABAD OF KEY BISCAIYNE

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. PRESENTATION ON WEEKEND TRAFFIC ISSUES (MAYOR RASCO AND
VILLAGE MANAGER)

- 7.B. PRESENTATION OF KEY BISCAYNE LIBRARY UPDATES GIVEN BY MIAMI-DADE PUBLIC LIBRARY SYSTEM DIRECTOR RAY BAKER
- 7.C. VILLAGE OF KEY BISCAYNE ANNUAL COMPREHENSIVE FINANCIAL REPORT GIVEN BY ANDREW S. FIERMAN WITH CABALLERO FIERMAN LLERENA & GARCIA LLP
- 7.D. ZONING AND OTHER CODE LEGISLATION SCHEDULE (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)
- 7.E. PROCLAMATION FOR ANNUAL ARBOR DAY-TREE CITY USA (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. FEBRUARY 13, 2024 MINUTES
(REGULAR COUNCIL MEETING)

TAB 2

- 8.B. FEBRUARY 16, 2024 MINUTES
(SPECIAL COUNCIL MEETING)

TAB 3

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

- 9.A. **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 30-30 "NONCONFORMING STRUCTURES AND USES," AND SECTION 30-100 "SINGLE FAMILY AND TWO-FAMILY DISTRICTS," REGARDING FINISHED FLOOR ELEVATION REQUIREMENTS FOR ADDITIONS TO SINGLE-FAMILY AND TWO-FAMILY HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)**

SECOND READING

PUBLIC HEARING REQUIRED

RECOMMENDATION: APPROVAL

TAB 4

9.B.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING ARTICLE II, CHAPTER 26, "GOLF CARTS", OF THE VILLAGE CODE OF ORDINANCES RELATING TO PENALTIES FOR GOLF CART VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.** (VILLAGE ATTORNEY)

FIRST READING

RECOMMENDATION: APPROVAL

TAB 5

9.C.

AN EMERGENCY ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **RE-ENACTING EMERGENCY ORDINANCE 2024-06 PROHIBITING ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER MOTORIZED MOBILITY DEVICES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** (VILLAGE ATTORNEY)

FIRST READING

RECOMMENDATION: APPROVAL

TAB 6

9.D.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING ORDINANCE NO. 2023-12 WHICH ADOPTED THE BUDGET FOR FISCAL YEAR 2023-2024 BY REVISING THE 2023-2024 FISCAL YEAR BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.** (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM AND CIP AND GRANTS MANAGER COLLEEN BLANK)

FIRST READING

RECOMMENDATION: APPROVAL

TAB 7

9.E.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **CREATING THE UNIQUE ABILITIES ADVISORY BOARD; PROVIDING FOR**

SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE (MAYOR RASCO)

FIRST READING

RECOMMENDATION: APPROVAL

TAB 8

10. RESOLUTIONS:

10.A.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO SUBMIT A HAZARD MITIGATION GRANT PROGRAM (HMGP) APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE CONSTRUCTION/RECONSTRUCTION OF THREE OUTFALLS FOR THE ZONE 1 K8 INTEGRATED STORMWATER IMPROVEMENT PROJECT**; AND PROVIDING FOR AN EFFECTIVE DATE. (CIP AND GRANTS MANAGER COLLEEN BLANK)

RECOMMENDATION: APPROVAL

TAB 9

10.B.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO PROCEED WITH PUMP SIZE, FORCE MAIN, AND/OR OUTFALL DESIGN TASK ORDERS UNDER AECOM TECHNICAL SERVICES, INC.'S WORK ORDER NO. 3B FOR THE K-8 SCHOOL STORMWATER DRAINAGE IMPROVEMENTS PROJECT**; AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: APPROVAL

TAB 10

10.C.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **SELECTING FIREWORKS BY GRUCCI, INC. FOR JULY 4TH FIREWORKS DISPLAY SERVICES**; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

RECOMMENDATION: APPROVAL

TAB 11

- 10.D. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **SELECTING C.A.P. GOVERNMENT, INC. AND M.T. CAUSLEY, LLC FOR BUILDING INSPECTION AND EXAMINATION SERVICES PURSUANT TO REQUEST FOR PROPOSALS NO. 2024-04;** PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: APPROVAL

TAB 12

- 10.E. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **PROVIDING FOR RATIFICATION OF THE 2023-2026 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE AND THE INTERNATIONAL UNION OF POLICE ASSOCIATIONS, AFL-CIO, FOR THE BARGAINING UNIT CONSISTING OF THE VILLAGE’S POLICE OFFICERS AND SERGEANTS; AUTHORIZING THE VILLAGE MANAGER TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE VILLAGE AND TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE AGREEMENT;** AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM AND HUMAN RESOURCES DIRECTOR JUAN GUTIERREZ)

RECOMMENDATION: APPROVAL

TAB 13

11. REPORTS AND RECOMMENDATIONS:

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

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

TAB 14

- 2.) LEGISLATION FORMULATION AGENDA (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

TAB 15

- 3.) COUNCIL CHAMBER THEATER - SKETCH AND COST ESTIMATE (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

TAB 16

- 4.) COMMUNITY EVENTS AND PROGRAMS REPORT (PARKS, RECREATION AND

B. MAYOR AND COUNCILMEMBERS

1.) SFRPC - TCRPC REGIONAL CONVERSATION ON PROPERTY INSURANCE, TRANSPORTATION, 2024 LEGISLATIVE SESSION REPORT (COUNCILMEMBER CAPLAN)

2.) REQUEST FOR A RESOLUTION TO CONVERT THE COUNCIL CHAMBERS TO A MULTI PURPOSE ROOM FOR MOVIES, LECTURES, AND MEETINGS AT A COST NOT TO EXCEED \$XXX,XXX (COUNCILMEMBER LONDON)

C. VILLAGE ATTORNEY

NONE

D. VILLAGE CLERK

NONE

12. OTHER BUSINESS/GENERAL DISCUSSION

SCHEDULE OF FUTURE MEETINGS/EVENTS:

REGULAR COUNCIL MEETING

TUESDAY, MAY 14, 2024, 6:30 P.M., COUNCIL CHAMBER

REGULAR COUNCIL MEETING

TUESDAY, JUNE 11, 2024, 6:30 P.M., COUNCIL CHAMBER

BUDGET WORKSHOP

TUESDAY, JUNE 25, 2024, 6:30 P.M., COUNCIL CHAMBER

13. 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.