

AGENDA

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, October 19, 2023 – 9:30 am

Located at the Temporary Meeting Place for the City of Key Colony Beach,
at the Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& Virtually via Zoom Conferencing

[Zoom Login Information at the end of this Agenda](#)

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call

2. Agenda Additions, Changes & Deletions

3. Special Request

- a. *Proclamation for the support of Red Ribbon Week October 23-31, 2023 - Pg. 1*
- b. *Special Request by Havana Jack's for extended music hours for the night of December 31st, 2023 – Lisa Ferrante*

4. Announcement of Commencement of Closed Attorney/Client Session pertaining to 'Laurie Swanson vs. Key Colony Beach' Case No. 23-CA-000205-M; per FS 286.011 (8). – Pg. 2

5. Re-opening of Special Meeting and Termination of Closed Session

6. Citizen Comments and Correspondence

Key Colony Beach, Code of Ordinances: Sec. 2-90. - Public participation

(1) Public participation on agenda items: *Members of the public may speak for three minutes on any agenda items; and may only speak once unless waived by a majority vote of the commission.*

(2) Decorum. *Members of the public shall not make inappropriate or offensive comments at a city commission meeting and are expected to comply with the rules of decorum that are established for commissioners. Individuals who violate any rules of the city commission may be ruled out of order by the mayor or on a point of order made by a commissioner. A majority vote of the city commission will rule on the point of order. An individual who violates the rules of decorum may be removed from the meeting at the direction of the mayor.*

7. Approval of Minutes

- a. *September 7, 2023 - First Budget Public Hearing Minutes - Pgs. 3-6*
- b. *September 7, 2023 – Special Meeting to fill vacant seats on the Utility Board Meeting Minutes – Pgs. 7-8*
- c. *September 20, 2023 – Townhall Meeting for public input on the relocation of the tennis courts – Pgs. 9-11*
- d. *September 21, 2023 – Second/Final Budget Public Hearing – Pgs. 12-13*
- e. *September 21, 2023 – City Commission Public Hearing – Pgs. 14-18*

8. Committee and Department Reports

- a. *Marathon Fire/EMS – Marathon Assistant Fire Marshal Card*
- b. *Police Department – Chief DiGiovanni*
- c. *Building Department – Building Official Leggett*
- d. *Public Works – Public Works Department Head Guarino*

- e. City Clerk – City Clerk Gransee
- f. Code Enforcement Officer – Code Officer Goldman
- g. Beautification Committee
- h. Planning & Zoning Board
- i. Recreation Committee
- j. Utility Board

9. City Administrator Items for Discussion/Approval

- a. Discussion/Approval of an Interlocal Agreement between the City of Key Colony Beach and the City of Marathon for the extension of services for the delivery of Emergency Medical & Fire Rescue Services – **Pgs. 19-20**
- b. Request for approval to hold a Townhall meeting for Fiber Optic Services – Smart City
- c. Approval of quotes for purchase of playground equipment for 1st Street
 - i. Quote N. 0267628 by Superior Recreational Products in the amount of \$27,465.55 for the purchase of a shade structure – **Pgs. 21-22**
 - ii. Estimate No. 51901 by Lanier Plans, Inc. dba KorKat in the amount of \$54,522.00 for the purchase of new playground equipment – **Pgs. 23-24**

10. Items for Discussion/Approval

- a. Review of December City Commission meetings
 - i. Organizational & Regular Meeting

11. Secretary-Treasurer’s Report

- a. September 2023 Financial Summary – **Pgs. 25-26**
- b. Approval of Warrant 0923 in the amount of \$493,520.20 – **Pg. 27**

12. City Attorney’s Report

- a. Explanation of procedures for filling vacant commission seat and invitation to apply - **Pgs. 28-34**

13. Ordinances & Resolutions

- a. **SECOND/FINAL Reading of Ordinance No. 2023-487: An Ordinance of the City of Key Colony Beach, Florida Amending Chapter 101, Article VII of the Land Development Regulations of the City of Key Colony Beach, Florida to Enact Regulations Relating to Protection of Sea Turtles; Specifically Amending Article III “Environmental and Drainage Regulations”, Sections 101-79 through 101-92 "Reserved" to Establish Regulations Related to Sea Turtle Nesting Protection; Providing for the Repeal of all Ordinances or Parts Thereof Found to be in Conflict; Providing for the Repeal of all Code Provisions and Ordinances Inconsistent with this Ordinance; Providing for Severability; Providing for Inclusion In the Code; and Providing for an Effective Date.**
 - i. Ordinance 2023-487: Protection for Sea Turtles – **Pgs. 35-45**
 - ii. Proof of Publication – **Pg. 46**
 - iii. Impact Statement – **Pgs. 47-49**
- c. **SECOND/FINAL Reading of Ordinance No. 2023-488: An Ordinance of the City of Key Colony Beach, Florida, Amending Article III, Chapter 101 of the Land Development Regulations Related to Reduction of Setbacks for Residential Pools; specifically amending Sections 101-13 and 101-26 of the Land Development Regulations to Provide for Reduced Setbacks for Pools Within The R-2b Zoning District; Providing for the Repeal of all Ordinances or Parts Thereof Found to be in Conflict; Providing for Severability, Repeal, and Codification in the Code of Ordinances; and Providing for an Effective Date.**

- i. *Ordinance 2023-488: Amendment for Pool Side Setbacks – Pgs. 50-53*
 - ii. *Proof of Publication – Pg. 54*
 - iii. *Impact Statement – Pgs. 55-57*
- c. ***RESOLUTION 2023-16: A Resolution of the City Commission of the City of Key Colony Beach, Florida, Adopting the Monroe County Multi-Jurisdictional Program for Public Information, providing new comprehensive outreach strategy options for the distribution of Flood Hazard information to Residents and Non-Residents and providing for an effective date. – Pgs. 58-92***
 - d. ***RESOLUTION 2023-17: A Resolution of the City Commission of the City of Key Colony Beach, Florida, Approving a One-Year Extension of the Agreement, Between the City of Key Colony Beach and the City of Marathon for the Provision of Emergency Medical and Fire Rescue Services; Proving for an Effective Date. – Pgs. 93-96***

14. Commissioner’s Reports & Comments

- a. *Commissioner Harding*
 - i. *Wastewater Status Update – Pgs. 97-100*
 - ii. *Mitigation Learning – FEMA/State of Florida Bureau of Mitigation – Hurricane Ian – Pgs. 101-107*

15. Adjournment

This meeting will be held at the temporary meeting place for the City of Key Colony Beach at the Key Colony Inn Banquet Room at 700 W. Ocean Drive, Key Colony Beach, Florida, and virtually via Zoom.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us02web.zoom.us/j/88388618565?pwd=aFRwRkNWMCs0MlhlRTFH3BQa3d0Zz09>

Passcode: 847196

Or One tap mobile:

+13052241968,,88388618565#,,,,*847196# US
 +13017158592,,88388618565#,,,,*847196# US (Washington DC)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 305 224 1968 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847

Webinar ID: 883 8861 8565

Passcode: 847196

International numbers available: <https://us02web.zoom.us/j/88388618565>

“Members of the public may speak for three minutes and may only speak once unless waived by a majority vote of the commission.”
 Letters submitted to the city clerk to be read at the Commission Meeting will be made part of the record but not read into record. Persons who need accommodations in order to attend or participate in this meeting should contact the city clerk at 305-289-1212 at least 48 hours prior to this meeting in order to request such assistance. If a person decides to appeal any decision made with respect to any matter considered at any meeting, 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.

City of Key Colony Beach

P.O. Box 510141, Key Colony Beach, FL 33051-0141 • Phone: 305-289-1212
Fax: 305-289-0247
www.keycolonybeach.net



Proclamation National Red Ribbon Week October 23 - 31, 2023

Whereas, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

Whereas, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

Whereas, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

Whereas, the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

Whereas, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

Whereas, October 23-31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

NOW, Therefore, I, Patricia Trefry, Mayor of the City of Key Colony Beach, do hereby proclaim October 23-31, 2023, as RED RIBBON WEEK in the City of Key Colony Beach, and urge all citizens to join me in this special observance.

Presented this 19th day of October 2023.

Beth Ramsay-Vickrey
Mayor Pro-Tem/Vice-Mayor

Attest: _____

Silvia Gransee, City Clerk



NOTICE OF SPECIAL MEETING

**THE CITY COMMISSION OF KEY COLONY BEACH
WILL HOLD A CLOSED ATTORNEY/CLIENT SESSION
PERTAINING TO THE PETITION FOR TEMPORARY INJUNCTION
'LAURIE SWANSON VS. KEY COLONY BEACH' CASE NO. 23-CA-000205-M**

DAY/DATE/TIME: Thursday, October 19th, 2023, at approximately 9:35 am

PLACE: AT THE TEMPORARY MEETING PLACE FOR THE CITY OF KEY COLONY BEACH AT THE KEY COLONY BEACH BANQUET ROOM AT 700 W. OCEAN DRIVE, KEY COLONY BEACH, FL 33051.

286.011 Public meetings and records; public inspection; criminal and civil penalties. —

(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the litigation.

MINUTES
CITY OF KEY COLONY BEACH
FIRST BUDGET PUBLIC HEARING
BUDGET FOR OCTOBER 1, 2023 - SEPTEMBER 30, 2024

Thursday, September 7, 2023, 5:05 p.m.
Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: The First Budget Public Hearing of the City of Key Colony Beach was called to order by Mayor Patricia Trefry at 5:05 pm followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Mayor Patricia Trefry, Vice-Mayor Beth Ramsay-Vickrey, Commissioner Tom Harding, Commissioner Joey Raspe. **Absent:** Commissioner Freddie Foster. **Also present:** City Administrator Dave Turner, Police Chief Kris DiGiovanni, City Attorney Dirk Smits, Administrative Assistant Tamara Anderson, City Clerk Silvia Gransee.

Physical attendance: 8

2. Agenda Additions, Changes & Deletions: There were none.

3. Citizen Comments & Correspondence: City Clerk Gransee informed on the following citizen correspondence:

September 6, 2023, Sue Bartkus, wrote to the City Commission regarding the First Budget meeting.

There were no comments from the audience.

4. Review of Proposed Budget for October 1, 2023 - September 30, 2024

Mayor Trefry introduced the agenda item and asked City Administrator Turner to proceed with the review of the budget. City Administrator Turner informed on grants received by the City which in turn helped keep the millage low. City Administrator Turner informed the grants being used for various city projects including Stormwater Management, the Hardening of the new City Hall, the Comprehensive Vulnerability Assessment, the Watershed Management Plan, and the Playground on 7th Street. City Administrator Turner further informed on an in-progress grant for cybersecurity, a recreation grant which was awarded for 1st Street playground, as well as an erosion control grant for Sadowski Causeway. City Administrator Turner updated on having applied for a recreational grant for upgrades to the pickle and tennis ball courts and a decision on an award to be expected by next July. City Administrator Turner explained that all grants are non-matching with no assessments to the taxpayer. City Administrator Turner informed that the city's budget to be about \$4 million and the city having received a little bit over \$5 million in grants.

City Administrator Turner informed on completed projects including the painting and upgrading of the Golf Pro-Shop and the playground and bathrooms by 7th Street.

City Administrator Turner further advised on projects under discussion including the Smart City project which will provide fiber optics to all residents in the city with no infrastructure cost.

City Administrator Turner informed on possible future projects including the implementation of solar streetlights to help with electric costs.

City Administrator Turner explained the budget process including the certification process and meetings that were held.

City Administrator Turner reported on the City's value over the last years with the current value breaking the \$1 billion mark. City Administrator Turner informed on some uncertainty regarding the police unionization, grants holding the millage down, and further explained voting requirements for millage rates.

City Administrator Turner proposed to lower the millage rate to 2.8419 and informed on an increase of \$11.02 per month for a homesteaded property. City Administrator Turner continued informing on increases for non-homesteaded properties to \$ 22.85 per month.

City Administrator Turner detailed on the general budget with a total revenue of \$4,086,993.00 and further informed on road funds, state and local grants, and other interests received.

City Administrator informed on total income including received grants in the amount of \$7,788,784.

City Administrator Turner explained anticipated expenses in the proposed budget including savings for contingencies for road parks and infrastructure for a total of \$4,087,993.00.

City Administrator Turner continued talking on protective services and substantial increases in FRS retirement. City Administrator Turner updated on increases in insurances, technology upgrades, and salary increases.

City Administrator Turner proposed to lower the millage to 2.8419 which is greater than a rolled-back-rate from 13.12 percent. City Administrator Turner explained for the current rate of 2.8726 which is 14.35 percent from roll-back. City Administrator Turner informed the Commission's prerogative to keep the millage the same or lower and a voting requirement of four out of five votes.

5. Budget Changes, If Any:

a. Discussion/Approval of Cost Estimate by City Attorney Smits to provide a Charter and Code of Ordinance Review:

City Attorney Smits informed on outside quotes for the review of the Code of \$75,000.00 and a quote between \$150,000.00 and \$170,000.00 for the review of the LDR's and the Code. City Attorney Smits informed of an in-house quote of about \$60,000.00 for a Code review over the course of 18 month working together with staff. City Attorney Smits stated for the goal to be completed with a Code review within a year and advised against the review of the LDR's at the same time.

The Commission discussed the best solutions to complete the review of the Code and the LDR's.

Commissioner Harding commented on City Administrator Turner doing excellent job.

City Administrator Turner informed on coming in under budget for the year just like the previous year and informed on the grant for the Lift Station, erosion control for Sunset Park, and the Hardening Grant for the Causeway bridge.

b. Discussion/Approval of Determination of appropriate adjustment to the City Administrator's Salary:

Mayor Trefry introduced the agenda item. Commissioner Harding spoke on his submitted report and informed on salaries of previously employed Administrators and City Administrator Turner's increase in the prior year. Commissioner Harding further talked on his report and performance evaluation. Commissioner Harding gave a competitive salary assessment to other cities and compared larger versus smaller cities and ranges in salaries. Additionally, Commissioner Harding gave comparison to highest paid city employees with two employees

receiving a higher salary than City Administrator Turner.

Commissioner Harding gave a salary recommendation based on the presented data of \$128k for 2023 which falls within the current budget.

Vice-Mayor Ramsay-Vickrey thanked Commissioner Harding for his time and effort and agreed with his recommendation. Vice-Mayor Ramsay-Vickrey suggested for the raise to be given retro-active to April for the discussion was supposed to be addressed in April. Commissioner Harding agreed with the Vice-Mayor.

Commissioner Raspe voiced disagreement with Commissioner Harding's position and talked on the position being initially a part-time job for \$60,000.00 and City Administrator Turner having accepted the position for \$80,000.00. Commissioner Raspe explained not favoring a 28% increase since last year including already having received a car. Commissioner Raspe further talked on the calculations of employment pay and reiterated not being in favor of a raise.

Commissioner Raspe clarified to be in favor of a minimal raise and performance based raises.

Commissioner Harding stated that part of his recommendation was based on performance including data from his performance review.

Commissioner Harding further commented on City Administrator Turner having been hired with no prior City Manager experience and the average employment for a City Administrator to be two years. Commissioner Harding stated for Dave Turner to have demonstrated performance with Mayor Trefry reiterating the success of receiving \$5.1 million in grants.

City Administrator Turner informed of the expense of the car being more cost effective than the reimbursement of gas mileage over a 10-year period. City Administrator Turner informed of not receiving any benefits which compares to over \$30K for other employees and having received his certification as a ICMA Level 2 Manager.

Commissioner Harding gave his opinion that a manager should make more money with some exceptions and for his recommendation to be fair and equitable.

6. Public Comments, Commission Response: Mayor Trefry asked for public comment.

Richard Tamborino, in attendance via Zoom, clarified not to have any public comment after having raised his hand.

Mayor Trefry asked for a motion to adjust the City Administrator's salary.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to adjust the City Administrator's salary to \$128k retro-active to April 2023. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

DISCUSSION: Mayor Trefry allowed public comment from a citizen.

Fred Swanson, 620 9th Street, voiced agreement with Commissioner Raspe for a 28% increase to be too much. There was no further discussion.

ON THE MOTION: Rollcall vote. Commissioner Raspe – No. Vice-Mayor Ramsay-Vickrey – Yes. Commissioner Harding – Yes. Mayor Trefry – Yes. The motion passed.

7. Resolution 2023-10 to Adopt a Tentative Millage Rate for Fiscal Year 2023-2024: A Resolution Of The City Commission Of The City Of Key Colony Beach Of Monroe County, Florida, Adopting The Tentative Levying Of Ad Valorem Taxes For Fiscal Year 2023-2024; And Providing For An Effective Date.

Mayor Trefry asked City Attorney Smits for the approval of the millage rate and code review. City Administrator Turner informed having \$40,000 in the budget for the first year of code review. Mayor Trefry asked for a motion pertaining to the update of the Code of Ordinances.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to approve the in-house update of the Code with a projected cost of \$40,000.00 in this year's budget and the remaining \$20,000.00 to be allocated to next years budget.

DISCUSSION: City Attorney Smits asked for the remainder of \$20,000.00 to be approved next year.

AMENDED MOTION: Vice-Mayor Ramsay-Vickrey stated, 'So Moved'. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

FURTHER DISCUSSION: Commissioner Raspe asked City Attorney Smits for a future update on the review. City Attorney Smits informed of bringing a schedule to the Commission and to have two thirds of the review completed within the year.

ON THE MOTION: Rollcall vote. Unanimous approval.

Mayor Trefry presented the reading of Resolution 2023-10 and asked for a motion to approve.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to approve Resolution 2023-10. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. Resolution 2023-11 to Adopt a Tentative Budget for Fiscal Year 2023-2024: A Resolution Of The City Commission Of The City Of Key Colony Beach Of Monroe County, Florida, Adopting The Tentative Budget For Fiscal Year 2023-2024; And Providing For An Effective Date.

Mayor Trefry presented the reading of Resolution 2023-11 and asked for a motion to approve.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to approve Resolution 2023-11. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

DISCUSSION: none.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. Adjournment: The meeting adjourned at 5:47 pm.

Respectfully submitted,

Silvia Gransee

City Clerk

MINUTES
CITY OF KEY COLONY BEACH
SPECIAL MEETING TO FILL VACANT SEATS ON
THE UTILITY BOARD PER CITY COMMISSION APPOINTMENT

Thursday, September 7, 2023, 5:55 pm
Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

- 1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** The Key Colony Beach Special Meeting to fill vacant seats on the Utility Board was called to order by Mayor Patricia Trefry at 5:55 pm followed the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Vice-Mayor Beth Ramsay-Vickrey, Commissioner Tom Harding, Commissioner Joey Raspe, Mayor Patricia Trefry. **Absent:** Commissioner Freddie Foster. **Also present:** City Administrator Dave Turner, Police Chief Kris DiGiovanni, City Attorney Dirk Smits, Administrative Assistant Tamara Anderson, City Clerk Silvia Gransee.

Physical Attendance: 8

- 2. Introduction of Candidates by the City Clerk:** City Clerk Gransee informed of having received applications for appointment to the Utility Board from Donald Steamer and Edward Carey, which both had been shared with the City Commission.

- 3. Candidate Statements**

Mayor Trefry asked if the candidates were available for statements.

Mr. Donald Steamer was not present due to previous engagements.

Mr. Edward Carey was in attendance and Mayor Trefry asked Mr. Carey for an introduction.

Mr. Edward Carey introduced himself to the Commission and informed on prior experiences with utilities and sewer plants, and experience as a manager in general operations. Edward Carey informed of being a registered voter and Key Colony Beach resident for 10 years.

Edward Carey further informed on his prior work experience and knowledge of sewer plants. City Administrator Turner informed for the plant in question to be comparable to the City's sewer plant.

Commissioner Harding thanked Edward Carey for volunteering.

- 4. City Commission Questions/Comments to Candidates/Application Review:** Mayor Trefry asked for questions or comments. There were none.
- 5. Citizen Comments & Correspondence:** Mayor Trefry asked on comments and correspondence. City Clerk Gransee informed on the following citizen correspondence:

September 1, 2023, Tom DiFransico wrote in support of Donald Steamer as a member to the Utility Board.

6. Call for Nominations: Mayor Trefry asked for a motion to appoint Mr. Edward Carey to the Utility Board. Vice-Mayor Ramsay-Vickrey made a motion to nominate Edward Carey to the Utility Board. Mayor Trefry asked for vote by a show of hands in support of Edward Carey. All members raised their hands. City Clerk Gransee confirmed for the new members being appointed until the next Organization meeting in December.

Mayor Trefry asked for a motion to appoint Mr. Donald Steamer to the Utility Board. Commissioner Raspe made the motion. Mayor Trefry asked for a vote by a show of hands. All Commissioners raised their hand in support.

City Administrator Turner congratulated the newly appointed members and thanked them for volunteering.

