



VILLAGE OF KEY BISCAYNE

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, JUNE 06, 2023
6:30 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

REVEREND MANDY BRADY
ST. CHRISTOPHER'S BY-THE-SEA

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. STATE LEGISLATIVE SESSION DEBRIEF WITH STATE SENATOR ALEXIS
CALATAYUD (VILLAGE MANAGER)

7.B. STATE LEGISLATIVE SESSION DEBRIEF WITH STATE REPRESENTATIVE VICKI LOPEZ (VILLAGE MANAGER)

7.C. PRESENTATION OF A PROCLAMATION FOR MOTHER'S AGAINST DRUNK DRIVING (MADD) (MAYOR RASCO)

TAB 1

7.D. PRESENTATION OF A PROCLAMATION FOR ST. AGNES ACADEMY'S MR. RODRIGO RAUL BUSTAMANTE (MAYOR RASCO)

TAB 2

7.E. A PRESENTATION OF THE FINDINGS OF THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

7.F. A CERTIFICATE OF ACHIEVEMENT IN FINANCIAL REPORTING FOR THE FISCAL YEAR WHICH ENDED SEPTEMBER 30, 2021, RECOGNIZING THE VILLAGE OF KEY BISCAYNE FOR ITS EXCELLENCE IN THE AREA OF GOVERNMENTAL ACCOUNTING AND FINANCIAL REPORTING (MAYOR RASCO)

TAB 3

7.G. A PRESENTATION BY THE ART IN PUBLIC PLACES BOARD ON THE NEED FOR MAINTENANCE OF VILLAGE-WIDE ART STRUCTURES (PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

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. APRIL 4, 2023 MINUTES
(REGULAR COUNCIL MEETING)

TAB 4

8.B. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING AND ACCEPTING A PUBLIC BEACH ACCESS EASEMENT AND DEDICATION AGREEMENT WITH THE**

COMMODORE CLUB SOUTH, INC. RELATING TO THE PROPERTY LOCATED AT 199 OCEAN LANE DRIVE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: APPROVAL

(DEFERRED FROM THE MARCH 14, 2023, APRIL 4, 2023, AND MAY 09, 2023 REGULAR COUNCIL MEETINGS)

TAB 5

8.C.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SUPPORTING THE PROVISIONS OF ORDINANCE 2012-10 RELATING TO THE VILLAGE'S DENSITY CAP; AND PROVIDING FOR AN EFFECTIVE DATE.(VICE MAYOR CAPLAN)

RECOMMENDATION: APPROVAL

TAB 6

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

9.A.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 25-31, "BUSINESS TAX SCHEDULE," OF CHAPTER 25 OF THE VILLAGE CODE OF ORDINANCES TO INCREASE THE BUSINESS TAX RECEIPT SCHEDULE RATES; 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 COMMENTS

RECOMMENDATION: APPROVAL

TAB 7

9.B.

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING METRO EXPRESS, INC. FOR CONSTRUCTION OF VILLAGE-WIDE STORMWATER DRAINAGE IMPROVEMENTS AND ROADWAY RESURFACING IN AN AMOUNT NOT TO EXCEED \$1,014,229.50; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (CIP AND GRANTS MANAGER COLLEEN BLANK)

SECOND READING

PUBLIC COMMENTS

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 ISSUE A WORK ORDER TO MOFFATT & NICHOL, INC. FOR ENGINEERING, SURVEYING, AND MARINE BIOLOGICAL SERVICES RELATING TO THE BEACH RENOURISHMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$94,711; AND PROVIDING FOR AN EFFECTIVE DATE.** (CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: APPROVAL

TAB 9

10.B.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO MOFFATT & NICHOL, INC. FOR ENGINEERING DESIGN AND ENVIRONMENTAL PERMITTING SERVICES FOR THE DESIGN OF AN EMERGENCY INTERIM BEACH RENOURISHMENT TO ADDRESS SHORELINE IMPACTS FROM HURRICANE IAN AND HURRICANE NICOLE IN AN AMOUNT NOT TO EXCEED \$78,976; 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 COASTAL BUILDING MAINTENANCE, INC. FOR CUSTODIAL SERVICES PURSUANT TO REQUEST FOR PROPOSAL NO. 2023-08 IN AN AMOUNT NOT TO EXCEED ANNUALLY \$443,632.00; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**(BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: APPROVAL