7. Vote by Commissioners: See under 6.

8. Swearing-in Ceremony: City Clerk Gransee administered the Oath of Office to Edward Carey.

9. Adjournment: The meeting adjourned at 6:03.

Respectfully submitted,
Silvia Gransee
City Clerk

CITY OF KEY COLONY BEACH

TOWNHALL MEETING FOR PUBLIC INPUT FOR THE RELOCATION OF THE TENNIS COURTS TO 7TH STREET

Wednesday September 20, 2023 – 10:00 am
Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

1. **Introduction of Speaker(s):** City Administrator Turner opened the Townhall meeting at 10:00am followed by the introduction of Speakers and Pledge of Allegiance. **Present:** City Administrator Turner, Representative for the Pickleball Club Mike Yunker, Representative for the Pickleball Club Diane Slusher, Representative for the Pickleball Club Monica Greene, Administrative Assistant Tammie Anderson, City Clerk Silvia Gransee,

2. Presentation

i. **Presenters Diane Slusher:** City Administrator Turner explained the format of the meeting and introduced Diane Slusher as the first speaker. Diane Slusher spoke on the growth of Pickleball in the country and in the City of Key Colony Beach. Diane Slusher informed on difficulties that arose on the city's pickleball courts over the last year due to exponential growth and steps that have been taken to look for solutions, including the forming of a pickleball club. Diane Slusher continued informing on the vision of a club, membership benefits, and benefits for the Recreation Committee as well as the City.

ii. **Presenter Mike Yunker:** Mike Yunker introduced himself to the attendees and recalled moving to the city and becoming part of the Pickleball community. Mike Yunker talked about the plan for the expansion of the pickleball fields and gave a timeline of events and meetings over the last year. Mike Yunker informed on the approval by the City Commission to look for different locations for the courts and coming to the conclusion of a recommendation of Option 4. Mike Yunker talked on discussions held with Barbara Tatarchuk and elaborated on the different options that were considered, including new pickleball courts on 7th Street, courts by the Golf Course and the Wastewater Treatment Plant, and new tennis courts near 7th Street. Mike Yunker informed on the benefits of Option 4 as the solution and concerns previously mentioned by Barbara Tatarchuk, a Recreation Committee member, to have been addressed.

Mike Yunker further spoke on an anticipated start of construction and progress of expansion.

Mike Yunker updated on a tentative donor who committed to guarantee a minimum of \$100K to the project and many other people who would like to contribute. Mike Yunker also spoke on the use of membership funds to offset costs and expenses, and the popularity and benefit of the sport of pickleball.

City Administrator Turner asked Monica Green, who was attending via zoom, for additional input. Monica Greene stated to be available for financial or administrative questions.

3. **Citizen Correspondence/Public Comment:** City Administrator Turner opened the floor for public comment.

Louis Alonzo, 940 Shelter Bay Drive, commended the speakers on their presentation and addressing concerns of residents.

Dania Fernandez, 145 4th Street, commented on the increased value for the city and growth of visitors with the expansion of the pickleball fields, and for the sport to be a family sport.

Carmen Slusher, 411 12th Street, spoke on the original location of the tennis courts on 7th Street and thanked the city for their support.

Billy Blasen, 201 7th Street, thanked the city for the consideration of the expansion as well as the speakers for their presentation.

Jan Pflueger, 240 8th Street, thanked the presenters for their hard work, and the benefit and support of all sports.

Mary Conda, no address, spoke on the friendships that have been created through pickleball, the physical benefits of the sport, and thanked the Committee.

City Administrator Turner asked for citizen comments online.

Yuna Leary, 241 8th Street, commented on the location of her house to the pickleball fields, her enjoyment of the sport, it being a social activity, and the activity being attractive to older communities and a great addition to the city.

Robert Fernandes, 4th Street, spoke on the additional attraction to the city for a feel of community and congratulated the speakers on their presentation. Robert Fernandes further spoke on the sport bringing people together and promoting health and activity.

Mickie Kozak, Key Colony Point, spoke on having recently started playing pickleball and thanked the committee for creating the presentation and gave her support for the expansion.

There were no additional comments online.

City Clerk Gransee informed on the following citizen correspondence:

September 18, 2023, Sandra Humphrey, 230 14th Street, expressed support for the relocation of the tennis court and the expansion of the pickleball courts.

September 18th, 2023, Judi Virost, 80 7th Street, expressed concern on the timing of the townhall meeting and stated concerns on noise, drainage, and the use of the basketball courts.

September 18th, 2023, Dave Nussdorfer, 320 11th Street, expressed support for the relocation of the tennis and expansion of the pickleball courts.

September 18th, 2023, Richard Pflueger, 240 8th Street, gave support for the proposed new tennis courts and expansion of the pickleball courts.

September 18, 2023, Jan Pflueger, 240 8th Street, expressed support for the creation of a Pickleball club to manage the pickleball courts.

September 19th, 2023, Melody Renne, 265 13th Street, wrote in support of the expansion of the pickleball courts at the current location.

September 19, 2023, Len Renne, 265 13th Street, wrote in support of the expansion of the courts.

September 20th, 2023, Marilyn Avery, 79 7th Street, expressed concern on the timing of the townhall meeting in addition to drainage, number of courts, and noise.

City Administrator Turner spoke on the main concerns of residents on 7th Street and presented a model of the proposed courts. City Administrator Turner explained the concerns that were addressed including flooding and for residents to see improvements in the future.

City Administrator Turner thanked all residents for the community input.

Brian Grant, 7th Street, thanked the presenters for their time and effort and gave full support for Option 4.

City Administrator Turner informed for all comments to presented to the Commission tomorrow.

Mike Yunker thanked City Administrator Turner and staff for their help and support.

City Administrator Turner informed for the scaled model to be available for review at City Hall.

City Administrator Turner reported that his recommendation will be to move forward with the expansion and for the City Commission to discuss the topic during an open meeting and make their decision.

City Administrator Turner further informed that a resolution has to be approved by the Commission to accept donations to the city. City Administrator Turner informed that fundraising can begin once the Resolution has been approved and a donation account has been opened. City Administrator Turner talked on the process of hiring an engineer, obtaining plans, bids, and the need for monies to be available in the donation account to help with the progress of the project.

City Administrator informed that the 1st Street Playground project will be presented to the City Commission in October for a vote to move forward.

4. Adjournment: The Townhall meeting adjourned at 10:51 am.

Respectfully submitted,

Silvia Gransee

City Clerk

****A recording of the meeting as well as the presentations by the speakers are available by request to the City Clerk at cityclerk@keycolonybeach.net ****

MINUTES
CITY OF KEY COLONY BEACH
SECOND/FINAL BUDGET PUBLIC HEARING
BUDGET FOR OCTOBER 1, 2023 - SEPTEMBER 30, 2024

Thursday, September 21, 2023, 5:05 p.m.
Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& via Zoom Conferencing

- 1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** Mayor Trefry called the Second and Final Budget Public Hearing for the Budget for October 1st, 2023, to September 30, 2024, to order, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Vice-Mayor Beth Ramsay-Vickrey, Commissioner Tom Harding, Commissioner Joey Raspe, Mayor Patricia Trefry. **Absent:** Commissioner Freddie Foster. **Also present:** City Administrator Dave Turner, City Attorney Dirk Smits, Police Chief Kris DiGiovanni, Public Works Department Head Mike Guarino, Administrative Assistant Tammie Anderson, City Clerk Silvia Gransee.

Physical Attendance: 3

- 2. Agenda Additions, Changes, or Deletions:** None.
- 3. Citizen Comments & Correspondence:** City Clerk Gransee informed of having not received any correspondence. There were no citizen comments.
- 4. Review of Final Budget for October 1, 2023 - September 30, 2024:** Mayor Trefry introduced the agenda item and asked City Administrator Turner to present the review. City Administrator Turner restated the timeline of the budget approval process including hearings that were held. City Administrator Turner gave data from the property appraisers office on the value of the city over the last years with a current value over \$1Billion. City Administrator Turner informed on the percentage used for the calculation of the budget and uncertainty on the unionization of the police and upcoming negotiations. City Administrator Turner further informed on the positive impact of received grants on keeping the millage rate down. City Administrator Turner continued by talking on the decision of lowering the millage to 2.8419 and explained the calculation of ad valorem taxes and different revenue funds for the City. City Administrator Turner gave the proposed general budget calculations as well as a summary of expenses for the upcoming fiscal year. City Administrator Turner explained for the building department to be it's own fund and not taxpayer driven but solely comprised of permit fees. City Administrator Turner continued informing on projected expenses for the city's departments and funds. City Administrator Turner talked on substantial increases in retirement costs, wind and flood insurance, and minor increases in health insurance, and COLA increases. City Administrator Turner updated that negotiations with the City of Marathon on EMS and Fire Services did not go as expected and a substantial increase has been made. City Administrator Turner informed on plans for absorbing the extra cost and to further research the topic. Commissioner Harding informed that a budget modification has to be done once an official bill is received and monthly meetings to be held on that topic. Commissioner Harding continued that the agreement was to keep with the lower millage and the change on service costs occurred after. City Administrator Turner further explained that future increases in costs are not clear and further

research has to be done.

City Administrator Turner continued by recommending on keeping the millage the same with services not changing and future modifications will be worked out.

5. **Budget Changes, If Any:** City Administrator Turner informed on no budget changes other than the change in Fire and EMS costs which will be worked through.
6. **Public Comments, Commission Response:** Mayor Trefry asked for public comment. There was none.

Commissioner Raspe asked for clarification on the topic of Fire and EMS services. City Administrator Turner explained that the City of Marathon has made the change but the City Commission has to approve the change. City Administrator Turner further explained that he is working on different possibilities on how to move forward and some items might have to be put on hold.

7. **Resolution 2023-12 to Adopt Final Millage Rate for Fiscal Year 2023-2024:** A Resolution Of The City Commission Of The City Of Key Colony Beach Of Monroe County, Florida, Adopting The Final Levying Of Ad Valorem Taxes For Fiscal Year 2023-2024; Providing For An Effective Date.

Mayor Trefry provided the reading of Resolution No. 2023-12 and asked for a motion to approve the Resolution.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to approve the Resolution. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. **Resolution 2023-13 to Adopt Final Budget for Fiscal Year 2023-2024:** A Resolution Of The City Commission Of The City Of Key Colony Beach Of Monroe County, Florida, Adopting The Final Budget For Fiscal Year 2023-2024; Providing For An Effective Date.

Mayor Trefry provided the reading of Resolution 2023-13 and asked for a motion to approve the Resolution.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to approve the resolution. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. **Adjournment:** The meeting adjourned at 5:21 pm.

Respectfully submitted,

Silvia Gransee

City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING

Thursday, September 21, 2023 – 9:30 a.m.

Key Colony Inn Banquet Room, 700 W. Ocean Drive, Key Colony Beach
& via Zoom

- 1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** The Key Colony Beach City Commission Public Hearing was called to order by Mayor Patricia Trefry at 9:30 am followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Vice-Mayor Beth Ramsay-Vickrey, Commissioner Tom Harding, Commissioner Raspe, Mayor Patricia Trefry. **Absent:** Commissioner Freddie Foster. **Also present:** City Administrator Dave Turner, Marathon Assistant Fire Marshal Mike Card, Chief Kris DiGiovanni, City Attorney Dirk Smits, Code Enforcement Officer Barry Goldman, Building Official Lenny Leggett, Public Works Department Head Mike Guarino, Administrative Assistant Tammie Anderson, City Clerk Silvia Gransee.

Public Attendance: 24

- 2. Agenda Additions, Changes & Deletions:** None.
- 3. Approval of Minutes:** None.
- 4. Administration of Oath to Witnesses:** City Clerk Gransee administered the Oath of Witness to all planning to testify.
- 5. Citizen Comments and Correspondence:**

City Clerk Gransee informed on the following correspondence received for the City Commission regarding this morning's public hearing:

July 9th, 2023, Steve Wenger, 100 13th Street, wrote to the City Commission opposing the issuance of a building permit.

July 18th, 2023, Sandra Humphrey, 230 14th Street, wrote to the City Commission stating her objections to the issuance of a building permit.

July 18th, 2023, Pam Nada-Caley, wrote in opposition to the issuance of a building permit.

August 11th, 2023, Sandra Humphrey, 230 14th Street, stated objections to the issuance of a building permit for the property located at 1295 Coury Drive.

August 21st, 2023, Steve Wenger, 100 13th Street, wrote in opposition to the issuance of a building permit.

September 18th, 2023, Steve Wenger stated his opposition to the issuance of a building permit to Mr. Bauer.

September 18th, 2023, Sandra Humphrey, 230 14th Street, stated objections to the issuance of a building permit for the property located at 1295 Coury Drive.

Mayor Trefry asked for citizen comments from the audience. There was none.

6. Disclosure of Ex-Parte Communications: None.

7. Appeal of Building Permit Denial Permit Application #B23-000027 1295 Coury Drive: Applicant appeals the decision of the Key Colony Beach's Building Official pursuant to Sec. 2-2, Sec. 6-14, and Sec. 101-170, for the denial of a building permit for the property located at 1295 Coury Drive, Key Colony Beach, Florida 33051.

a. Proof of Legal Publications: Included in the agenda packet.

b. Presentation of Building Permit Denial: City Attorney Smits deferred to the agenda packet, page 18, for the basis of the permit denial. City Attorney Smits summarized that a sufficient cloud of title is pending against residents with interest in the property and legal's recommendation is to follow the statement as noted on page 18, as well as the recommendation by the Planning & Zoning Board.

c. Statement by Applicant/Representative: Kenneth Bohannon, Esq., introduced himself as the representative for Nickolaus Bauer, and proceeded to hand out documents for review to the City Commission and staff.

Mr. Bohannon began his oral presentation by asking Building Official Leggett questions on the Building Departments application process, Florida Statutes, and origin of correspondence. Building Official Leggett confirmed that the correspondence in question was prepared by the legal department and confirmed Attorney Bohannon's questions to be correct.

Attorney Bohannon continued questioning Building Official Leggett on responsible parties for building permits and on contents of documents submitted with the building permit. Building Official Leggett stated his understanding of receiving a permit for review and stated observing no deficiencies with the application to his knowledge. Building Official Leggett informed of not having done a complete review for having being advised of legal discrepancies surrounding the property.

Attorney Bohannon continued questioning Building Official Leggett on his Building Official reviews being in line with Florida Statutes which Building Official Leggett confirmed and stated no known discrepancies.

Mayor Trefry clarified the position on where the appeal is standing. City Attorney Smits explained for Attorney Bohannon to continue his questioning, however, to not repeat prior testimony. Attorney Bohannon gave his legal opinion on the denial of the application and the scope of a normal review.

Attorney Bohannon asked for the submitted documents to be made part of the record for purposes of appeal.

Attorney Bohannon reiterated his support for the allowance of the issuance of the permit and gave arguments in support of. Attorney Bohannon stated the City's Code in support of his argument and explained the rights of the developer and the owners of the property. Attorney Bohannon explained statutes of limitations and the City's ability to issue a building permit.

Attorney Smits questioned Building Official Leggett on property ownership and the process of finding deficiencies in the course of a permit application. Building Official Leggett stated that at the time of the application a clarification of the restrictions on the deed was asked for and further reviews would have followed.

City Attorney Smits adopted the agenda packet materials in case of appeal. There were no objections

d. Planning & Zoning Board Recommendation

- i. **Review of Meeting Minutes:** Included in the agenda packet.
- ii. **Letter of Recommendation:** Planning and Zoning Chair George Lancaster had no additional comments.

e. City Commission Discussion/Questions: Mayor Trefry asked for Commissioner comments.

Commissioner Raspe asked Attorney Bohannon on the intentions of building a house with residents having access to the water. Attorney Bohannon gave his review of the plat restriction and legal opinion of the applicant's rights. Attorney Bohannon further explained the cloud on title and unknown interests that are planned on being resolved through quit-claim-deeds and litigation.

There were no additional comments from the Commission.

f. Motion to approve, deny, or approve with conditions:

Mayor Trefry entertained a motion to approve, deny, or approve with conditions, the appeal of the building permit denial for 1295 Coury Drive.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to deny the building permit. Mayor Trefry asked for a second. Commissioner Raspe seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

Mayor Trefry confirmed to Attorney Bohannon that the appeal was denied.

8. Variance Request(s):

A. 521 9th Street – Owners: Jane & Jim Walther: Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the installation of a pool within the 10' setback to 5' on one side of the lot. Current setback requirements are 10' feet.

a. Proof of Legal Publications & Affidavits of Mailing/Posting: Included in the agenda packet.

b. Presentation of Variance Request: Mayor Trefry introduced the agenda item and asked Building Official Leggett to continue the presentation. Building Official Leggett stated for similar requests to have been approved in the past and recommended the approval of the variance.

c. Statement by Applicant/Representative: The applicant Jane Walther gave her name for the record and stated her husband's health and a recommendation for pool exercises as the foundation of the initiation of a pool and the consequent pool variance.

d. Planning & Zoning Board Recommendation

- i. **Letter of Recommendation:** Included in the agenda packet.
- ii. **Review of Meeting Minutes:** Included in the agenda packet.

d. City Commission Discussion/Questions: Commissioner Raspe stated understanding for the blanket approvals for side setback requirements for the R2B zone but stated that all other cases should be handled individually.

e. Motion to approve, deny, or approve with conditions: Mayor Trefry asked for a motion to approve, deny, or approve with conditions the variance request for 521 9th Street.

MOTION: Motion made by Commissioner Raspe to approve the variance request. Mayor Trefry asked for a second. Vice-Mayor Ramsay-Vickrey seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

B. 160 13th Street – Owner: Jennifer Goldstein: Applicant requests a variance to the City of Key Colony Beach Land Development Regulations Article IV. Sec. 101-26 (2), to allow the installation of a tiki hut with a maximum floor area of 192 square feet. Current maxim floor area: 80 square feet with maximum roof overhang of 18 inches.

Mayor Trefry introduced the Variance request.

a. Proof of Legal Publications & Affidavits of Mailing/Posting: Included in the agenda packet.

b. Presentation of Variance Request: Building Official Leggett deferred to Building Assistant Bursa for the presentation of the request.

Building Assistant Bursa gave a review of the requested variance and informed that approval for the requested variance was recommended by the Building Department but denied by the Planning and Zoning Board. Building Assistant Bursa explained that the recommendation for denial by the Planning and Zoning Board was based on not having fulfilled the requirements of hardship and deferred to the Board's recommendation.

c. Statement by Applicant/Representative: The applicant was not present.

d. Planning & Zoning Board Recommendation

i. Letter of Recommendation: Included in the agenda packet.

ii. Review of Meeting Minutes: Included in the agenda packet.

e. City Commission Discussion/Questions: Mayor Trefry asked for Commissioner discussion or questions. There were none.

f. Motion to approve, deny, or approve with conditions: Mayor Trefry asked for a motion to approve, deny, or approve with conditions, the variance request for 160 13th Street.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey to deny the variance request. Mayor Trefry asked for a second. Mayor Trefry seconded the motion after handing the gavel to the Vice-Mayor Ramsay-Vickrey.

DISCUSSION: Mayor Trefry stated to follow the Planning & Zoning Boards recommendation.

ON THE MOTION: Rollcall vote. Unanimous approval.

C. Sunset Park Tiki Hut – Owner: City of Key Colony Beach: Applicant requests a review and confirmation of no variance requirements to the City of Key Colony Beach Land Development Regulations Article III, Section 101-19, for the replacement of the current Tiki Hut with dimensions of 9' x 9', to a Tiki Hut with the dimensions of 15' x 20' at Sunset Park, Key Colony Beach, Florida 33051.

Mayor Trefry introduced the variance request for Sunset Park.

- a. Proof of Legal Publications & Affidavits of Mailing/Posting:** Included in the agenda packet.
- b. Presentation of Variance Request:** City Clerk Gransee swore in City Administrator Turner prior to testifying.

City Administrator Turner addressed the Commission and explained that the replacement of the tiki hut technically does not require a variance but the item was presented to the Planning and Zoning Board and Commission for transparency. City Administrator Turner stated for the approval to benefit all residents, and for rules and regulations to be discussed during the regular meeting. City Administrator recommended approval of the variance and explained for the original tiki to be moved and that no taxpayer monies will be used.

c. Statement by Applicant/Representative: See under b.

d. Planning & Zoning Board Recommendation

- i. Letter of Recommendation:** Included in the agenda packet.
- ii. Review of Meeting Minutes:** Included in the agenda packet.

e. City Commission Discussion/Questions: City Administrator Turner explained for Sunset Park to be on the endangered species list but for the endangered tree snail and tree cactus not being affected by the tiki.

Vice-Mayor Ramsay-Vickrey clarified to the public that the item is for public review only and no variance is required per recommendation by the Planning & Zoning Board.

f. Motion to approve, deny, or approve with conditions: Mayor Trefry asked for a motion to approve, deny, or approve with conditions the variance request for Sunset Park.

MOTION: Motion made by Commissioner Raspe to approve the request. Mayor Trefry asked for a second. Vice-Mayor Ramsay-Vickrey seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. Other Business: None.