TAB 11

- 10.D. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **PROVIDING FOR THE COST OF PROVIDING SOLID WASTE AND RECYCLING COLLECTION SERVICES; PROVIDING FOR THE METHOD OF APPORTIONING THE COST OF PROVIDING SOLID WASTE AND RECYCLING COLLECTION SERVICES; PROVIDING FOR REVISIONS TO THE SERVICE FEE FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES; CONFIRMING INITIAL RATE RESOLUTION; ESTABLISHING THE METHOD BY WHICH THE PROPOSED SERVICE FEE SHALL BE MADE; PROVIDING FOR EQUALIZATION, FILING, AND LIEN ON PROPERTIES TO BE ASSESSED; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.** (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

RECOMMENDATION: APPROVAL

TAB 12

- 10.E. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING A VARIANCE TO ALLOW A SECOND STORY ADDITION WITH A SIDE SETBACK OF 9.44 FEET FOR THE PROPERTY LOCATED AT 1047 MARINER DRIVE WHERE 15 FEET ARE OTHERWISE REQUIRED WITHIN THE VILLAGE ESTATES (VE) ZONING DISTRICT; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.** (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: DENIAL

TAB 13

- 10.F. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **SELECTING U.S. LUBRICANTS LLC FOR STORMWATER UTILITY MAINTENANCE SERVICES IN AN AMOUNT NOT TO EXCEED \$226,792.00 ANNUALLY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**(BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: APPROVAL

TAB 14

- 10.G. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **SELECTING AND AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BEEFREE, LLC D/B/A FREEBEE FOR ON-DEMAND TRANSIT SERVICES IN AN AMOUNT NOT TO EXCEED \$609,246.00 ANNUALLY; PROVIDING FOR**

AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF RESILIENCE OFFICER DR. ROLAND SAMIMY)

RECOMMENDATION: APPROVAL

TAB 15

10.H.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING A VARIANCE REQUEST TO ALLOW A DRIVEWAY WIDTH OF 59 FEET FOR THE PROPERTY LOCATED AT 441 ISLAND DRIVE WHERE A MAXIMUM DRIVEWAY WIDTH OF 36 FEET IS OTHERWISE PERMITTED**; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

RECOMMENDATION: *(STAFF RECOMMENDS DEFERRAL TO DATE TO BE DETERMINED)*

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

2.) THRIVING AND VIBRANT LOCAL COMMUNITY AND MARKETPLACE

3.) ENGAGING AND ACTIVE PUBLIC SPACES AND PROGRAMS

A. ATHLETIC PROGRAM AND FIELDS RECOMMENDATIONS (PARKS, RECREATION, AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

B. BEACH PARK IMPROVEMENTS UPDATE (CIP AND GRANTS MANAGER COLLEEN BLANK)

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

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

5.) RESILIENT AND SUSTAINABLE ENVIRONMENT AND INFRASTRUCTURE

6.) EFFECTIVE AND EFFICIENT GOVERNMENT SERVICES

A. FEDERALLY FUNDED GRANT OPPORTUNITIES FOR THE VILLAGE OF KEY BISCAYNE (CIP AND GRANTS MANAGER COLLEEN BLANK)

[FEDERAL FUNDING OPPORTUNITIES DATABASE](#)

B. AN OVERVIEW OF THE VILLAGE'S BUDGET TO ACTUALS (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

C. 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) STORMWATER REGULATIONS FOR INDIVIDUAL PROPERTIES-RESIDENTS AND COMMERCIAL (COUNCILMEMBER VAZQUEZ)

2) APPOINTMENTS TO THE SUSTAINABILITY ADVISORY BOARD (MAYOR RASCO)

3) REVIEW AND RECOMMEND CHANGES TO THE SITE PLAN REVIEW CRITERIA AND THE SITE PLAN REVIEW PROCESS (COUNCILMEMBER MOSS)

4) SECURING THE BEACH PARK AFTER SUNDOWN (COUNCILMEMBER LONDON)

5) DISCUSSION ON FY23 - 6 MONTH BUDGET (MAYOR RASCO)

C. VILLAGE ATTORNEY

NONE

MISSION: TO PROVIDE A SAFE, QUALITY COMMUNITY ENVIRONMENT FOR ALL ISLANDERS THROUGH RESPONSIBLE GOVERNMENT.

June 06, 2023

www.keybiscayne.fl.gov

D. VILLAGE CLERK

NONE

13. OTHER BUSINESS/GENERAL DISCUSSION

14. SCHEDULE OF FUTURE MEETINGS/EVENTS:

BUDGET WORKSHOP

WEDNESDAY, JUNE 28, 2023, 6:30 P.M.

REGULAR COUNCIL MEETING

TUESDAY, JULY 18, 2023, 6:30 P.M.

REGULAR COUNCIL MEETING

TUESDAY, AUGUST 29, 2023, 6:30 P.M.

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.