10. Adjournment: The meeting adjourned at 10:04 am.

Respectfully submitted,

Silvia Gransee

City Clerk

**SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN
THE CITY OF MARATHON
AND
THE CITY OF KEY COLONY BEACH
PROVIDING FOR DELIVERY OF
EMERGENCY MEDICAL & FIRE RESCUE SERVICES**

This Second Amendment to the Interlocal Agreement (hereinafter called the "Extension") is made by and between THE CITY OF MARATHON, a municipal corporation of the State of Florida (hereinafter called "MARATHON"), and THE CITY OF KEY COLONY BEACH, a municipality of the State of Florida (hereinafter called "KEY COLONY BEACH").

WHEREAS, August 8th of 2017, MARATHON and KEY COLONY BEACH entered into an agreement, (hereinafter "AGREEMENT") to provide for the delivery of fire rescue and emergency medical services within and adjacent to the municipal boundaries of KEY COLONY BEACH in the amount of \$700,000; and

WHEREAS, the City of Marathon ("Marathon") and the City of Key Colony Beach ("Key Colony Beach") desire to extend the Interlocal Agreement between the parties for the delivery of fire rescue and emergency medical services within the municipal boundaries of Key Colony Beach to September 30, 2026, with annual reviews; and

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms and conditions set forth herein, MARATHON and KEY COLONY BEACH do hereby agree as follows:

1. The expiration of the AGREEMENT is hereby extended to September 30, 2024.
2. The amount of the agreement for FY 2023/2024 should be \$700,000. With the exception of the extension years, all other terms and conditions of the AGREEMENT are reaffirmed.

[Signatures on the following page.]

IN WITNESS OF, the parties hereto have executed this Extension as of this ___ day of _____, 2023.

ATTEST:

CITY OF MARATHON

Diane Clavier, City Clerk

By: _____
George Garrett, City Manager

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

Steve Williams, City Attorney

IN WITNESS OF, the parties hereto have executed this Extension as of this ___ day of
October 2023.

ATTEST:

CITY OF KEY COLONY BEACH

City Clerk

By: _____
**Beth Ramsay-Vickrey,
Mayor Pro-Tem/Vice-Mayor**

Date: _____

APPROVED AS TO FORM AND LEGALITY:

Dirk Smits, City Attorney



1050 Columbia Dr.
Carrollton, GA 30117

1.800.327.8774
superiorrecreation.com

QUO0267628

CREATED: 7/27/2023
EXPIRES: 8/26/2023

| PROJECT NAME | NOTES |
|--------------|-------------------------|
| | ***BUY BOARD #679-22*** |

| BILL TO | SHIP TO | TERMS |
|--|--|---------|
| City of Key Colony Beach, FL PO Box 510141 Key Colony Beach FL 33051 | City of Key Colony Beach, FL 600 W Ocean Drive Key Colony Beach FL 33051 | Prepaid |

| QTY | ITEM | UNIT PRICE | EXTENDED PRICE |
|-----|--|-------------|---------------------|
| | Comment - ***BUY BOARD #679-22*** | | |
| 4 | CTG-10010XX - Post Cap 3-1/2" - Superior "S" logo (Coated) | \$43.18 | \$172.72 |
| | Subtotal. | | \$172.72 |
| | SRP BuyBoard Discount - SRP BuyBoard 12% Discount | -12% | (\$20.73) |
| | Subtotal. | | \$151.99 |
| 1 | Custom Shade Design - Custom Shade Design: Rectangle Hip Shade: 37' Length x 27' Width x 9' Entry Height. (4) Columns on Base Plates + 6" surfacing at Ø5.5" Sch-40. Rafters at Ø5.0" 11-Ga With Glide Elbows. Frame Color: TBD Fabric Color: TBD STEEL CABLE, STAINLESS STEEL HARDWARE | \$12,162.00 | \$12,162.00 |
| | Subtotal. | | \$12,162.00 |
| | SRP BuyBoard Discount - SRP BuyBoard 12% Discount | -12% | (\$1,459.44) |
| | Subtotal. | | \$10,702.56 |
| 1 | Engineering: Sealed Drawings & Calculations Fees - Engineering: Sealed Drawings & Fees with Calculations | \$1,200.00 | \$1,200.00 |

Thank you for the opportunity to quote your upcoming project! If you have any questions, please contact our Customer Service Department at 1.800.327.8774. Quotes do not include installation or safety surfacing unless otherwise noted. In the event of any inconsistencies in regards to terms, the terms stated on this quote shall control.

PREPARED BY: Bridget Templeman
Page 1 of 2



1050 Columbia Dr.
Carrollton, GA 30117

1.800.327.8774
superiorrecreation.com

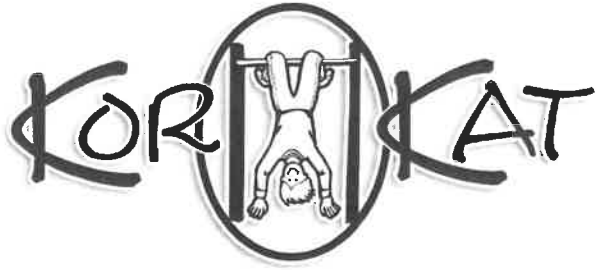
QUO0267628

CREATED: 7/27/2023
EXPIRES: 8/26/2023

| QTY | ITEM | UNIT PRICE | EXTENDED PRICE |
|-----|---|------------------|----------------|
| 1 | IN:EQ-INSTALL BY OTHERS - Removal of Modular Roof and Posts, and install new post caps on the existing structure. | \$960.00 | \$960.00 |
| 1 | IN:EQ-INSTALL BY OTHERS - Installation By Others | \$10,637.00 | \$10,637.00 |
| 1 | IN:EQ-INSTALL BY OTHERS - MINIMUM PERMITTING FEE - PERMIT FEES (WHICH COULD INCLUDE ADDITIONAL ENGINEERING COSTS, SITE PLANS OR PERMIT RUNNER FEES) OVER \$1,200.00 WILL BE THE RESPONSIBILITY OF THE CUSTOMER WITH PROOF OF RECEIPTS FOR ALL CHARGES. | \$1,200.00 | \$1,200.00 |
| 1 | Freight: Freight Out Billable and Handling - Freight: Freight Out Billable and Handling | \$2,614.00 | \$2,614.00 |
| | | Subtotal | \$27,465.55 |
| | | Tax (0%) | \$0.00 |
| | | Net Total | \$27,465.55 |

Thank you for the opportunity to quote your upcoming project! If you have any questions, please contact our Customer Service Department at 1.800.327.8774. Quotes do not include installation or safety surfacing unless otherwise noted. In the event of any inconsistencies in regards to terms, the terms stated on this quote shall control.

PREPARED BY: Bridget Templeman
Page 2 of 2



Lanier Plans, Inc. dba KorKat
 221 Cable Industrial Way
 Carrollton, GA 30117
 770-214-9322

Estimate

Date 8/17/2023 Estimate # 51901

PLAYGROUNDS & SITE AMENITIES

Name & Address for Bill To:

City of Key Colony Beach
 POB 510141
 Key Colony Beach, FL 33051

Ship To

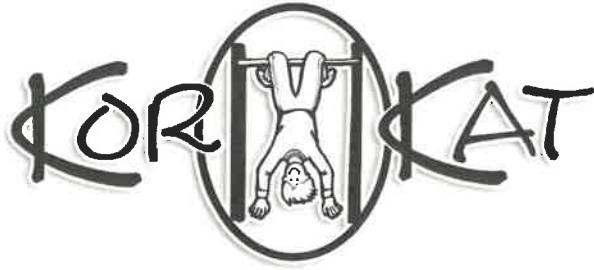
City of Key Colony Beach
 600 W. Ocean Drive
 Key Colony Beach, FL 33051

| Project or PO # | | | | Rep |
|-----------------|--|-----|-----------|-----------|
| | | | | WC |
| Item | Description | Qty | Cost | Total |
| REMOVAL | SURFACING ESTIMATE REMOVAL OF 4" EXISTING STONE | 1 | 4,600.00 | 4,600.00 |
| EPDM | PLAYGROUND AREA EPDM AS FOLLOWS: TOTAL SQUARE FOOTAGE @ 1,024 CRITICAL FALL HEIGHT @ 8' RUBBER TO BE A TOTAL HEIGHT OF 3-1/2" SBR BASE @ 3" EPDM CAP @ 1/2" SUB-BASE OF 4" COMPACTED STONE PROVIDED AND INSTALLED BY KORKAT | 1 | 18,258.00 | 18,258.00 |
| EPDM | BUCKET SEAT SWING AREA EPDM AS FOLLOWS: TOTAL SQUARE FOOTAGE @ 646 CRITICAL FALL HEIGHT @ 8' RUBBER TO BE A TOTAL HEIGHT OF 3-1/2" SBR BASE @ 3" EPDM CAP @ 1/2" SUB-BASE OF 4" COMPACTED STONE PROVIDED AND INSTALLED BY KORKAT | 1 | 11,850.00 | 11,850.00 |
| | BELT SEAT SWING AREA | | | |

Prices quoted are good for 15 days and are subject to total purchase except for shipping which is subject to market changes. Installation price assumes normal soil conditions and does not include rock excavation, unforeseen conditions, or replacement of bad soil conditions. Any additional work will be priced prior to the continuation of installation.

Please note that a 50% deposit is due at the time of order with any estimate that includes installation. Payment of 100% is due at the time of order for all equipment purchases without installation.

| | | | |
|--------------|--------------|-------------------|------------------------|
| Phone # | Fax # | E-mail | Total |
| 770-214-9322 | 770-214-9323 | AliceH@KorKat.com | Signature _____ |



Lanier Plans, Inc. dba KorKat
 221 Cable Industrial Way
 Carrollton, GA 30117
 770-214-9322

Estimate

Date 8/17/2023 Estimate # 51901

PLAYGROUNDS & SITE AMENITIES

Name & Address for Bill To:

City of Key Colony Beach
 POB 510141
 Key Colony Beach, FL 33051

Ship To

City of Key Colony Beach
 600 W. Ocean Drive
 Key Colony Beach, FL 33051

| Project or PO # | | | Rep | |
|-----------------|--|-----|-------------|-----------|
| | | | WC | |
| Item | Description | Qty | Cost | Total |
| EPDM | EPDM AS FOLLOWS: TOTAL SQUARE FOOTAGE @ 674 CRITICAL FALL HEIGHT @ 8' RUBBER TO BE A TOTAL HEIGHT OF 3-1/2" SBR BASE @ 3" EPDM CAP @ 1/2" SUB-BASE OF 4" COMPACTED STONE PROVIDED AND INSTALLED BY KORKAT | 1 | 12,325.00 | 12,325.00 |
| EPDM | TIKI HUT AREA EPDM AS FOLLOWS: TOTAL SQUARE FOOTAGE @ 100 CRITICAL FALL HEIGHT @ 0' RUBBER TO BE A TOTAL HEIGHT OF 1/2" EPDM CAP @ 1/2" SUB-BASE OF 4" COMPACTED STONE PROVIDED AND INSTALLED BY KORKAT | 1 | 3,675.00 | 3,675.00 |
| PERMITTING | MINIMUM PERMITTING FEE - PERMIT FEES (WHICH COULD INCLUDE ADDITIONAL ENGINEERING COSTS, SITE PLANS OR PERMIT RUNNER FEES) OVER \$1,200.00 WILL BE THE RESPONSIBILITY OF THE CUSTOMER WITH PROOF OF RECEIPTS FOR ALL CHARGES. | 1 | 1,200.00 | 1,200.00 |
| FREIGHT | SHIPPING & HANDLING | 1 | 2,614.00 | 2,614.00 |
| | | | \$54,522.00 | |

Prices quoted are good for 15 days and are subject to total purchase except for shipping which is subject to market changes. Installation price assumes normal soil conditions and does not include rock excavation, unforeseen conditions, or replacement of bad soil conditions. Any additional work will be priced prior to the continuation of installation.

Please note that a 50% deposit is due at the time of order with any estimate that includes installation. Payment of 100% is due at the time of order for all equipment purchases without installation.

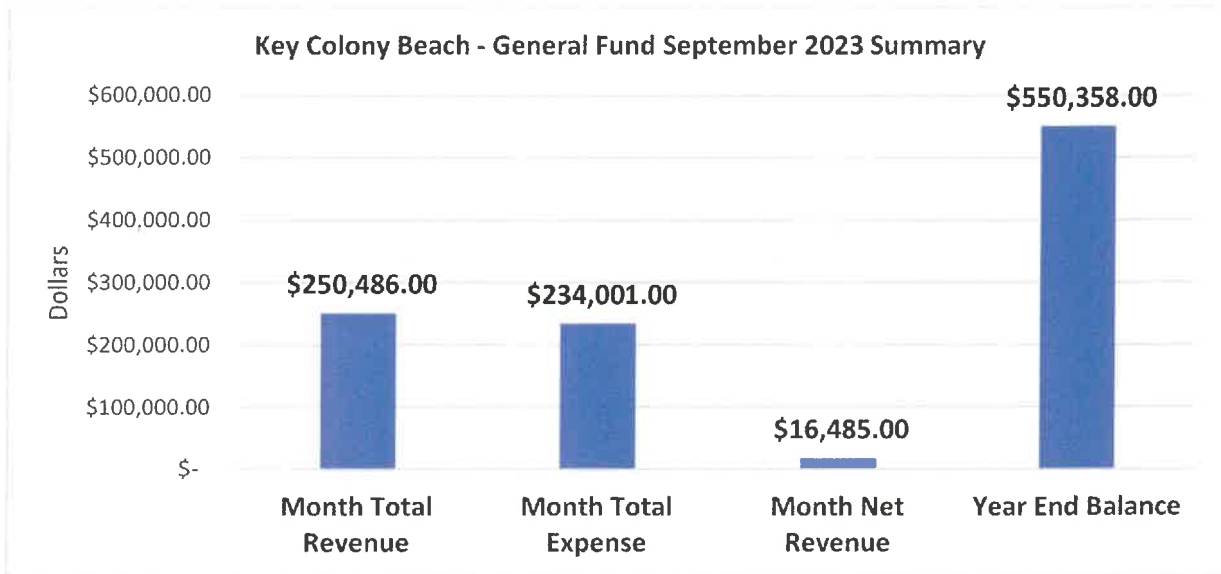
| | | | |
|--------------|--------------|-------------------|------------------------|
| Phone # | Fax # | E-mail | Total |
| 770-214-9322 | 770-214-9323 | AliceH@KorKat.com | Signature _____ |

City of Key Colony Beach

Treasurer’s Report – October 19, 2023

✓ **September 2023 financial summary – General Fund**

- 12th month of 2023 fiscal year budget
 - EOY overall income fell short of budget projection by 1%.
 - Boat trailer income was below budget projection.
 - Business licenses exceeded budget projection.
 - Code violations exceed budget projection.
 - Interest income exceeded budget projection.
 - EOY overall expenses at 12% below planned budgeted expenses. Excellent condition.
 - General cash accounts: \$2,831,586
 - Restricted cash accounts are in excellent condition, at \$3,347,436.
 - Infrastructure account at \$2,255,465.
- EOY revenue rollover at \$550,358. Draft values at this time, final review numbers expected soon after final review of end of year analysis. **Staff did an excellent job this year, Congratulations!**
- Current monthly General Fund summary plot below:



✓ **Wastewater:**

- Total sewer revenue at year end was lower than budget projection by 1%, mainly driven by lower than projected commercial sewer service revenue.
 - Electricity costs back down to 2021 levels for September, due to recent natural gas price reductions, will need to continue to monitor.
 - Recommendation to request Utility Board to investigate alternate power options – solar, through an initial engineering assessment for a business case evaluation.
 - Potential grant funding from Infrastructure investment and Jobs Act?
- Overall expenses at the year-end are higher than budget projection by 7% driven by operating and capital expenses.
 - Payments to highlight for this month, State of Florida loan and Reynolds Construction for Static Screen replacement.
- Net income negative for the year-end for a negative amount of \$78,687.94. Which will need to pull from reserve funding.

✓ **Stormwater:**

- Total revenue at year end was lower than projected budget by 3%
- Expenses exceeded the projected budget, but planned use of State of Florida grants were used to complete stormwater projects for this year for the additional expenses.

Update for Draft New City Hall Financing Proposal:

- No updates this month related to the City Hall Financing Proposal

CITY OF KEY COLONY BEACH

Warrant Number

Items paid from
to

September 1, 2023
September 30, 2023

| | | |
|--------------------------------------|---------------------|-----------------------------------|
| General Fund Checking Account - 6871 | \$216,919.27 | |
| Escrow Account - 5537 | - | |
| Payroll Account - 2942 | \$86,799.38 | |
| Infrastructure Account - 8644 | - | |
| Road Reserve Account - 8677 | - | |
| Impact Fees Account - 8669 | - | |
| First State Bank - 3703 | - | |
| Sewer Money Mkt - 0301 | - | |
| Stormwater Account - 0128 | 4,509.18 | |
| Sewer Account - 6006 | <u>\$185,292.37</u> | |
| TOTAL DISBURSEMENTS | | <u><u>\$493,520.20</u></u> |

Sec. 2-64. - Vacancies on city commission.

When the office of a commissioner for the City of Key Colony Beach becomes vacant upon death, disability, resignation, removal from office, forfeiture of office, or any reason or manner whatsoever authorized by law, the vacancy shall be filled in the following manner:

- (1) The commission, by a majority vote of all remaining members shall appoint a qualified person to fill the vacancy until the next regular municipal election or for all the remainder of the unexpired term, whichever occurs first. In the event an unexpired term is filled at a regular municipal election, said election shall be only for the final year of the term.
- (2) If a majority of said remaining members are unable to agree upon a person to fill said vacancy after forty-five (45) days, the city commission shall call a special election for that purpose. However, no special election shall be held within six (6) months prior to a regularly scheduled municipal election.
- (3) When there are less candidates than positions to be filled caused by an insufficient number of candidates, death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period, said vacancies shall be filled by appointment of the city commission in the same manner as filling a vacancy of a sitting commissioner.

(Ord. No. 353-2003, 2-13-03; Ord. No. 356-2003, 4-10-03)

City of Key Colony Beach

PO Box 510141 Key Colony Beach, Florida • Phone# 305-289-1212 • Fax# 305-289-1767



The City of Key Colony Beach invites all residents to apply for the vacant seat on the City Commission left open by the resignation of Mayor/Commissioner Trefry.

The City is accepting applications for consideration of appointment by the City Commission to fill the vacant seat for the remainder of the unexpired term until the next election in 2024. If the majority of remaining commission members are unable to agree upon a person to fill said vacancy, the commission shall call a special election for that purpose.

Please submit a completed application for City Commissioner and a letter of interest to the City Clerk at cityclerk@keycolonybeach.net no later than

Friday, November 3, 2023, 12:00 p.m.

Applications are available for pickup at City Hall.

Applicants will be considered for appointment at the City Commission Regular Meeting & Public Hearing on Thursday, November 16th, 2023, at 9:30 am.

Applicants must be residents of the City of Key Colony Beach and registered voters eligible to vote in Key Colony Beach elections.





CITY OF KEY COLONY BEACH

APPLICATION FOR CITY COMMISSIONER

OFFICE OF THE CITY CLERK
PO Box 510141
CITY OF KEY COLONY BEACH, FL 33051
TELEPHONE: (305) 289-1212
WEB: WWW.KEYCOLONYBEACH.NET

Name: _____
(Last) (First) (Middle)

Address: _____

Mailing Address (if different): _____

Business Address: _____

Occupation: _____

Home/Cell Ph.: _____ Work Ph.: _____

E-mail: _____

Do you reside within the City limits?

Yes No

• If yes, how long have you resided in the City of Key Colony Beach? _____

Do you own property in the City of Key Colony Beach?

Yes No

Are you a Registered Voter in Monroe County?

Yes No

Have you ever served on a volunteer board/committee/commission or in a volunteer capacity before? Yes No

If yes, please indicate name of board/committee/commission and dates of service.

Why would you like to serve on this commission?

What special skills would you bring to this position? _____

Please list fields of work experience: _____

List any licenses and/or degrees (location and year): _____

Local References (Please list 3):

1. _____
2. _____
3. _____

Signed: _____ Date: _____

Submit application to:

Silvia Gransee
City Clerk
City of Key Colony Beach
PO Box 510141
Key Colony Beach, FL 33051

OR

Cityclerk@keycolonybeach.net

**CITY OF KEY COLONY BEACH
CITY COMMISSIONER APPLICATION**

Acknowledgments:

1. Accuracy of Information. I certify that the information provided in my Commission Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: _____

Signature: _____

Date: _____

GENERAL INFORMATION

SUNSHINE AMENDMENT/CODE OF ETHICS:

All Volunteer Advisory Board/Committee/Commission Appointees are governed by and subject to the Florida Sunshine Law, which includes the Public Records Law and Code of Ethics.

[Ref. Sec. 24, Art. I, F.C., Sec 286.011, F.S. Chap. 119, F.S. and Chap. 112 – Part III, F.S. respectively]

FORM 6 – STATEMENT OF FINANCIAL INTERESTS:

Persons required to file FORM 6 include all local officers. A local officer is defined as any appointed member of a board, excluding any member of a solely advisory body. However, a governmental body with land-planning, zoning or natural resources responsibilities shall not be considered an advisory body and therefore would be required to file.

Within 30 days from the date of appointment, and subsequently no later than July 1st of each year thereafter, a local officer shall file a statement of financial interests with the Monroe County Supervisor of Elections. Additionally, within 60 days of leaving the position, unless you take another “reporting position” within that period of time you are required to file a FORM 1F with the Monroe County Supervisor of Elections.

[Ref. Sec. 112.3145, F.S.]

REPORTING REQUIREMENTS AND PROHIBITED RECEIPT OF GIFTS; SOLICITATION AND DISCLOSURE OF GIFTS FROM GOVERNMENTAL ENTITIES, DIRECT SUPPORT ORGANIZATIONS AND HONORARIUM RELATED EXPENSES:

Certain instances require disclosure of gift and honoraria. For a full detail of requirements, please review the **GIFT LAW** as identified in Florida Statutes or contact the City Attorney for specifics.

[Ref. Secs. 112-3148 & 49, F.S.]

NOTE: Forms which may be required to be filed by a local officer are as referenced in Florida Commission on Ethics’ **“GUIDE TO THE SUNSHINE AMENDMENT AND CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES”** booklet, as published annually and on file in the Office of the City Clerk or online at the Florida Commission on Ethics at www.ethics.state.fl.us under the tab entitled Publications and/or Forms.

ORDINANCE NO. 2023-487

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA AMENDING CHAPTER 101 ARTICLE VII OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY COLONY BEACH, FLORIDA TO ENACT REGULATIONS RELATING TO PROTECTION OF SEA TURTLES; SPECIFICALLY AMENDING ARTICLE III “ENVIRONMENTAL AND DRAINAGE REGULATIONS”, SECTIONS 101-79 THROUGH 101-92 "RESERVED" TO ESTABLISH REGULATIONS RELATED TO SEA TURTLE NESTING PROTECTION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key Colony Beach, Florida (the “City”), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida (the “City Commission”) has determined the need to protect and conserve its marine resources, including federally listed endangered species such as sea turtles; and

WHEREAS, the City is dedicated to preventing adverse impacts of lighting on coastal resources and to maximize protection of sea turtles; and

WHEREAS, the City Commission desires to specifically amend Article III, Sections 101-79 and 101-89 of the City’s Land Development Regulations in order to enact regulations related to sea turtle nesting protection; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:

~~Strikethrough~~ = deletion

Bold underline = addition

Section 1: Recitals

The above recitals are true and correct.

Section 2: Amending Section 101-79 through 101-89 of the Land Development Regulations

Sections 101-79 and 101-89 of Article III, “Environmental and Drainage Regulations” of the Land Development Regulations of the City of Key Colony Beach, Florida, are hereby amended as follows:

DIVISION 1. - PROTECTION OF SEA TURTLES

Sec. 101-79. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adjacent waters mean waters abutting a nesting area and extending 300 feet to either side of it, and out to either 300 yards offshore or the limits of the property line, whichever is further.

Artificial light or artificial lighting means any point source of light emanating from a bulb, lamp, filament or other manmade source within a fixture that emanates light, including, but not limited to, incandescent, tungsten-iodine (quartz), mercury vapor, fluorescent, metal halide, neon, halogen, high-pressure sodium, and low-pressure sodium light sources, as well as natural gas lights, torches, camp and bonfires. When a lamp is contained within a translucent fixture, the entire fixture shall be considered the point source of light.

Beach means the zone of unconsolidated material that extends landward from the mean low- water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

Beach berm means a bare, sandy shoreline with a mound or ridge of unconsolidated sand that is immediately landward of, and usually parallel to, the shoreline and beach. The sand is calcareous material that is the remains of marine organisms such as corals, algae and mollusks. The berm may include forested, coastal ridges and may be colonized by hammock vegetation.

Cumulatively visible means light from numerous artificial light sources that as a group can be seen by an observer standing anywhere on the beach.

Daylight hours means the locally effective time period between sunrise and sunset.

Directly visible means glowing elements, lamps, globes, or reflectors of an artificial light source that can be seen by an observer standing anywhere on the beach.

Disorientation means the inability of hatchling or adult sea turtles to orient properly to the ocean.

Filmed glass means window glass that has been covered with a film such that the material has a shading coefficient of 45 percent or less, adhesive as an integral part, and

has performance claims that are supported by approved testing procedures and documentation.

Full cut-off fixture means a fixture with a flat, horizontally-oriented lens and opaque sides that does not permit light distribution above a horizontal plane located at the bottom of the fixture; a lighting fixture constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the luminairc, is projected at or above 90° as determined by photometric test or certified by the fixture manufacturer.

Fully Shielded means a lighting fixture constructed in such a manner that the glowing elements, lamps, globes, or reflectors of the fixture are completely covered by an opaque material to prevent them from being directly visible from the beach. Any structural part of the light fixture providing this shielding must be permanently affixed.

Hatchling means any species of marine turtle, within or outside of a nest, that has recently hatched from an egg.

Indirectly visible means light reflected from a glowing element, lamp, globe, or reflector of an artificial light source, which source is not directly visible but can be seen by an observer standing anywhere on the beach.

Jurisdictional boundaries, sea turtle protection means the area on contiguous land within 300 feet of a nesting area.

Long wavelength means the light with wavelengths 560 nm or greater and absent wavelengths below 560 nanometers that emit light in the yellow to red color spectrum.

Low-pressure sodium light means an electric discharge lamp containing sodium, neon, and argon and that appears amber-yellow when lighted.

Mechanical beach cleaning means any mechanical means by which debris, including but not restricted to trash, litter, seaweed or seagrass wrack, is removed from the beach.

Nest means the area in and around a place in which sea turtle eggs are naturally deposited or relocated beneath the sediments of the beach.

Nesting area, potential means those areas identified in the City of Key Colony Beach's Comprehensive Plan maps as potential sea turtle nesting area.

Nesting area, identified, means any area where sea turtles have been or are currently nesting, and the adjacent beach or other intertidal areas used for access by the turtles.

Nesting area, potential, means any area where sea turtle crawls have been observed.

Nesting season means the period from April 15 through October 31 of each year.

Permitted agent of the State means any qualified individual, group or organization possessing a permit from the Department of Environmental Protection or by the Florida Fish and Wildlife Conservation Commission to conduct activities related to sea turtle protection and conservation.

Pole lighting means a light fixture set on a base or pole which raises the source

of light higher than 48 inches off the ground.

Recessed ceiling fixture means the fixture recessed into the ceiling such that no portion of the lamp extends below the horizontal plane of the ceiling.

Sea turtle means any specimen belonging to the species *Caretta caretta* (loggerhead turtle), *Chelonia mydas* (green turtle), *Dermochelys coriacea* (leatherback turtle), *Eretmochelys imbricata* (hawksbill turtle) or any other marine turtle using City beaches as a nesting habitat.

Sea Turtle Lighting District shall include all properties within the City of Key Colony Beach, that may produce artificial light directly, indirectly, or cumulatively visible from any portion of the beach, regardless of whether those properties are beachfront properties.

Sea turtle nesting season means the period from April 15 through October 31 of each year.

Shield means an opaque covering, canopy or other such device fitted over a light source that blocks the light source from being observed from the beach and prevents the light from illuminating the beach.

Tinted glass means any glass treated to achieve an industry-approved inside-to-outside light transmittal value of 45 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

Translucent fixture means a fixture consisting of a material (e.g., frosted glass) that transmits light but causes sufficient diffusion to prevent a distinct image of the lamp inside.

Uplighting means lighting fixtures that are directed upward, usually onto objects (flags, monuments, signs, buildings, landscape, etc.).

Wildlife lighting means artificial lighting, fixtures and bulbs that minimizes the potential for negative affects to the nocturnal behaviors of nesting and hatchling sea turtles and other wildlife. The following criteria apply:

- (1) The light source is mounted as low to the ground or floor as practicable through the use of fixtures such as, low-mounted wall fixtures, low bollards, and ground-level fixtures;
- (2) The lumens emitted by the light source are the minimal required for the intended application;
- (3) The light source is contained within a full cut-off or fully shielded fixture such that no light is broadcast above a horizontal plane and the point source of light, and any reflective surfaces of the fixture are not directly visible from the beach;
- (4) The lamps emitting predominately long-wavelength light (>560 nm). These long wavelength light sources include low-pressure sodium vapor lamps, amber and red LEDs, true red neon lamps, and other

lamps certified by the Florida Fish and Wildlife Conservation Commission as "wildlife lighting".

Window tinting means tinting or film that meets the standards for tinted glass.

Sec. 101-80. - Prohibition of activities disruptive to sea turtles.

- (a) Prohibition of horseback riding, campfires, and vehicular traffic. Horseback riding and campfires shall be prohibited on nesting areas during the nesting season. Vehicular traffic shall also be prohibited on nesting areas during the nesting season except for emergency and law enforcement vehicles, vehicles permitted on the beach for marine turtle conservation or research, or vehicles used for beach cleaning in compliance with Section 101-83, standards for mechanical beach cleaning.
- (b) Prohibiting storage or placement of any material in the nesting area. The storage or placement of any material, such as, but not limited to, construction material, rip-rap, trash and debris, mulch, beach wrack/seagrass, or other organic material, landscaping material, fill, vehicles, or boats, that has the potential to impede movement of hatchlings or adults between ocean and nesting areas, or that may cover existing nests or nesting sites is strictly prohibited.
- (c) Development. All development shall be set back a minimum of 50 feet from any area that serves as an active or potential nesting area for marine turtles. The 50-foot setback will be measured from the landward toe of the most landward beach berm or from 50 feet landward of mean high water (MHW), whichever results in the smaller total setback. The maximum total setback shall be 100 feet from MHW.
- (d) If any turtle nests or nesting activities have been reported within a portion of a beach, any temporary structures, including, but not limited to, beach chairs, umbrellas and cabanas which have the potential for entrapment of marine turtles and which may interfere with the use of the natural beach environment for nesting habitat shall be:
 - (1) Removed from the beach nightly; or
 - (2) Stored in areas designated by the City staff which are situated to avoid interference with marine turtles; or
 - (3) Placed in a manner so as to not obstruct the transit of turtle hatchlings to the water. Placement should include stacking in a staggered pattern at the landward edge of the beach.

Sec. 101-81. - Standards for exterior artificial lighting.

To prevent exterior artificial lighting from illuminating the jurisdictional boundaries or adjacent waters during the nesting season, the following measures shall be taken to reduce or eliminate disorientation and other negative effects of new or existing artificial lighting:

- (1) Exterior artificial light fixtures directly, indirectly, or cumulatively visible from any portion of the beach shall be designed, positioned, modified, or removed so that:
 - a. They are long wavelength, downward directed, full cutoff, fully shielded and mounted as close to the ground or finished floor surface as possible to achieve the required foot-candles.
 - b. The point source of light or any reflective surface of the light fixture is not directly, indirectly, or cumulatively visible to an observer standing anywhere on the beach.
- (2) Measures such as, but not limited to, the following shall be taken to reduce or eliminate the negative effects of new or existing artificial beachfront lighting:
 - a. Positioning of fixtures so that the point source of light or any reflective surface of the light fixture is eliminated or is no longer visible to an observer standing anywhere on the beach.
 - b. Replacement of fixtures having an exposed light source with fixtures containing recessed light sources or shields.
 - c. Replace any light source, light bulb or lamp that is not long wavelength (e.g., incandescent, fluorescent, or high intensity lighting) with the lowest wattage long wavelength (e.g., LED or low pressure sodium) light source or lamp available for the specific application.
 - d. Replacement of nondirectional fixtures with completely shielded directional fixtures that point down and away from the beach.
 - e. Provide shields for fixtures visible from the beach and not practical to immediately be replaced. Beachside shields are to cover 270 degrees and extend below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - f. Replacement of pole lamps with low-profile, low-level luminaries so that the Light source or any reflective surface of the light fixture is not visible from the beach.
 - g. Planting or improvement of landscape vegetation buffers in compliance with the land development regulations between the light source and the beach to screen light from the beach.
 - h. Construction of ground-level barriers landward of the beach and frontal dune, in compliance with the land development regulations,

to shield light sources from the beach. Ground-level barriers shall not interfere with marine turtle nesting or hatchling emergence or cause short- or long-term damage to the beach system.

- i. Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve their functional role(s) and shall conform to the measures set forth in this section in order to reduce or eliminate negative effects on sea turtles. The use of motion detector switches that keep lights off except when approached and that switch lights on for the minimum duration possible are preferred.
- j. Permanent removal of all floodlights, uplights, or spotlights used for decorative or accent purposes that are directly visible to an observer standing anywhere on the beach, or which indirectly or cumulatively illuminate the beach. This includes lighting of fountains, ponds, trees, landscaping and other purposes not related to human safety or security.
- k. Permanent removal or disabling of any fixture which cannot be brought into compliance with the provisions of these standards.
- l. Shielding or modification of any existing lighted sign pursuant to the land development regulations such that it is not directly visible to an observer standing anywhere on the beach.
- m. Interior swimming pool and associated pool deck lighting, lighting in parking areas and roadways, beach accesses/dune crossovers, piers, and temporary lighting (flashlights) shall be turned off during sea turtle nesting season. If these lights cannot be turned off due to necessary nocturnal use, lights shall be amber or red LED lamps. Automatic timers are acceptable means of compliance with this standard.

Sec. 101-82. - Standards for interior artificial lighting.

To prevent interior artificial lighting from illuminating the jurisdictional boundaries or adjacent waters during the nesting season, measures such as, but not limited to the following, shall be taken to reduce or eliminate disorientation and other negative effects of new or existing interior light emanating from doors and windows:

- (1) Interior artificial lighting within direct line of sight of the beach shall be designed, positioned, modified, or removed so that:
 - a. The point source of light or any reflective surface of the light fixture is not directly, indirectly, or cumulatively visible to an observer standing anywhere on the beach.
- (2) Measures such as, but not limited to, the following shall be taken to reduce or eliminate the negative effects of new or existing interior

beachfront lighting:

- a. Use of window treatments such as blackout draperies, shade screens or blinds to shield interior lights from the beach.
- b. Installation of new windows and glass doors which meet the standards for tinted glass or, for existing windows and glass doors, an application of window tint or film that meets the standards for tinted or filmed glass as defined in this chapter.
- c. Turning off all unnecessary lights.
- d. Arrangement of lamps and other moveable light fixtures away from windows.
- e. Appropriate interior design to eliminate lighting which could be directly, indirectly, or cumulatively visible to an observer standing anywhere on the beach; and
- f. For new construction within line of sight of the beach, tinted glass shall be installed on all windows and glass doors of single-story or multistory structures. This includes the seaward and shore-perpendicular sides of any structure.

Sec. 101-83. - Standards for mechanical beach cleaning.

All mechanical beach cleaning activities designed to remove debris from the beach or redistribute debris on the beach through the use of motorized vehicles or other mechanical means shall comply with the following standards:

- (1) Timing. Beach cleaning shall be confined to daylight hours during the nesting season.
- (2) Mode of operations. During the nesting season:
 - a. Beach cleaning operations shall be limited to the area seaward of the strand line (previous high tide mark).
 - b. Light-weight motorized vehicles having wide, low-profile, low-pressure tires, or hand raking shall be used to conduct beach cleaning operations.
 - c. Devices used for removing debris from the beach shall be designed and/or operated such that they do not penetrate beach substrate by more than two (2) inches.
 - d. Operators shall be educated to identify a sea turtle crawl (turtle tracks), recognize and avoid a sea turtle nest, report nests and/or crawls to a permitted agent of the State.
 - e. All excess raked material must be removed from the beach and disposed of properly or stored in an upland area as approved by the Director of Environmental Resources. With special approval from the Director of Environmental Resources and the State Department

of Environmental Protection, limited quantities of organic material may be incorporated into the substrate in order to enhance the beach/berm system.

- (3) Coordination of beach cleaning operations with State-sanctioned scientific studies. All beach cleaning operations shall be coordinated through the State to ensure that these operations do not interfere with State-sanctioned scientific studies or surveys of sea turtle nesting activities.
- (4) Authorization. Any person performing mechanical beach cleaning must have a current permit from the Florida Department of Environmental Protection for the area being cleaned.

Sec. 101-84. - Protection from predation.

- (a) No predatory pets or pets likely to have a potential for being disruptive or damaging to nesting turtles, hatchlings, or nests shall be allowed to roam loose and unsupervised within the jurisdictional boundaries during the nesting season. Such pets include but are not limited to dogs, cats, snakes, lizards or iguanas, ferrets and pigs.
- (b) Feeding raccoons, opossums and other wild animals within the jurisdictional boundaries of the City is prohibited.

Sec. 101-85. - Penalty.

- (a) The City may enforce the provisions of this chapter by any lawful means including, but not limited to, in accordance with Chapter 1, Section 1-9 and 1-10 of the Key Colony Beach Code, or Chapter 101, Article XV of the Land Development Regulations. In addition, the City may notify the property owner or other person responsible for lighting or management of the property, in writing, that an external lighting source causing a violation may be removed by the City. The City shall recover from the property owner the costs of removal of external lighting sources causing violations, which costs shall constitute a lien against such equal in rank and dignity with the liens of all State, County, District, or Municipal taxes and special assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, mortgages, titles, and claims, until paid.
- (b) Each property owner and, where applicable, his designee, agent, tenant, lessee, or assignee, shall each be responsible for adherence to the provisions of this chapter.

Secs. 101-86 - Applicability

- (a) An overlay district, known as the “Sea Turtle Lighting District”, is hereby established within the City of Key Colony Beach.
- (b) The Sea Turtle Lighting District shall include all properties within the City of Key Colony Beach, that may produce artificial light directly, indirectly, or

cumulatively visible from any portion of the beach, regardless of whether those properties are beachfront properties.

- (c) The provisions of this Ordinance apply to new and existing artificial lighting visible from the beach from all buildings and related infrastructure, including streetscapes, parking lot, outdoor areas, landscaping, as well as public parks and recreational areas and all other activities within the Sea Turtle Lighting District.

Secs. 101-79 87 – 108-89 . - Reserved.

Section 3: Severability and Conflict

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Inclusion in the Code of Ordinances and Land Development Regulations

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances and Land Development Regulations of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

Section 5: Effective Date

This Ordinance shall become effective upon its final adoption by the City of Key Colony Beach, Florida Commission.

[REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK; SIGNATURE PAGE
TO FOLLOW]

FIRST READING by the City of Key Colony Beach City Commission this 21st day of September 2023.

| | | | |
|--------------------------------|------------|-----------|---------|
| Mayor Patricia Trefry | NO _____ | YES _____ | x _____ |
| Vice-Mayor Beth Ramsay-Vickrey | NO _____ | YES _____ | x _____ |
| Commissioner Freddie Foster | **absent** | | |
| Commissioner Tom Harding | NO _____ | YES _____ | x _____ |
| Commissioner Joey Raspe | NO _____ | YES _____ | x _____ |

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach City Commission on this 19th day of October 2023.

| | | |
|--|----------|-----------|
| Mayor Pro-Tem/Vice-Mayor Beth Ramsay-Vickrey | NO _____ | YES _____ |
| Commissioner Freddie Foster | NO _____ | YES _____ |
| Commissioner Tom Harding | NO _____ | YES _____ |
| Commissioner Joey Raspe | NO _____ | YES _____ |

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 19th day of October 2023.

Beth Ramsay-Vickrey
Mayor Pro-Tem/Vice-Mayor

Silvia Gransee, City Clerk

Approved as to form and legal sufficiency:

Dirk M. Smits, B.C.S., City Attorney



Published Weekly
Marathon, Monroe County, Florida

PROOF OF PUBLICATION

**STATE OF FLORIDA
COUNTY OF MONROE**

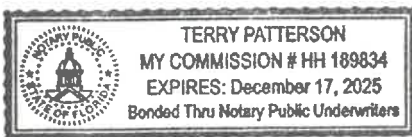
Before the undersigned authority personally appeared **JASON KOLER** who on oath, says that he is **PUBLISHER** of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida; that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

October 5, 2023

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Sworn to and subscribed before me this day of Oct 5, 2023
(SEAL)

Terry Patterson
Notary



CITY OF KEY COLONY BEACH
NOTICE OF CODE
AMENDMENT HEARING
SECOND/FINAL READING OF
ORDINANCE NO. 2023-487
NOTICE IS HEREBY GIVEN that
the City Commission of the
City of Key Colony Beach,
Florida, will hold the following
Public Hearing to hear
amendments to the City's
Code of Ordinances.
DATE/TIME: Thursday, October
19th, 2023, 9:30 am
LOCATION: Located at the
Temporary Meeting Place for
the City of Key Colony Beach,
at the Key Colony Inn Banquet
Room, 700 W. Ocean Drive,
Key Colony Beach.
The proposed Ordinance to be
heard by the City Commission
is [ORDINANCE NO. 2023-487],
entitled: "AN ORDINANCE OF
THE CITY OF KEY COLONY
BEACH, FLORIDA AMENDING
CHAPTER 101 ARTICLE VII OF
THE LAND DEVELOPMENT
REGULATIONS OF THE CITY OF
KEY COLONY BEACH, FLORIDA
TO ENACT REGULATIONS
RELATING TO PROTECTION OF
SEA TURTLES; SPECIFICALLY
AMENDING ARTICLE III
"ENVIRONMENTAL AND
DRAINAGE REGULATIONS";
SECTIONS 101-79 THROUGH
101-92 "RESERVED" TO
ESTABLISH REGULATIONS
RELATED TO SEA TURTLE
NESTING PROTECTION;
PROVIDING FOR THE REPEAL
OF ALL ORDINANCES OR
PARTS THEREOF FOUND
TO BE IN CONFLICT;
PROVIDING FOR THE REPEAL
OF ALL CODE PROVISIONS
AND ORDINANCES
INCONSISTENT WITH THIS
ORDINANCE; PROVIDING FOR
SEVERABILITY; PROVIDING
FOR INCLUSION IN THE CODE;
AND PROVIDING FOR AN
EFFECTIVE DATE."
The Business Impact
Statement is available for
review on the City of Key
Colony Beach's website at
www.keycolonybeach.net and
at City Hall at 600 W. Ocean
Drive, Key Colony Beach.
Interested parties may appear
at the meeting and be heard
with respect to the proposed
ordinance. Copies of the
proposed Ordinance are
available for inspection at the
City Hall of Key Colony Beach.
If any person decides to
appeal any decision made
by the Key Colony Beach City
Commission with respect to
any matter considered at the
Code Amendment Hearing,
that person will need a record
of the proceeding 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.
If you are unable to attend the
Public Hearing on Thursday,
October 19th, 2023, but wish
to comment, please direct
correspondence to: City
Commission, P.O. Box 510141,
Key Colony Beach, FL 33051,
and your comments will be
entered into the record.
City Clerk
City of Key Colony Beach,
Florida
Publish:
October 5, 2023
The Weekly Newspapers



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City of Key Colony Beach, Florida's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

Ordinance No. 2023-487 - Amending Chapter 101 to establish regulations relating to the protection of sea turtles.

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or

d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*. In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance No. 2023-487 amends Land Development Regulations Chapter 101 to establish regulations relating to the protection of sea turtles and sea turtle nesting sites. The City is committed to protecting native wildlife. These animals fall victim to various beach activities. Horseback riding, campfires, vehicle traffic, and storage materials are not permitted on the beach in nesting areas during nesting season. Artificial lighting, which can have a disorienting effect on sea turtles, must be positioned according to the proposed ordinance and follow artificial lighting standards, this includes beach front properties and properties that are cumulatively visible from the beach. Mechanical Beach Cleaning shall be completed during the day and remain compliant with regulations on their size and profile. Mechanical Beach Cleaning Equipment shall not penetrate the substrate. Pets who have the potential to be disruptive or cause damage to nesting sites or turtles are not permitted in nesting areas. Additionally, feeding other wildlife is prohibited. Development, of any kind, shall be set back a minimum of 50 feet from any active or potential nesting sites during nesting season.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

Ordinance No. 2023-487 has the potential to boost tourism in the City. The proposed ordinance will protect and increase the population of sea turtles in the area. Tourists are likely to want to witness the nesting season. With a larger turtle population, tourists are more inclined to visit the City during their travels.

3. Estimate of direct compliance costs that businesses may reasonably incur:

The proposed ordinance applies to existing and new artificial lighting in the City, including businesses. The proposed ordinance calls for changing light fixtures, securing extra labor to remove storage from nesting areas, and ensuring mechanical beach cleanup equipment is within regulation. Increasing costs to businesses is not ideal, the City of Key Colony Beach has a moral obligation to protect threatened and endangered species that reside in our jurisdiction. The tourism benefit the City will receive will offset any negligible economic impact to the City's businesses.

4. Any new charge or fee imposed by the proposed ordinance:

There are no fees or charges associated by this proposed ordinance. However, future noncompliance may be subject to a \$250 code enforcement violation issued pursuant to the applicable provisions of Sec. 1-10 of the City Code of Ordinances.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

Potential Code Enforcement fees and costs which may be subject to recoupment under the Code of Ordinances Cost Recovery Mechanism.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

1. Glunz Hotel, 351 W. Ocean Drive, Key Colony Beach, FL 33051
2. Havana Jacks Restaurant, 401 W. Ocean Drive, FL 33051

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

The proposed ordinance could result in minor costs to residents and businesses alike. Costs associated with this proposed ordinance are meant to ensure the safety of endangered and threatened sea turtle species, so that they may thrive in their habitat. Sea turtles benefit seagrass beds and coral reefs, and in turn, increase the City's tourism. Additionally, in sea turtle nesting areas the by products left by turtles provide support for coastal vegetation. Maintaining native sea turtle populations is vital to the health of our oceans.

ORDINANCE NO. 2023-488

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE III, CHAPTER 101 OF THE LAND DEVELOPMENT REGULATIONS RELATED TO REDUCTION OF SETBACKS FOR RESIDENTIAL POOLS; SPECIFICALLY AMENDING SECTIONS 101-13 AND 101-26 OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR REDUCED SETBACKS FOR POOLS WITHIN THE R-2B ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key Colony Beach, Florida (the “City”), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida (the “City Commission”) determined the need to amend the Land Development Regulations to reduce required side setbacks for pools and adopted Ordinance 2023-483 to provide for such reduced setbacks; and

WHEREAS, the City Commission desires to specifically amend Article III, Sections 101-13 and 101-26 of the City’s Land Development Regulations in order to clarify the required setbacks for pools within the R-2B zoning district; and

WHEREAS, the City Commission finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:

~~Strikethrough~~ = deletion

Bold underline = addition

Section 1: Recitals

The above recitals are true and correct.

Section 2: Effective Date

This Ordinance shall become effective upon final approval by the City Commission.

Section 3: Amending Section 101-13 and 101-26 of the Land Development Regulations

Sections 101-13 and 101-26 of Article III, "District Regulations" of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-13. - R-2B Two dwelling unit residence district.

(1) Intent. This district is intended to accommodate one unit detached and two-unit dwellings. It conforms with the two-family residential category of the comprehensive plan.

(5) Setbacks (see also section 101-26).

Front yard minimum of 20 feet, except 5 feet on Clara Boulevard and Coral Lane.

Side yard minimum of 5 feet on each side, except on corner lots or on combined lots. In the case of attached two-unit dwellings, one side setback shall be required for each dwelling. A minimum side-yard setback of 5 feet shall be allowed only for pools within R2B zoning in accordance with section 101-26.

Rear yard minimum of 15 feet, except 5 feet on Clara Boulevard and Coral Lane.

Corner lot minimum side yard of 15 feet on the street frontage and rear yard of 5 feet.

For combined lots, the side yard minimum shall be 10 per cent of total width.

(6) Floor area. Minimum habitable building area of 450 square feet per dwelling unit.

(7) Pervious area. Minimum of 15 per cent.

(8) Height. Maximum of 1 story, but in no case more than 20 feet.

(9) Special regulations. See sections governing parking, landscaping and signs.

Sec. 101-26. - Accessory structures and uses.

(11) *Swimming pools, spas, hot tubs.*

(a) Setbacks:

10 feet from side and rear lot lines and (MHW) on canals and 10 feet from sides and rear lot lines on dry lots; except that a minimum side-yard setback of 5 feet shall be allowed for pools only within the R2B zoning district as provided for in Section 101-13 above.

25 feet from front lot line in all districts;

15 feet from side lot line in R-3 and RH districts;

100 feet from Ocean (MHW);

20 feet from MHW on Vaca Cut.

(b) [Pools, spas, and hot tubs:] Above grade pools are not permitted in any district. Prefabricated portable wading pools not over 18 inches in height above grade are permitted. Portable, plug in type spas or hot tubs no larger than 8'0" × 8'0" × 3'0" in height above grade are permitted when in compliance with the following:

1. Setbacks must comply with section 101-26(11)(a).
2. All controls, water heating and water circulating equipment are an integral part of the product and must be cord-connected to GFI outlet (no hard or permanent plumbing or electrical connections are permitted).
3. Must comply with SBCCI Standard Swimming Pool Code 1999 Edition (in particular Section 315, Protective Enclosure).
4. Must comply with City Code Chapter 6, section 6-2.3 which states that structures are designed to be securely anchored so as to withstand hurricane force wind and wave pressure.
5. A building permit must be approved and obtained prior to any installation.

(c) Drainage: Pool drainage shall not be piped to the city sewer system. See article VII. Pools cannot drain onto adjoining property or rights-of-way.

(d) Pool enclosures: Insect screening or other enclosures shall be permitted when the pool and its enclosure are not located within the required setback.

Section 4: Severability and Conflict

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Inclusion in the Code of Ordinances and Land Development Regulations

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances and Land Development Regulations of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

Section 6: Effective Date

This Ordinance shall become effective upon its final adoption by the City Commission of the City of Key Colony Beach, Florida.

-/Remainder of Page Left Intentionally Blank/-

FIRST READING by the City of Key Colony Beach, Florida City Commission this 21st day of September 2023.

| | |
|--------------------------------|----------------------|
| Mayor Patricia Trefry | NO _____ YES ___X___ |
| Vice-Mayor Beth Ramsay-Vickrey | NO _____ YES ___X___ |
| Commissioner Freddie Foster | **absent** |
| Commissioner Tom Harding | NO _____ YES ___X___ |
| Commissioner Joey Raspe | NO _____ YES ___X___ |

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach, Florida City Commission on this 19th day of October 2023.

| | |
|--|--------------------|
| Mayor Pro-Tem/Vice-Mayor Beth Ramsay-Vickrey | NO _____ YES _____ |
| Commissioner Freddie Foster | NO _____ YES _____ |
| Commissioner Tom Harding | NO _____ YES _____ |
| Commissioner Joey Raspe | NO _____ YES _____ |

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 19th day of October 2023.

Beth Ramsay-Vickrey
Mayor Pro-Tem/Vice-Mayor

Silvia Gransee, City Clerk

Approved as to form and legal sufficiency:

Dirk M. Smits, Esq. B.C.S., City Attorney



Published Weekly
Marathon, Monroe County, Florida

PROOF OF PUBLICATION

**STATE OF FLORIDA
COUNTY OF MONROE**

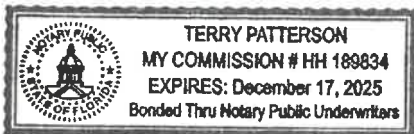
Before the undersigned authority personally appeared **JASON KOLER** who on oath, says that he is **PUBLISHER** of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

October 5, 2023

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Sworn to and subscribed before me this day of Oct 5, 2023
(SEAL)

Terry Patterson
Notary



CITY OF KEY COLONY BEACH
NOTICE OF CODE
AMENDMENT HEARING
SECOND/FINAL READING OF
ORDINANCE NO. 2023-488
NOTICE IS HEREBY GIVEN that
the City Commission of the
City of Key Colony Beach,
Florida, will hold the following
Public Hearing to hear
amendments to the City's
Code of Ordinances:
DATE/TIME: Thursday, October
19th, 2023, 9:30 am
LOCATION: Located at the
Temporary Meeting Place for
the City of Key Colony Beach,
at the Key Colony Inn Banquet
Room, 700 W. Ocean Drive,
Key Colony Beach.
The proposed Ordinance
to be heard by the City
Commission is [ORDINANCE
NO. 2023-488], entitled: "AN
ORDINANCE OF THE CITY
OF KEY COLONY BEACH,
FLORIDA, AMENDING ARTICLE
III, CHAPTER 101 OF THE LAND
DEVELOPMENT REGULATIONS
RELATED TO REDUCTION OF
SETBACKS FOR RESIDENTIAL
POOLS; SPECIFICALLY
AMENDING SECTIONS 101-15
AND 101-26 OF THE LAND
DEVELOPMENT REGULATIONS
TO PROVIDE FOR REDUCED
SETBACKS FOR POOLS WITHIN
THE R-2B ZONING DISTRICT;
PROVIDING FOR THE REPEAL
OF ALL ORDINANCES OR
PARTS THEREOF FOUND TO
BE IN CONFLICT; PROVIDING
FOR SEVERABILITY, REPEAL
AND CODIFICATION IN THE
CODE OF ORDINANCES;
AND PROVIDING FOR AN
EFFECTIVE DATE."
The Business Impact
Statement is available for
review on the City of Key
Colony Beach's website at
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at City Hall at 600 W. Ocean
Drive, Key Colony Beach.
Interested parties may appear
at the meeting and be heard
with respect to the proposed
ordinance. Copies of the
proposed Ordinance are
available for inspection at the
City Hall of Key Colony Beach.
If any person decides to
appeal any decision made
by the Key Colony Beach City
Commission with respect to
any matter considered at the
Code Amendment Hearing,
that person will need a record
of the proceeding 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.
If you are unable to attend the
Public Hearing on Thursday,
October 19th, 2023, but wish
to comment, please direct
correspondence to: City
Commission, P.O. Box 510141,
Key Colony Beach, FL 33051,
and your comments will be
entered into the record.
City Clerk
City of Key Colony Beach,
Florida
Publish:
October 5, 2023
The Weekly Newspapers



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Key Colony Beach, Florida's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

Ordinance No. 2023-488 – Amending Chapter 101 to reduce setbacks for residential pools in the R-2B zoning district.

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or

d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*. In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance No. 2023-488 amends Article III, Chapter 101 of the Land Development Regulations related to reduction of setbacks for residential pools. Specifically amending sections 101-13 and 101-26 for the Land Development Regulations to provide for reduced setbacks for pools within the R-2B zoning district. Pool setbacks are intended to ensure the safety of residents and maintain the overall aesthetic of the area. The City Commissioner believes this proposed ordinance will further promote public health, safety, morals, and welfare by establishing appropriate setback regulations for the R-2B zoning district.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

The proposed ordinance will affect residential pools in the R-2B zoning district moving forward and will not be retroactive. There is no cost associated with moving current pools.

3. Estimate of direct compliance costs that businesses may reasonably incur:

These setbacks are for residential areas, they would not impact businesses in the R-2B zoning district.

4. Any new charge or fee imposed by the proposed ordinance:

There are no fees or charges associated by this proposed ordinance at this time. Any proposed future charge or fee will be subject to appropriate notice and due process.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

The cost of a Variance Application fee is \$700.00.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Ordinance No. 2023-488 amends Article III Chapter 101 of the Land Development Regulations for residential pools. Therefore, businesses will not be impacted by the proposed ordinance.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

City Clerk will advise of any public comment received by the City on this matter.

RESOLUTION NO. 2023-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, ADOPTING THE MONROE COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION, PROVIDING NEW COMPREHENSIVE OUTREACH STRATEGY OPTIONS FOR THE DISTRIBUTION OF FLOOD HAZARD INFORMATION TO RESIDENTS AND NON-RESIDENTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach is currently a participating community in the National Flood Insurance Program (NFIP); and

WHEREAS, the City of Key Colony Beach became eligible and entered FEMA's Community Rating System (CRS) in 1992; and

WHEREAS, the City of Key Colony Beach's voluntary participation in the NFIP's Community Rating System (CRS) provides residents of the City of Key Colony Beach with a 15% discount on a standard NFIP flood insurance policy in the Special Flood Hazard Area; and

WHEREAS, the City of Key Colony Beach supports the goal of a CRS Program for Public Information to broaden public understanding of flood hazards, mapping, planning, and insurance; and

WHEREAS, the Monroe County Program for Public Information Committee has identified important messages to be communicated to target audiences in a Multi-jurisdictional Program for Public Information;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, MONROE COUNTY, FLORIDA:

Section 1. The Key Colony Beach City Commission hereby adopts the Monroe County Multi-jurisdictional Program for Public Information, a copy of which is attached hereto as Exhibit A.

Section 2. This Resolution shall become effective immediately upon adoption.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED by the Commission of the City of Key Colony Beach, Florida, at a regular meeting held on the 19th day of October 2023.

Mayor Pro-Tem/Vice-Mayor Beth Ramsay-Vickrey _____
Commissioner Freddie Foster _____
Commissioner Tom Harding _____
Commissioner Joey Raspe _____

Beth Ramsay-Vickrey
Mayor Pro-Tem/Vice-Mayor

Silvia Gransee, City Clerk

(City Seal)

Approved as to form and legal sufficiency:

Dirk Smits, City Attorney

Monroe County Multi-jurisdictional Program for Public Information



March 21, 2017
(Revised 7/10/2018)
(Updated 8/1/2023)

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1. Background

Monroe County is located in the southernmost region of Florida. The County consists of a largely uninhabited mainland section, mostly contained within Everglades National Park and the Big Cypress National Preserve, and the chain of islands known as the Florida Keys. More than 99 percent of the County's population lives in the Keys.

The Florida Keys consist of a uniquely situated archipelago, 220 miles in length, located between the Gulf of Mexico and the Atlantic Ocean. They have 600 miles of exposed coastline. The majority of these islands are bordered by a mangrove plant system. Unlike many of Florida's coastal barrier islands, sandy beaches are uncommon and are mostly located on the Atlantic side of the islands.

Essentially, the Florida Keys consist of a string of coral islands with an average elevation of 4 to 7 feet above mean sea level. Much of the Keys would be flooded in a Category 5 worst case storm event. Two sections in the City of Key West and several coral ridges on Key Largo are the only areas above the predicted flood level.

The Monroe County Comprehensive Emergency Management Plan notes that:

Monroe County's highway transportation system is exceptionally unique in that a single road with connecting bridges forms the backbone of the entire county transportation network, and the sole link to the Florida mainland.

United States Highway One (US 1) is two-lane highway for most of its length. It links the islands with 41 bridges. The bridge system comprises a total of 19 miles of the 126-mile-long roadway. US 1 is the main evacuation route for the Florida Keys.

The Florida Keys have been named by the National Hurricane Center as an area most prone to the effects of tropical cyclones. In addition to this risk, they are a popular destination for 15,000 to 50,000 seasonal and holiday overnight visitors. Shelters located in Monroe County do not provide adequate protection for evacuees in the event of a Category 3 or stronger storm. Therefore, evacuating the population plus the visitors is a major issue, complicated by the fact that there is only one highway serving as the sole evacuation route.

An increase in the frequency of flood inundation has been predicted due to the impacts of climate change and the resulting sea level rise. These changes mean that the County's citizens need to be educated on both the larger floods from hurricanes and the smaller, more frequent, floods from local storms and king tides.

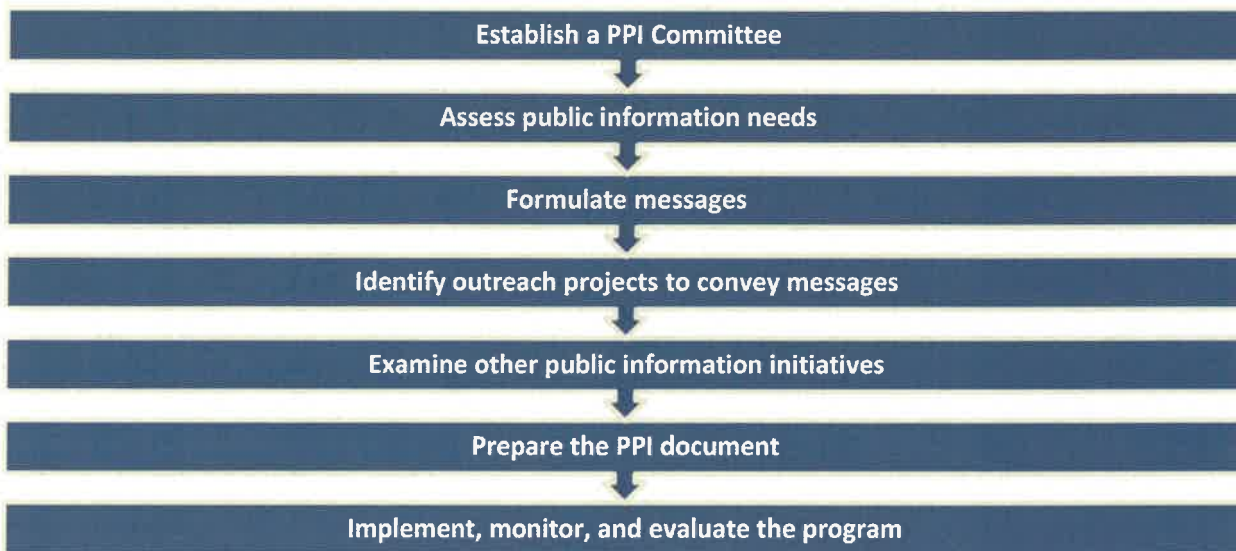
One important floodplain management program is the National Flood Insurance Program (NFIP) and its Community Rating System (CRS). All six communities in the County participate in the CRS. In 2016, Monroe County, Islamorada, Marathon, and Key West, agreed that, given the unique flooding hazards in the Florida Keys, enhanced and uniform communications are critical elements in saving lives and avoiding property damage. Therefore, they would work together to prepare a joint Program for Public Information (PPI).

In 2018, the PPI was revised to include the City of Key Colony Beach. The 2023 PPI Update includes the City of Layton. The PPI now includes all municipalities in Monroe County. The Committee agrees that having all of the municipalities disseminating unified messaging is vital to educate citizens on how to best prepare for flooding and to protect life and property in a flooding event.

2. Objective

The objective of this Program for Public Information is to develop and deliver unified messages to affected residents and businesses so they will take actions to reduce their exposure to the danger and property damage caused by flooding.

This Program for Public information was prepared following a step-by-step process encouraged by the Community Rating System.



As part of the 2023 Update to the PPI, each step of the process was evaluated and updated as directed by the PPI Committee.

3. The PPI Committee

The Monroe County Program for Public Information began with the creation of the PPI Committee with representatives of both public stakeholders and local governmental staff. All Monroe County jurisdictions were invited to an organizational meeting in April of 2016 to discuss the formation of this PPI Committee. It was decided that each community participating in the PPI would have committee members appointed by their local governing boards.

More than half of the committee members are from local stakeholder groups which include lending institutions, the real estate industry, insurance agencies, the University of Florida, and Fair Insurance Rates for Monroe (FIRM). The balance of the committee members consists of floodplain administrators and the Monroe County Public Information Officer.

The PPI Committee Members are updated due to staff changes, the addition of Key Colony Beach and Layton along with shifts in Stakeholder availability to participate with the PPI Committee. The updated committee is in Table 1. below.

| Table 1. Monroe County PPI Committee Members | | |
|---|---|-----------------------------------|
| Member | Affiliation | Jurisdiction |
| Kimmeron Lisle Resident | | City of Key Colony Beach |
| Karl Bursa Building Assistant | | City of Key Colony Beach |
| Jay W. Hall Senior Vice President / Commercial Banker | Truist | City of Key West |
| Rebeca Horan, Insurance Agent | Keys Anchor Insurance Agency | City of Key West |
| Raj Rahmsing Building Official | | City of Key West |
| Brian Shea Planning Director | | City of Marathon |
| Brian Schmitt, Real Estate Agent | Coldwell Banker Schmitt Real Estate Co. | City of Marathon |
| Theresa Faber Commercial Loan Officer | Centennial Bank | City of Marathon |
| Alicia Betancourt, M.A. CFCS County Extensions Director | University of Florida, Extension | Islamorada, Village of Islands |
| Alina Davis Realtor | Coldwell Banker Schmitt Real Estate Co. | Islamorada, Village of Islands |
| Megan Rumbaugh Floodplain/CRS Coordinator | | Islamorada, Village of Islands |
| Mimi Young CRS Coordinator | | Layton |
| Megan Jones Realtor | Caldwell Bankers | Layton |
| Kristen Livengood Public Information Officer | | Monroe County |
| Mel Montagne Vice President Sales | Insurance Office of America | Monroe County |
| Michele White President Monroe County Market | First Horizon Bank | Monroe County |
| Mike Maurer MOCO Resident | | Monroe County |
| Alternate PPI Committee Member | | |
| Tom Harding Commissioner | | Key Colony Beach |

The PPI Committee has met bi-annual since 2015 to accomplish the following tasks.

- ❖ Assess and identify any additional county wide public information needs.
- ❖ Determine if the priority groups that warrant special outreach attention are still appropriate.
- ❖ Evaluate the PPI messages and outcomes and make recommendations as necessary.
- ❖ Identify the need for new outreach projects to convey messages.
- ❖ Examine other public information initiatives.

The meetings were held in a public forum. Notifications of these meetings were published on the Monroe County Website. Additionally, email notifications were sent to local officials, emergency management, and floodplain development staff and the public information officers in the participating jurisdictions.

The first official PPI Committee meeting was held on June 28, 2016. The meeting was opened with a general overview of the steps found in the above outline. Committee members exchanged ideas regarding current effective outreach, and the need to fill the gaps within outreach projects designed to relay clear messages. The umbrella outcome was that the target groups of critical concern should begin to change their behaviors and act to reduce exposure to flood-related hazards.

The second meeting of the PPI committee on August 28, 2016, included the discussion of the inventory of projects and messages currently disseminated by local jurisdictions, stakeholders, and other public entities. Each committee member was given the information summarized in the tables in Section 4.4 Flood Insurance Assessment. The consensus of the committee was that an assessment of the current level of flood insurance coverage should be included in the PPI and monitored by the Committee.

At the third meeting on November 15, 2016, the group focused on stakeholders and priority messages. The PPI committee heard two guest speakers, Jonathan Rizzo, a Warning Coordination Meteorologist with NOAA's National Weather Service (NWS), and Julie Botteri, Upper/Middle Keys Stringer and Web Editor for the Monroe County Tourist Development Council (TDC). NWS and TDC have been longtime partners in disseminating messages to visitors, businesses, local government and citizens.

It was decided that:

- ❖ The PPI should continue the current partnership with the NWS.
- ❖ FIRM (Fair Insurance Rates for Monroe) will continue to promote acquisition of flood insurance, provide education, and relay important messages to other groups.
- ❖ The University of Florida Extensions will partner with, and endorse, the PPI messages to targeted groups.
- ❖ The PPI will support the State of Florida Division of Emergency Management's "Get A Plan!" campaign. This campaign delivers the same messages supported by the committee.

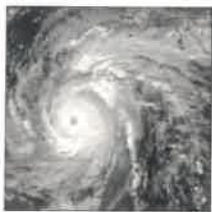
The final meeting was held by the PPI Committee on March 21, 2017. The messages and projects were agreed on and the overall directions for the Multi-jurisdictional Monroe County Program for Public Information were discussed. The Committee unanimously voted to recommend approval of the program to each of the community's governing body.

The PPI Committee began working on an update to the PPI during the 2021 PPI meetings. In 2022 the Committee agreed on the necessary 2023 updates to the PPI. It was decided that the partnership with stakeholders has been successful and should be continued.

The PPI Committee's final updated recommendations on target audiences, outcomes, messages, and outreach projects are summarized in Table 8. Minutes of the committee meetings are available separately.

4. Assessment of Public Information Needs

4.1 The Flood Hazard



Monroe County is in an area of the United States most vulnerable to the threat of flood damage due to tropical cyclones (hurricanes, tropical storms and tropical depressions). The frequency and severity of flooding is expected to increase in the future due to sea level rise. Climate change has also been predicted to cause more frequent and severe rainfall events.

Based on SLOSH (Sea, Lake, and Overland Surges from Hurricanes) mapping models, the National Hurricane Center has determined that the Florida Keys would be inundated by storm surges from all categories of hurricanes and some tropical storms (see Figure 2, next page). Because of this, the Monroe County Evacuation strategy for a Category 3 or greater storm calls for a mandatory evacuation of all Monroe County residents and visitors.

The inherent erratic and irregular tracks of tropical cyclones make it difficult to predict where hurricanes will make landfall. Severe weather is often localized to a specific area due to the geographical makeup of the Florida Keys. The time needed to evacuate all visitors, residents, hospitals, and Special Needs clients could range from 12 hours to more than 30 hours.

A problem unique to the Florida Keys – due to its remote location and single evacuation route by land – is the need to begin evacuations well in advance of a storm's projected landfall, before the storm's track and intensity can be qualified with any great certainty. During years with multiple storm threats and evacuations for cyclone impacts that ultimately never make landfall, the public becomes very complacent with evacuation warnings, increasing the likelihood that greater numbers of people won't evacuate.

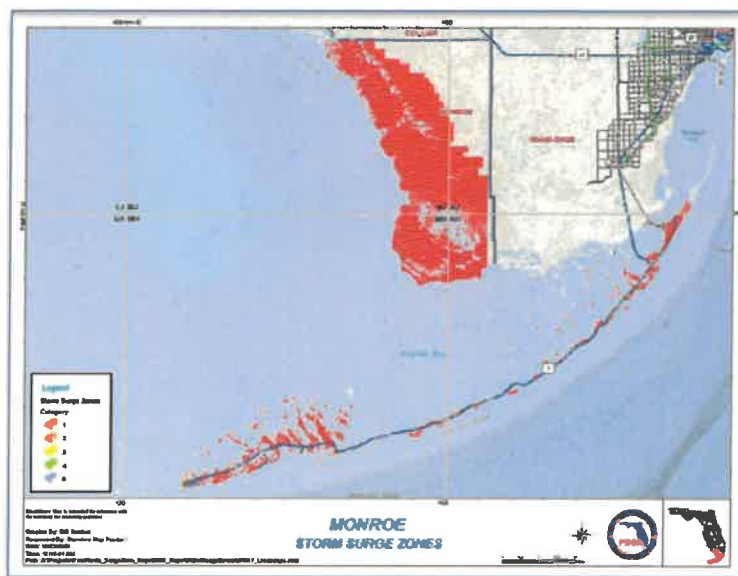
Another important factor in the time required to prepare for a hurricane threat and subsequent evacuation is the influx of tourists attending annual events, peak vacation windows and holidays. These reasons, coupled with the limited capacity of US1, the main evacuation route, have compelled Monroe County to implement a phased evacuation system (see Figure 1).

Figure 1. Evacuation Map



In all storm categories, any visitors (tourists, campers, day-trip travelers, etc.), will be the first to be instructed to evacuate to the mainland in order to ensure their safety. In the event of a rapidly escalating storm, a general evacuation to the mainland would be necessary. It is imperative to have a communications program in place to provide crucial information to help visitors safely exit the Florida Keys.

Figure 1. Florida Keys Surge Map



The Florida Keys have weathered numerous hurricanes and tropical storms. The paragraphs below describe six most significant storms. The “Big Six,” caused the lion’s share of the NFIP claims in the Keys.



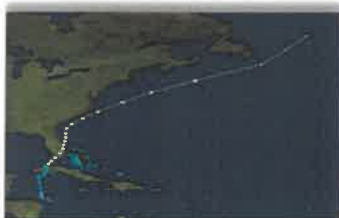
Hurricane Georges – September 1998

Hurricane Georges had winds of up to 155 mph, just below Category 5 status. The eye of the storm passed near Key West. Upon making landfall, Hurricane Georges brought a storm surge of up to 12 feet on Tavernier Key. With waves, as high as 10 feet, many parts of US1 were under water. Georges’ waves damaged an estimated 1,536 houses, and destroyed over 170 residences.



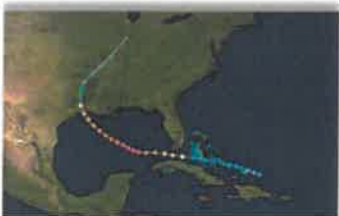
Hurricane Mitch – November 1998

Mitch formed in the western Caribbean Sea and ultimately struck Florida as a strong tropical storm. Mitch caused a storm surge of up to 4 feet in the lower Florida Keys before making landfall on the Florida west coast. Many buildings that had been damaged by Hurricane Georges were leveled by Mitch. In all, Mitch caused \$40 million in damage in Florida and two deaths from drowning.



Hurricane Irene – October 1999

Irene struck Florida as a Category 1 hurricane. While moving through the Keys, Irene produced a storm surge of up to 2.3 feet in Key Vaca, while Key West reported a surge of 1.5 feet. Irene produced heavy rainfall in the Keys, including 12 inches of rain in Key West. The rain flooded roads throughout the Keys, prompting officials to close 50 miles of US 1.



Hurricane Rita – September 2005

Rita passed approximately 45 mi south of Key West as a Category 2 storm. Most of the Keys experienced rainfall accumulations of three or more inches. A maximum storm surge of 5 feet was recorded, with at least 200 flooded homes in a four-block section of Key West. The Upper Keys suffered extensive damage from this storm system. Claims to NFIP for flood damage were submitted from the entire 126 miles stretch of the Florida Keys.



Hurricane Wilma – October 2005

Flooding from Wilma occurred twice. First, the approaching storm pushed water across the Florida Keys from south to north. As the storm finally crossed into the Everglades, all the water that had been pushed there by the storm was released as Wilma crossed the peninsula. The water then raced back across the Lower Keys a second time and emptied into the sea. The “backwash” of up to 8 feet constituted the peak of the storm surge.



Hurricane Irma – September 2017

Irma made landfall as a category 4 hurricane in the Florida Keys. The combined effect of storm surge and the tide produced maximum inundation levels of 5 to 8 ft above ground level for portions of the Lower Florida Keys from Cudjoe Key eastward to Big Pine Key and Bahia Honda Key. Irma caused widespread devastation across the affected areas and was one of the strongest and costliest hurricanes on record in the Atlantic basin.

Conclusions: Based on the 2023 PPI review of past flooding and the threat of increased hazards due to climate change, the PPI Committee concluded:

- ❖ The primary threat to life safety in the Florida Keys is flooding from hurricanes and larger storms that may over wash the islands.
- ❖ The best way to protect against this life safety threat is evacuation. There are many obstacles to evacuating the Keys in time, so public information messages on how to do it right are vital.
- ❖ The primary threat to property is flooding from storm surge and waves from hurricanes and larger storms.

4.2 Natural Floodplain Functions

Monroe County is home to many varieties of protected or endangered species of wildlife. These species and their habitats deserve protection. A great deal of emphasis has been placed on the protection of Species Focus Areas in Monroe County.



Measures to be taken for the conservation and protection of the natural floodplain and habitat areas include:

- ❖ Preventing disturbance to areas that provide critical flood water storage and filtration functions, including mangroves, salt ponds, saltmarsh and buttonwood wetlands, and freshwater wetlands.
- ❖ Preventing excessive clearing and disturbance to natural upland vegetation within the floodplain.
- ❖ Minimizing any alteration of natural drainage patterns within the floodplain.
- ❖ Protecting areas that provide natural water storage and filtration, such as wetlands.

In addition to limiting development related activities that have an adverse impact on natural floodplain functions, the 2022 State Florida Statutes, Article XL, Chapter 704.06 (b) and (f) prohibits the dumping of waste or other materials that are detrimental to drainage and flood control. Each community

participating in the PPI has multiple ways of reporting illegal dumping. Code enforcement procedures are in place to limit or stop offenders.

Conclusions: The PPI Committee concluded that the public information program should continue to encourage citizens to appreciate the natural beauty and environment in the Keys by protecting endangered species and their habitat, preventing detrimental development, and reporting illegal activity or uses of land within the floodplain.

4.3 Priority Areas

The 2023 review of the current flood maps, the history of flooding, and the projections for the future led to the conclusion that there are two types of priority flood hazard areas:

1. The entire area of the Florida Keys is subject to inundation and/or isolation by flooding. People are at risk everywhere. The entire Keys can be considered priority area #1 because the entire Keys would be under water during a Category 5 hurricane and the entire area should be evacuated when a large storm threatens.
2. Priority area #2 is where there is repetitive flooding. Repetitive loss properties are properties where two or more flood insurance claims of at least \$1,000 were paid over a ten-year period. A review of the communities' flood insurance records found that 96% of the repetitive loss properties got their designation from the Big Five storms discussed above.

Mapping repetitive loss areas is a requirement for participation in the Community Rating System. Each community with repetitive loss areas continues to monitor the repetitive loss data and update the repetitive loss area accordingly. The table below summarizes the areas affected.

For the 2023 update, the Committee discussed adding a priority area which would include areas subject to tidal flooding due to sea level rise. However, it was decided that not enough data and mapping exist at this time to determine the specific priority area. In addition, at this time, the tidal flooding is limited to streets. The committee will reassess this during the annual meeting.

Table 1. Repetitive Loss

| Community | Total Buildings | Buildings in RL Areas |
|--------------------------------|-----------------|-----------------------|
| Islamorada, Village of Islands | 4,980 | 221 |
| City of Key Colony Beach | 1,098 | 160 |
| City of Key West | 10,807 | 1,301 |
| City of Layton | 182 | 0 |
| City of Marathon | 4,773 | 176 |
| Monroe County | 21,875 | 7,477 |

4.4 Flood Insurance Coverage Assessment

The committee began reassessing the level of flood insurance coverage by looking at three sets of data provided by FEMA:

- ❖ Policy coverage by FIRM Zone,
- ❖ Coverage by type of occupancy, and
- ❖ Coverage for pre-FIRM and post-FIRM buildings

It was concluded that coverage by FIRM Zone remain exactly the same as was previously reported and would not be productive because almost all the policies, like the land in the County, are in the SFHA. Risk Rating 2.0 has also been implemented and insurance rates are determined by risk rather than FIRM Zone furthering the argument to look at total coverage rather than coverage by Zone. Here are the numbers:

Table 2. NFIP Policies in the SFHA

| Community | Percentage |
|--------------------------------|------------|
| Islamorada, Village of Islands | 95% |
| City of Key Colony Beach | 100% |
| City of Key West | 85% |
| City of Layton | 100% |
| City of Marathon | 100% |
| Monroe County | 96% |

The other two sets of data were worth assessing. The number of policies by type are compared to the number of buildings by type, using data from the County property assessor and local GIS data. There was not an exact match of occupancy type, but as seen in Table 4, the categories are close:

Table 3. Insurance Coverage Table Categories

| Table 5 Category | Insurance | Property Assessor and Local GIS |
|------------------------|-----------------------------------|---|
| Single family home | Single family home | Single family home, mobile home, |
| Multi family residence | 2-4 family, all other residential | Multi-family, condominium units and buildings |
| | | |
| Table 6 Category | | |
| Pre-FIRM | Pre-FIRM | Certificate of occupancy issued before 12/31/1974 * |
| Post-FIRM | Post-FIRM | Certificate of occupancy issued after 12/31/1974 * |

*All six communities' FIRMs were issued before 12/31/1974. A building constructed after that date is considered Post-FIRM if the FIRM was published earlier.

The PPI Committee has been reviewing the number of buildings insured under these categories and reporting the trends annually in the CRS Annual PPI Progress Report since 2016. In general, the trend has been that the number of policies has decreased slightly while the average coverage per building remained fairly steady.

Coverage by occupancy: Coverage by single family is useful, however, the multi family coverage percentage and amount of coverage appear skewed by the number of condo buildings and unit policies. This is particularly evident in Key Colony Beach due to the disproportionate number of condo units to single family occupancies ratios in the city. The Committee also discussed that comparing the total number of residential (Single Family and Multi-Family) may give a better picture of the NFIP insurance trends by occupancy. The results of the coverage by occupancy are demonstrated in Table 5 below.

Table 4. Insurance Coverage by Occupancy Type

| Islamorada, Village of Islands | | | | | |
|--------------------------------|-------------------|--------------|----------------|----------------------|------------------|
| Occupancy | Policies in Force | Buildings | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Amount | Average |
| Single Family | 1,904 | 4,057 | 47% | \$545,611,000 | \$286,560 |
| Multi-Family | 1,259 | 121 | 1040% | \$277,558,900 | \$220,460 |
| Total | 3,163 | 4,178 | 76% | \$823,169,900 | \$260,250 |

| City of Key West | | | | | |
|------------------|-------------------|--------------|----------------|------------------------|------------------|
| Occupancy | Policies in Force | Building | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Amount | Average |
| Single Family | 3,656 | 7,852 | 47% | \$1,016,653,900 | \$278,078 |
| Multi-Family | 2,813 | 897 | 314% | \$603,881,300 | \$214,675 |
| Total | 6,469 | 8,749 | 74% | \$1,620,535,200 | \$250,508 |

| Key Colony Beach | | | | | |
|------------------|-------------------|--------------|----------------|----------------------|------------------|
| Occupancy | Policies in Force | Building | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Amount | Average |
| Single Family | 474 | 720 | 66% | \$127,990,200 | \$270,022 |
| Multi-Family | 527 | 378 | 139% | \$109,723,000 | \$208,203 |
| Total | 1,001 | 1,098 | 91% | \$237,713,200 | \$237,476 |

| City of Layton | | | | | |
|----------------|-------------------|------------|----------------|---------------------|------------------|
| Occupancy | Policies in Force | Building | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Amount | Average |
| Single Family | 73 | 149 | 49% | \$18,079,400 | \$247,663 |
| Multi-Family | 7 | 31 | 23% | \$2,017,000 | \$288,143 |
| Total | 80 | 180 | 44% | \$20,096,400 | \$251,205 |

| City of Marathon | | | | | |
|------------------|-------------------|--------------|----------------|----------------------|------------------|
| Occupancy | Policies in Force | Building | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Amount | Average |
| Single Family | 1,974 | 3,698 | 53% | \$508,149,300 | \$137,412 |
| Multi-Family | 1,110 | 527 | 211% | \$239,379,200 | \$215,657 |
| Total | 3,084 | 4,225 | 73% | \$747,528,500 | \$242,389 |

| Monroe County | | | | | |
|---------------|-------------------|---------------|----------------|------------------------|------------------|
| Occupancy | Policies in Force | Building | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Amount | Average |
| Single Family | 9,093 | 20,855 | 44% | \$2,323,484,650 | \$255,525 |
| Multi-Family | 3,933 | 948 | 415% | \$697,196,000 | \$177,268 |
| Total | 13,026 | 21,803 | 60% | \$3,020,680,650 | \$231,896 |

It was noted that the data provided is for total coverage. The data does not show if policies include contents coverage. Nationally, most policies do not, so it can be assumed that most policies in Monroe County do not have contents coverage. That assumption is supported by the fact that the average policy is below the maximum available for structure-only coverage (\$250,000 for 1 – 4 family residences and \$500,000 for five or more family residential and nonresidential policies). The Committee decided that although the NIFP insurance coverage for residential structures has remained fairly stable, and the amount is understandable, the coverage the but could also be improved, especially if the policies do not include contents.

Pre- and Post-FIRM building coverage: Table 6 on the next page shows the amount of coverage based on the age of the buildings.

In Key West, pre-FIRM buildings have higher levels of coverage. Key West is a historic City with older properties that hold higher values, which explains why the coverage is higher for pre-FIRM buildings. However, as noted earlier, the amount coverage on all properties could be improved.

Key Colony Beach coverage continues to indicate that the number of condo units insured are inflating pre- and post- FIRM coverage estimates.

The County coverage for pre- and post-FIRM building has moved toward being evenly split.

Coverage Influencers: The committee recognized that there are challenges to relying on a public information program to improve flood insurance coverage. The decision to purchase an NFIP flood insurance policy is dependent on a myriad of factors, including, but not limited to:

- ❖ The increasing cost of flood insurance under RR 2.0
- ❖ RR 2.0 reporting of the CRS discounts on NFIP policies
- ❖ The economic climate
- ❖ Structure values
- ❖ Structures with Federally backed loans

The Committee discussed two additional factors that may be influencing insurance trends:

Citizens Flood Insurance Requirement:

Flood insurance coverage is now required as of April 1, 2023, for new Citizens personal residential policies that include wind coverage for covered property within the special flood hazard area. The requirement to secure and maintain flood coverage for Personal Lines residential policies will be phased in for all such policyholders over the next four years under a plan the Florida Legislature approved in December.

The flood insurance requirements apply only to Citizens policyholders who have a Personal Lines residential policy.

New Personal Lines residential policyholders seeking Citizens coverage, including coverage for the peril of wind, in areas designated by the Federal Emergency Management Agency (FEMA) as a Special Flood Hazard Area are required as of April 1, 2023, to have flood insurance coverage to be eligible for a Citizens policy. Existing Citizens policyholders in designated FEMA flood hazard areas whose policy includes wind coverage will be required to have flood insurance to renew their Citizens policies on or after July 1, 2023.

For all other Citizens Personal Lines residential policies that include wind coverage, the flood insurance requirement will be phased in for new and renewing policyholders over the next four years as follows:

- January 1, 2024, for policies insuring property valued at \$600,000 or more
- January 1, 2025, for policies insuring property valued at \$500,000 or more
- January 1, 2026, for policies insuring property valued at \$400,000 or more
- January 1, 2027, for all other policies

Citizens does not provide flood insurance, and flood coverage is not provided under standard multiperil policies. Requiring flood coverage better protects you from potentially expensive out-of-pocket repairs. Federally backed mortgages typically require flood insurance for properties located within flood zones.

If you don't wish to purchase flood insurance, you will not be eligible for a Personal Lines residential policy with Citizens. Contact your agent to discuss options that may be available within the private insurance market. Private policies that may offer more comprehensive coverage now might be comparably priced. Citizens' policyholders are subject to a potential assessment of up to 45% of their premium following a major storm or series of storms.

It is key to note that it is estimated that more than 90% of the insurance coverage in Monroe County is through Citizens.

RR2.0

Risk Rating 2.0 is a new pricing methodology from FEMA for flood risk. It is designed to better reflect a property's unique flood risk while also providing rates that are easier for agents and policyholders to understand. It will use the latest actuarial practices to set risk-based rates, allowing consumers to make more informed decisions about flood insurance and reducing the complexity for insurance agents to generate quotes. Some customers may experience a change in premium. To make the changes more

equitable, FEMA will look at detailed flood risk variables such as distance to a water source, flood frequency, flood types, and property characteristics like the cost to rebuild and elevation. The Committee annually addresses the question of adequate flood insurance coverage.

4.5 Coverage Improvement

Recommendations: The Committee continues to agree that flood insurance coverage does not appear to be adequate and could be improved. While it is impossible to expect a public information program to control coverage, the committee determined that tracking the number of policies and coverage would clearly be useful.

To that end, the committee recommends that flood insurance policy counts be monitored annually. Each year, the spreadsheet used to create Tables 5 and 6 will be populated with current data and community building counts. The calculations will provide information regarding the general trends of insurance coverage in each jurisdiction that can then be compared to trends in previous years. The annual assessment will also track and report on the outside factors that may be impacting the decision of residents in purchasing new flood insurance policies and the renewal of those already in existence.

Table 5. Summary of Pre and Post FIRM Policies

| Islamorada, Village of Islands | | | | | |
|--------------------------------|-------------------|-----------|----------------|--------------------|-----------|
| Type | Policies in Force | Buildings | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Dollar | Average |
| Pre-FIRM | 869 | 1,670 | 52% | \$241,900,100 | \$278,366 |
| Post-FIRM | 2,600 | 3,278 | 79% | \$720,360,300 | \$277,062 |
| Total | 3,469 | 4,948 | 70% | \$962,260,400 | \$277,388 |

| City of Key Colony Beach | | | | | |
|--------------------------|-------------------|-----------|----------------|--------------------|-----------|
| Type | Policies in Force | Buildings | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Dollar | Average |
| Pre-FIRM | 539 | 223 | 242% | \$113,895,400 | \$211,309 |
| Post-FIRM | 480 | 497 | 97% | \$130,562,800 | \$272,006 |
| Total | 1,019 | 720 | 142% | \$244,458,200 | \$239,900 |

| City of Key West | | | | | |
|------------------|-------------------|-----------|----------------|--------------------|-----------|
| Type | Policies in Force | Buildings | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Dollar | Average |
| Pre-FIRM | 3,819 | 5,622 | 68% | \$1,055,517,800 | \$276,386 |
| Post-FIRM | 3,289 | 4,720 | 70% | \$880,218,900 | \$267,625 |
| Total | 7,108 | 10,342 | 69% | \$1,935,736,700 | \$272,332 |

| City of Layton | | | | | |
|----------------|-------------------|-----------|----------------|--------------------|-----------|
| Type | Policies in Force | Buildings | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Dollar | Average |
| Pre-FIRM | 33 | 69 | 48% | \$8,137,400 | \$246,588 |
| Post-FIRM | 60 | 117 | 51% | \$18,548,000 | \$309,133 |
| Total | 93 | 186 | 50% | \$26,685,400 | \$286,940 |

| City of Marathon | | | | | |
|------------------|-------------------|-----------|----------------|--------------------|-----------|
| Type | Policies in Force | Buildings | % of Buildings | Amount of Coverage | |
| | Number | Number | Covered | Dollar | Average |
| Pre-FIRM | 1,433 | 1,989 | 72% | \$322,146,700 | \$224,806 |
| Post-Firm | 1,975 | 3,153 | 63% | \$556,631,600 | \$281,839 |
| Total | 3,408 | 5,142 | 66% | \$878,778,300 | \$257,857 |

| Monroe County | | | | | |
|---------------|-------------------|----------|----------------|--------------------|-----------|
| Type | Policies in Force | Building | % of Buildings | Amount of Coverage | |
| | Number | Amount | Covered | Dollar | Average |
| Pre-FIRM | 3,865 | 6,877 | 56% | \$833,401,600 | \$215,628 |
| Post Firm | 9,027 | 17,002 | 53% | \$2,475,873,750 | \$274,274 |
| Total | 12,892 | 23,879 | 54% | \$3,309,275,350 | \$256,692 |

4.6 Coverage Improvement Message

The following recommendations were made by the committee to promote the value of insuring one’s property for damage by a flood:

1. Encourage evaluation of flood insurance for sufficient coverage, including that for contents, by renters, owners, nonresident owners and business owners in the repetitive loss areas.
2. Inform all residents that homeowner’ insurance policies do not cover damage from flood.
3. Educate property owners and residents in repetitive loss areas of ways to reduce risk from flood which could lower flood insurance premiums.
4. Inform home buyers of the importance of knowing the flood risks and the availability of NFIP flood insurance.
5. Continue partnerships with community stakeholders in order to promote the understanding of how flood insurance works and ways to mitigate risk.

4.6. Priority Audiences

Some areas and people deserve more attention than others. For that reason, a Program for Public Information should identify priority areas and audiences that would receive different messages. After reviewing and assessing the flood hazard threats and flood insurance data, the PPI Committee continues to recommend the following priority audiences (Pas):

PA #1: is priority area #1, i.e., All residents, businesses, and visitors in the Florida Keys. As noted in Section 4, people are at risk everywhere. People throughout the Keys (including tourists) need to know about the flood hazard, evacuation and safety precautions, rules for construction, and protecting natural floodplain functions.

PA #2: is priority area #2, the repetitive loss areas. Repetitive loss area owners need information on ways to protect their properties from repeated flooding.

PA #3: is key professionals involved with real estate transactions. Real estate and insurance agents along with lenders need to know how to help protect house hunters and others looking for property by advising them of potential flood hazards and the benefits of flood insurance.

PA #4: the tourist industry. The ultimate audience is all tourists. However, they are hard to contact, and it is difficult for a centralized program to reach them all. Therefore, the audience for PPI materials would be the hotels, restaurants, and other businesses that deal directly with tourists. The PPI materials should advise these businesses to give tourists information on flood hazards, evacuation procedures, and flood safety measures.

PA #5: The electronic media, radio and television stations that cover the Keys. They should give listeners and viewers messages on the flood hazard, evacuation procedures, and flood safety measures.

PA #6: Building department customers, i.e., everyone considering a construction project, needs to know to hire a licensed contractor.

4.7. Current Outreach Efforts

The PPI Committee reviewed the outreach efforts currently being implemented by public agencies and private organizations. These are listed in Table 7, below.

Table 6. Current Outreach Projects

| Agency/Organization | Project | Distribution Area | Type | When |
|--|---|--|-------------------------------------|---------|
| Contractor Licensing Board | Licensed Contractor Advertisement | County-wide | Keys Weekly and Barometer Newspaper | Annual |
| FEMA | Various Brochures | County-wide | Building Department | Ongoing |
| FIRM | Property Insurance Users Guide | County-wide | FIRM Website | Ongoing |
| FIRM | Mitigation Workshops | County-wide | YouTube | Ongoing |
| Islamorada | EM Events | Islamorada | Booths | Annual |
| Islamorada | Newspaper Insert | Islamorada | Brochure | Annual |
| Islamorada | RL Brochure | Islamorada | Brochure | Annual |
| Islamorada, Marathon, Key Colony Beach, Key West, Layton, MOCO | Website | Islamorada, Marathon, Key Colony Beach, Key West, Layton, MOCO | Website | Ongoing |
| Key Colony Beach | Hurricane Season Letter | Key Colony Beach | Letter | Annual |
| Key Colony Beach | RL Area Letter | Key Colony Beach | Letter | Annual |
| Key West | RL Brochure | Key West | Brochure | Annual |
| Key West | Real Estate Brochure | Key West | Brochure | Ongoing |
| Key West | Website | County-wide | Website | Ongoing |
| Key West | Brochure to Lenders, Realtors, Insurance Industry | Key West | Brochure | Annual |

| | | | | |
|-------------|-----------------|-------------|----------|-----------|
| Keys Weekly | Hurricane Guide | County-wide | Brochure | Annual |
| Layton | Flood Brochure | Layton | Brochure | Annual x2 |

| Agency/Organization | Project | Distribution Area | Type | When |
|---------------------|---|-----------------------------------|--|----------|
| Layton | Target Group Letter | Layton | Letter | Annual |
| Marathon | Flood Brochure | Marathon | Brochure | Annual |
| MOCO Building | Facts on Flooding | MOCO Everyone | Brochure | Annual |
| MOCO Building | Repetitive Loss Outreach | MOCO RL Areas | Brochure | Annual |
| MOCO Building | Know Before You Buy Brochure | MOCO Realtors, Lenders, Insurance | Letter and Brochure | Annual |
| MOCO EM | Evacuation Signs | County-wide | Signs | Ongoing |
| MOCO EM | Protecting Paradise | County-wide | Newspaper Insert/ Citizen, Barometer, Keynoter | Annual |
| MOCO EM | Channel 76 Broadcast | County-wide | Television | Annual |
| MOCO EM | Various Presentations Monroe County EM | County-wide | Events | Annual |
| MOCO EM | Emergency Management Website | County-wide | Website | Ongoing |
| MOCO EM | Facebook | County-wide | Social Media | Ongoing |
| MOCO EM | Flood Brochure EM Events | County-wide | Monroe County EM | Various |
| MOCO PIO | Monroe County Media Book and Flood Brochure | Media | Media Blitz | Annual |
| NWS | Facebook | County-wide | Social Media | Annual |
| NWS Keys | Hurricane Program and Responding to Disasters | County-wide | Workshop | Annual |
| NWS Keys | Storm Spotting Class | County-wide | Workshop | 2 Annual |
| NWS Keys | Florida Keys NWS Website/publications | County-wide | Website | Ongoing |
| NWS Keys | FB and Twitter | County-wide | Social Media | Annual |
| Publix | Hurricane Brochure | County-wide | Brochure | Ongoing |
| TDC | Prepared in Paradise | County-wide | Tourist Related Businesses | Ongoing |
| TDC | Tourist Industry Workshop | County-wide | Tourist Related Businesses | Annual |
| TDC | Facebook | County-wide | Social Media | Annual |

An assessment of these current efforts concluded that they provide a lot of coverage on flood insurance and floodplain management issues, in addition to hurricanes and hazard topics. The

Committee felt that the following media would be the most effective and supportive of the PPI’s messages.

News media

Media outlets distribute current weather conditions, warnings, evacuation and emergency response information as needed during and after approaching storms. Newspapers post an annual hurricane guide that includes information about warning systems, preparation for storms and storm safety.

It is important to note that there are no local TV news stations on the Keys and that all TV broadcast news comes from the mainland. The communication of pertinent local information becomes a challenge given the difference in the potential impact of storms on the mainland in comparison to those experienced in the Keys.

NWS Key West

Before hurricane season, NWS Key West provides outreach to educate residents and visitors of the potential dangers associated with hurricane season. The messages include ways to stay informed, prepare for storms and evacuate safely. NWS disseminates messages in the following ways:



- ❖ Hurricane Awareness Week
- ❖ Social media
- ❖ Booths at local events
- ❖ Various workshops
- ❖ Website information, brochures, videos, up-to-date weather

Tourist Development Council (TDC)

The Florida Keys TDC has a formal communication program that is closely coordinated with local emergency management officials. The TDC provides crucial information to ensure that visitors are able to safely exit the Florida Keys in the event a hurricane threatens the region. The TDC communicates their messages by:

- ❖ Hosting an annual “Hurricane Preparedness Workshop for the Tourism Industry “
- ❖ Posting hurricane information on the TDC website homepage for the duration of the hurricane season
- ❖ Social media posts to Facebook and Twitter
- ❖ Participation in the annual Media Blitz
- ❖ Distribution of the “Protecting Paradise” Brochure



Keys Remain Out of Watch or Warning Regions for Tropical Storm Nicole

FIRM (Fair Insurance Rates Monroe)

FIRM’s outreach program has a strong emphasis on obtaining adequate insurance and the proper rating of risk. This grassroots organization has recently begun offering a series of workshops to help residents understand insurance and the value of mitigation. An “Insurance Users Guide” is posted on the FIRM website in addition to other valuable information related to purchasing flood insurance coverage. FIRM also maintains a YouTube channel with videos on mitigation.

Monroe County Emergency Management

The Monroe County Emergency Management Division is responsible for the coordination of response to storm events in all of Monroe County. The Division actively promotes storm safety, preparedness, warning, shelters, and evacuation plans. A variety of methods is employed for delivering relevant information regarding storm events, and preparedness including:

- ❖ Interactive Website
- ❖ Booths at local events
- ❖ Publications in local newspapers
- ❖ Alert notifications
- ❖ Social media

Alert!Monroe

UF/IFAS Extension Monroe County

The Monroe County Extension Office is dedicated toward serving Monroe County by providing objective information to individuals, businesses, and agencies for better decision making and by creating programs and services that provide learning opportunities that empower people to improve their lives.

The UF Extensions Office has supported the PPI effort since the Program's beginning; and continues to participate on the PPI Committee and is a Stakeholder for the Flood Facts Brochure.



Communities

The committee also reviewed additional projects currently being implemented by the participating jurisdictions. These projects were largely put in place to meet the CRS and NFIP objectives that include mailers to everyone, the SFHA, repetitive loss areas, insurance agents, realtors, and lenders. Other efforts include outreach via messages on websites and social media, and the distribution of publications at events and public buildings.

5. Outcomes and Messages

The committee came to the following conclusion: Despite the abundant and even redundant messaging in Monroe County by the public and private sector, gaps would continue to exist in communicating important without the current projects implemented by communities as recommend by the PPI Committee. The jurisdictions are doing a good job of filling these gaps.

The primary objective of the PPI is to encourage people to change their behavior. In order to achieve this behavioral change, the committee selected the outcomes, i.e., what they wanted to actually change. Outcomes are indicators, not exact measures of the success of these campaigns. Progress toward the outcomes will be tracked and reported at the annual committee meeting.

The outcomes and messages recommended by this PPI report are in Table 8 on the next page

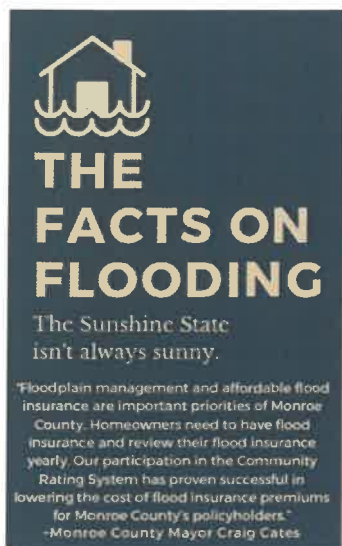
Table 8. Topic, Outcome and Messages

| Topic Outcome Message | PA #1 Everyone | PA #2 Rep Loss Areas | PA #3 Key Professionals | PA #4 Tourist Industry | PA #5 Media | PA #6 Permit Customers |
|---|-------------------|-------------------------|----------------------------|---------------------------|----------------|---------------------------|
| 1. Know your flood hazard | | | | | | |
| Outcome: Everyone evacuates when told | | | | | | |
| Message: All areas of the Keys are subject to a flood hazard | ✓ | | | ✓ | ✓ | |
| Outcome: Increased requests for map information | | | | | | |
| Message: Find out what FEMA mapped flood zone you are in | ✓ | | ✓ | | | |
| Outcome: Residents in repetitive loss areas are aware of the hazard | | | | | | |
| Message: Your property is in an area that has repetitively flooded | | ✓ | | | | |
| 2. Insure your property | | | | | | |
| Outcome: Improved flood insurance coverage | | | | | | |
| Message: Call your agent to discuss your coverage | ✓ | ✓ | ✓ | | ✓ | |
| 3. Protect your property from the hazard | | | | | | |
| Outcome: Increase in requests for mitigation assistance | | | | | | |
| Message: Contact your community for flood protection assistance | ✓ | | ✓ | | ✓ | |
| Outcome: Increase in the number of permits for mitigation projects | | | | | | |
| Message: *Elevate your equipment above the flood level | | ✓ | | | | |
| 4. Protect people from the hazard | | | | | | |
| Outcome: Increase in the number of peoples signed up to receive alerts. | | | | | | |
| Message: Sign up for alerts | ✓ | | ✓ | ✓ | ✓ | |
| Outcome: Everyone evacuates when told | | | | | | |
| Message: Prepare a flood evacuation plan | | ✓ | | | | |
| 5. Build responsibly | | | | | | |
| Outcome: Fewer cases of unpermitted work | | | | | | |
| Message: Check with the Floodplain Official before planning a project | ✓ | ✓ | ✓ | | ✓ | |
| 6. Protect natural floodplain functions | | | | | | |
| Outcome: Increase in reports of illegal activities | | | | | | |
| Message: Keep natural areas undisturbed | ✓ | | ✓ | | | |
| Message: Report illegal dumping or clearing | | ✓ | | | ✓ | |
| 7. Building mitigation | | | | | | |
| Outcome: Decrease in the number of insurance claims | | | | | | |
| Message: Learn about mitigation options and available mitigation programs | ✓ | ✓ | ✓ | | ✓ | |
| 8. Hurricane evacuation – 1 | | | | | | |
| Outcome: Everyone evacuates when told | | | | | | |
| Message: Know your evacuation zone number | ✓ | ✓ | ✓ | ✓ | ✓ | |
| 9. Hurricane evacuation – 2 | | | | | | |
| Outcome: Everyone evacuates when told | | | | | | |
| Message: Get a mobile flood app on your phone | ✓ | ✓ | ✓ | ✓ | ✓ | |
| 10. Licensed Contractors | | | | | | |
| Outcome: Fewer cases of unpermitted work | | | | | | |
| Message: Hire only licensed contractors | ✓ | ✓ | ✓ | | ✓ | ✓ |

*Each community can add the required elevation above flood level

6. Delivering the Messages

The committee has recognized that an effective program for communication must be concise and progressive and should take into consideration current trends in the way people get their news. A variety of message delivery methods were discussed. The committee has determined that the following six means of delivery will most effectively reach the primary target audience.



Direct Mail Brochures & Letters –

Direct mail is an effective means of communication for audiences such as the SFHA and the repetitive loss areas. This focuses on the hazards specific to these areas and can be integrated with Web and social media in an effort to direct the recipient to more detailed discussion of topics most important to each of the areas. Brochures and letters can also provide contact information to aid in contacting local officials. The use of QR codes will also be incorporated to solicit the reader’s active participation.

Informational material in public places –

Target audiences were described in some instances as “customers” who frequent businesses or local governments and other public places. Informational material is useful for the tourist industry and residents

in order to communicate potential hazards, preparedness and evacuation procedures during hurricane season. Materials placed in many different locations that convey the same messages are likely to have a very high saturation rate for diverse audiences.



Public workshops –

Annual workshops held with the media, tourist industry and local residents provide 2-way communication between the target groups and local officials. Stakeholders often hold workshops in conjunction with emergency management to convey messages in a unified way.

Booths at events –

Events and outdoor activities are popular and well attended in the Florida Keys by both residents and visitors alike. Local emergency management departments as well as stakeholders such as the NWS place booths at major festivals and events.



**EMERGENCY
MANAGEMENT**
MONROE COUNTY, FL

TV –

Monroe County does not have local news reporting TV stations. All news is sent from neighboring counties. Since television is still the number one source of news, it is imperative that the media in the surrounding areas be kept abreast of local conditions. Monroe County conducts a “Media Blitz” on an annual basis to ensure that the media has current emergency and contact information. The TV stations are provided with both written and digital material. Monroe County does have TV Channel 76, a local outlet that broadcasts public meetings and pre-recorded material.

Internet websites –

Today, an overwhelming number of people, including seniors, search the Internet for news and events. Search engines are used as a means to obtain immediate answers to questions and current events. Currently, the only news source outranking the Internet is TV. Locally maintained websites on the Internet can offer readers much more in-depth information regarding the flood hazard, how to prepare for a weather event, protecting property and lives, and a vast array of other flood- related topics. Website information is easily kept up-to-date with the most current information. This is a distinct advantage over printed materials that become quickly outdated and obsolete. In fact, most printed material provides website addresses and tells the reader to “go” to the site for more information.

Social and mobile media –

Social media is an essential tool for emergency management. It allows emergency management to communicate with our community and share information quickly and efficiently. A Pew Research Center study conducted in 2021, the study states that; “Fully 81% of Americans get at least some of this news through websites, apps or social networking sites. And this digital news intake is increasingly mobile. Among those who get news both on desktop computers and mobile devices, more than half prefer mobile.”



7. Outreach Projects

Based on the public information needs assessment and the review of current outreach projects in section 4, the PPI Committee endorsed the current projects and recommended improvements to some. The projects will include priority messages that encourage taking actions to produce the outcomes identified in Table 8.

Table 7. Planned Outreach Projects

| OP | Project | Topic/Message | | | | | | | | | |
|----|--------------------------------------|---------------|---|---|---|---|---|---|---|---|----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1 | Facts on Flooding Brochure | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 2 | Repetitive Loss Area Brochure | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 3 | Know Before You Buy Brochure | ✓ | ✓ | | | ✓ | | ✓ | | ✓ | ✓ |
| 4 | TDC Hurricane Confab | ✓ | | ✓ | | | | | ✓ | | |
| 5 | Licensed Contractor Signs | | | | | | | | | | ✓ |
| 6 | Media Blitz / Flood Brochure | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 7 | Brochures in Permitting Department | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 8 | Keys Weekly Hurricane Guide | | | | ✓ | | | | ✓ | ✓ | ✓ |
| 9 | KW Licensed Contractor Notice | | | | | | | | | | ✓ |
| 10 | Evacuation Signs | | | ✓ | | | | | | | |
| 11 | Channel 76 Monroe County TV | | | | ✓ | | | | ✓ | ✓ | |
| 12 | Social Media | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 13 | EM County-wide Events/Flood Brochure | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

The main goal of the PPI is to develop a coordinated approach to the communication of public information. This is accomplished by delivering unified messages from multiple sources directed to priority audiences. In order to ensure that there is unified messaging throughout the communities' public information; recommendations are made for the following activities:

Map Information Service: Providing accurate hazard information is a vital component in the continuing effort to protect lives and property. All jurisdictions will publicize the availability of personal assistance provided by the FIRMs and understanding other risks associated with flooding and other special flood related hazards. The PPI Committee recommends that, where applicable, the information provided by each community should include the items underlined:

- ❖ All FIRM panel information
- ❖ FIRM zone and base flood elevation
- ❖ Coastal High Hazard Area
- ❖ Coastal Barriers Resources Act areas
- ❖ A note that even if a property is outside the SFHA, all parts of the Florida Keys are subject to flooding from a large storm
- ❖ Preserved wetlands
- ❖ Species focus area

Hazard Disclosure: Realtors and prospective buyers are of special concern to all of Monroe County and are identified by the PPI as a priority audience. The PPI Committee recommends that real estate agents be sent a brochure to give to customers looking to purchase property. The brochure advises the buyer to contact their local floodplain official to “Know Before You Buy.” Realtors should also receive a publication endorsed by the National Association of Realtors and FEMA outlining what they should know and say to customers about flood risk and flood insurance.

Website: As discussed earlier, the Internet is fast becoming one of the primary means in which people access news and information. Websites allow for more in-depth exploration into topics of concern to each audience reader and can be tailored to local conditions. The PPI Committee recommends that all four communities’ websites and Monroe County Emergency Management website include links to other websites that have more detailed information on the PPI’s priority topics and messages.

The websites should be checked monthly to ensure the links are still working. They should be updated annually to reflect the changes recommended by the PPI committee during the annual evaluation process.

Flood Protection Assistance: One of the priority messages determined by the committee is mitigation for flood prone structures. Flood protection messages are included in the outreach to residents of the repetitive loss areas and SFHA. The outreach projects proposed in this PPI should include reminders that property owners are encouraged to call their community’s floodplain official for assistance with flood and repetitive flooding issues on their property.

The staff providing the assistance should remind everyone that they face a flood hazard regardless of their location. They should encourage property owners to consider mitigation efforts both large and small in order to reduce flooding loss. They should also promote those retrofitting measures that can impact flood insurance premiums.

Drainage Maintenance: The State of Florida regulation prohibits dumping of non-solid waste in any waterway and all local jurisdictions have local codes that prohibit dumping of solid waste on any property, whether privately or publicly owned. One of the PPI priority messages is to encourage citizens to report illegal dumping. That message should be included in all outreach projects possible, including those disseminated to all people, not just those going to the SFHA or repetitive loss areas.

Table 10 identifies the annual projects that the committee decided would most be appropriate to deliver the important messages outlined in Table 8. Many of the projects are endorsed by locally recognized stakeholders and community elected officials. Some of the projects were already being implemented while others were created to fill “gaps” recognized by the committee.

Table 8 Annual Public Information Projects

| Projects | Assignment | Delivery | Schedule | Stakeholder |
|------------------------------------|--------------------|---|------------------|--------------------------|
| OP 1. Facts on Flooding Brochure | CRS Coordinator | Mailed to everyone | June | UF Extensions |
| OP 2. Repetitive Loss Brochure | CRS Coordinator | Mailed to RLAs | June | FIRM |
| OP 3. Know Before You Buy | CRS Coordinator | Key real estate professionals, i.e. lenders, insurance and real estate agents | June | FIRM |
| OP 4. TDC Hurricane Workshop | TDC, MOCO PIO, NWS | Workshop Tourist Industry | May | NWS |
| OP. 5. Licensed Contractor Signs | MOCO | Permitting customers | Ongoing | |
| OP 6. Media Blitz | TDC, MOCO PIO, NWS | Face to Face meetings with all media | May | NWS |
| OP 7. Brochures Permitting Dept. | CRS Coordinator | Displays public places | Ongoing | UF Extensions |
| OP 8. Keys Weekly Hurricane Guide | Hurricane Guide | 60K Distributed to all businesses county-wide | Ongoing | Keys Weekly |
| OP 9.KW Licensed Contractor Notice | MOCO | Building Department Hurricane Guides | May | Contractor License Board |
| OP 10. Evacuation Signs | MOCO EM | 120 Miles of US 1 | Ongoing | |
| OP 11. Channel 76 MOCO TV | MOCO EM | Local TV Broadcast | Hurricane Season | |
| OP 12. Social Media | MOCO PIO | Facebook and NextDoor | Ongoing | |
| OP 13. County-wide Events | MOCO EM | Booth at Events | 5 Various Events | UF Extensions |

Note: OP #1 is endorsed by elected officials

The committee acknowledged that different types of projects are more effective than others for reaching priority audiences. Table 11 demonstrates the project types. The project types are:

Targeted projects (T) – Projects distributed directly to all the members of a priority audience. The messages clearly explain that the recipient is receiving the messages because he/she is part of a priority audience.

General Outreach Projects (G) – These are newspaper articles, signs, tweets, presentations, etc. that reach out to the audiences, but don’t necessarily reach all the members.

Informational Projects (I) – Typically these are brochures, flyers and similar documents that are in a public place or made available on request. Unlike General Outreach, the audience has to seek out the messages in Informational Projects. For CRS purposes, websites are considered to be informational projects.

Table 9. Type of Project

| Projects | PA #1 Everyone | PA #2 Rep Loss Areas | PA #3 Key Professionals | PA #4 Tourist Industry | PA #5 Media | PA #6 Permit Customers |
|------------------------------------|----------------|----------------------|-------------------------|------------------------|-------------|------------------------|
| Facts on Flooding Brochure | T | | | | | |
| Repetitive Loss Area Brochure | | T | | | | |
| Know Before You Buy Brochure | | | T | | | |
| TDC Hurricane Confab | | | | G | | |
| Licensed Contractor Signs | | | | | | G |
| Media Blitz / Flood Brochure | | | | | G | |
| Brochures in Permitting Department | | | | G | | |
| Keys Weekly Hurricane Guide | I | | | | | |
| KW Licensed Contractor Notice | G | | | | | |
| Evacuation Signs | G | | | | | |
| Channel 76 Monroe County TV | G | | | | | |
| Social Media- FB and ND | G | | | | | |
| County -wide EM Events | G | | | | | |

8. Flood Response Projects

Projects in Table 10 are to be implemented every year. They convey flood protection measures that are appropriate for motivating people to take steps to protect themselves and their property from damage prior to a flooding event. Flood response messages are delivered just prior to, during, and after a storm or flood. The messages typically tell people to take short term precautions to prepare for and recover from an event. The committee reviewed and made minor updates to response outcomes and messages in Table 12 on the next page:

Table 10. Flood Protection Messages for All Monroe County Communities

| Timing | Topic Outcome Messages | Everyone in the Keys | Visitors | Businesses | Mobile home residents | Returning residents | Permit applicants |
|--|---|----------------------|----------|------------|-----------------------|---------------------|-------------------|
| Threatening storm or flood | 1. Know your hazard | | | | | | |
| | Outcome: Reduced number of rumor related calls to hotline | | | | | | |
| | Message: Know where to turn for reliable and up-to-date information | | ✓ | ✓ | | ✓ | |
| | Message: Sign up for alerts @ Monroecountyem.com | ✓ | | | ✓ | | |
| | 3. Protect property from hazard | | | | | | |
| | Outcome: Less damage from flying debris | | | | | | |
| | Message: Trim your trees and bring in outdoor furniture | ✓ | | | ✓ | | |
| | Message: Put shutters or plywood on windows | | | ✓ | | | |
| | Outcome: Visitors stay informed and evacuate as asked | | | | | | |
| | Message: Visit the Florida Keys Website | | ✓ | ✓ | | | |
| | 4. Protect people from hazard | | | | | | |
| | Outcome: People follow evacuation procedures | | | | | | |
| | Message: Evacuate if told to do so | | ✓ | ✓ | | | |
| | Message: Mobile home residents must evacuate for all hurricanes | ✓ | | | ✓ | | |
| | 8. Hurricane evacuation | | | | | | |
| | Outcome: People evacuating don't get stranded | | | | | | |
| Message: Do not get on the road without a chosen destination | ✓ | ✓ | ✓ | ✓ | | | |
| 9. Hurricane preparedness | | | | | | | |
| Outcome: Mobile homes do not become debris | | | | | | | |
| Message: Check your mobile home tie-downs | | | | ✓ | | | |

| Timing | Topic Outcome Messages | Everyone in the Keys | Visitors | Businesses | Mobile home residents | Returning residents | Permit applicants |
|---|--|----------------------|----------|------------|-----------------------|---------------------|-------------------|
| After a storm or flood | 2. Insure your property | | | | | | |
| | Outcome: People buy insurance | | | | | | |
| | Protect yourself from the next flood with flood insurance | ✓ | | ✓ | ✓ | | ✓ |
| | 4. Protect people from hazard | | | | | | |
| | Outcome: People stay safe | | | | | | |
| | Message: Monitor TV, Radio and internet for when is it safe to re-enter | ✓ | ✓ | ✓ | ✓ | ✓ | |
| | Outcome: Access to information from mobile device | | | | | | |
| | Message: Check-in with family and friends by texting or social media | ✓ | ✓ | ✓ | ✓ | | |
| | 5. Build responsibility | | | | | | |
| | Outcome: Flooded buildings properly repaired | | | | | | |
| | Message: Hire a licensed contractor | | | ✓ | ✓ | ✓ | ✓ |
| | Message: Contact local floodplain official for information on regulation | ✓ | | | | | |
| 7. Building Mitigation | | | | | | | |
| Buildings built or repair stronger and safer | | | | | | | |
| Message: Contact the local floodplain official about grants to rebuild. | ✓ | | ✓ | | | | |
| Message: Talk to your insurance agent. Your flood policy could help with the cost to elevate your building. | | | | | ✓ | ✓ | |

Based on the public information needs assessment in Section 4 and review of current flood response projects, the PPI Committee concluded that the projects listed in Tables 13 continue to be appropriate and relayed priority messages that are consistent with the finding of the assessment. As with the annual public information projects, the committee found that many of the existing project’s relay and repeat the important messages for flood response both before and after a storm or flooding event.

The committee also determined that along with the priority topics of know your hazard, insure your property, protect your property and people, that special attention should be given to 3 additional topics, which are hurricane evacuation, hurricane preparedness and building mitigation. The desired outcomes and messages are included in Table 12.

Table 11. Flood Response Planned Projects

| FRP | Project | Topic/Message | | | | | | | | |
|-----|-----------------|---------------|---|---|---|---|---|---|---|---|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1 | News Releases | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ |
| 2 | Social Media | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ |
| 3 | MOCO EM Website | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ |

Since pre-event projects need to be delivered quickly and reach as many audiences as possible, the committee continues to support unified messages delivered via TV new, radio, internet and social media. The information delivered by these methods can be updated quickly to reflect current conditions. The communities in the FL Keys coordinate with the NWS Key West, the TDC and the Monroe County Emergency Management Director and the Monroe County PIO to ensure that messages are consistent.

Table 14 identifies the projects that the committee decided would be appropriate to deliver the important messages when preparing for a storm event and to help with the recovery efforts.

Table 12. Flood Response Project Delivery

| Projects | Assignment | Delivery | Stakeholder |
|------------------------|------------------------|---|-------------|
| FRP 1. News Releases | MOCO PIO NWS | Everyone Visitors Businesses Mobile home residents | NWS |
| FRP 2. Social Media | MOCO PIO NWS TDC | Everyone Visitors Businesses Mobile home residents | NWS TDC |
| FRP 4. MOCO EM Website | MOCO PIO | Everyone Visitors Businesses Mobile home residents | NWS |

Flood response messages will be disseminated as deemed appropriate by the Monroe County Emergency Manager and the Monroe County Public Information Officer (PIO). Jurisdictions and TDC will support and mirror the projects and messages. The general projects are listed in Table 14. The Monroe County Public Information Officer in conjunction with the County Division of Emergency Management will work together to update the flood response projects annually just prior to hurricane season.

FRP #1 News Release – The MOCO Emergency Manager and the MOCO PIO will identify which news releases will include the messages in Table 10.

FRP #2 Social Media Messages and Posts – The MOCO Emergency Manager, MOCO PIO, TDC and NWS Key West will coordinate posts on Facebook and tweets on Twitter. The messages will be repeated and updated to reflect current conditions.

FRP #3 MOCO Website – All messages for residents and visitors will be repeated on the MOCO website. All jurisdictions are encouraged to provide links to the MOCO website with the goal being unified and constant messages appropriate for the flood event.

It was concluded that although most of the projects and messages would be appropriate for all audiences, there are certain audiences that need to be reached with specific messages. Table 15 below is an accounting of the types of projects deemed most effective in reaching the target audiences. The description of each type of project is included in the narrative prior to Table 11.

Table 13. Type of Flood Response Project

| FRP | Project | Everyone in the FL Keys | Visitors | Businesses | Mobile home residents | Returning residents | Permit applicants |
|-----|-----------------|-------------------------|----------|------------|-----------------------|---------------------|-------------------|
| 1 | News Releases | T | T | T | T | | |
| 2 | Social Media | G | G | G | G | G | G |
| 3 | MOCO EM Website | G | G | G | G | G | G |

9. Implementation and Evaluation

The PPI committee will meet once each year in November or early December to review activities and evaluate the program. At the Committees request, the meeting months may be shifted if necessary due to storm events or other foreseen circumstances.

The Committee will review the following outcomes:

- ❖ Requests for FIRM information
- ❖ Numbers of flood insurance policies, by category
- ❖ Flood protection assistance request
- ❖ Number of permits for mitigating floodprone property
- ❖ Number of people registered for alerts
- ❖ Evaluation of code cases for flood related unpermitted work
- ❖ Code cases for illegal dumping or clearing
- ❖ Number of mitigated repetitive loss structures

PPI committee will also review insurance coverage trends and evaluate projects. An evaluation report will be prepared and sent to the governing boards of each jurisdiction and submitted with each jurisdiction's annual recertification. Where the evaluation indicates, revisions are warranted, such as replacing a project or redirecting messages, the committee will vote to adjust the projects accordingly.

In the years where there is a storm event the committee will review emergency management after action reports to evaluate:

- ❖ Evacuation statistics including occupancy of shelters and traffic counts on US 1 if available
- ❖ General information on the extent of flooding
- ❖ General information on injuries and property damage
- ❖ Statistics on flood-related construction and violations for unpermitted work

Every five years, the entire PPI will be updated, and insurance coverage evaluated.

**CITY OF KEY COLONY BEACH, FLORIDA
RESOLUTION 2023-17**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF THE AGREEMENT, BETWEEN THE CITY OF KEY COLONY BEACH AND THE CITY OF MARATHON FOR THE PROVISION OF EMERGENCY MEDICAL AND FIRE RESCUE SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach ("Key Colony Beach") and the City of Marathon ("Marathon"), collectively referred to as Parties, desire to extend the Interlocal Agreement between the parties for the delivery of fire rescue and emergency medical services within the municipal boundaries of Key Colony Beach to September 30, 2024; and

WHEREAS, the original agreement allows for a three year extension with cost consideration; and

WHEREAS, the Parties wish to extend the Interlocal agreement for one year to provide fire rescue and emergency medical services to Key Colony Beach at an annual rate of \$700,000 for FY23-24.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The Second Amendment to the Interlocal Agreement between Key Colony Beach and Marathon for the provision of emergency medical and fire rescue services, a copy of which is attached as Exhibit "A," is hereby approved. The City Manager is authorized to execute the Second Amendment to the Interlocal Agreement on behalf of the City.

Section 3. This resolution shall take effect October 1, 2023, and remain in effect until September 30, 2024

[REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE TO FOLLOW]

PASSED AND ADOPTED by the City Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held this day ___ of October 2023.

CITY COMMISSION OF KEY COLONY BEACH

| | | |
|--|----------|-----------|
| Mayor Pro-Tem/Vice-Mayor Beth Ramsay-Vickrey | NO _____ | YES _____ |
| Commissioner Freddie Foster | NO _____ | YES _____ |
| Commissioner Tom Harding | NO _____ | YES _____ |
| Commissioner Joey Raspe | NO _____ | YES _____ |

Beth Ramsay-Vickrey
Mayor Pro-Tem/Vice-Mayor

Silvia Gransee, City Clerk

(City Seal)

Approved as to form and legal sufficiency:

Dirk Smits, City Attorney

**SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN
THE CITY OF MARATHON
AND
THE CITY OF KEY COLONY BEACH
PROVIDING FOR DELIVERY OF
EMERGENCY MEDICAL & FIRE RESCUE SERVICES**

This Second Amendment to the Interlocal Agreement (hereinafter called the "Extension") is made by and between THE CITY OF MARATHON, a municipal corporation of the State of Florida (hereinafter called "MARATHON"), and THE CITY OF KEY COLONY BEACH, a municipality of the State of Florida (hereinafter called "KEY COLONY BEACH").

WHEREAS, August 8th of 2017, MARATHON and KEY COLONY BEACH entered into an agreement, (hereinafter "AGREEMENT") to provide for the delivery of fire rescue and emergency medical services within and adjacent to the municipal boundaries of KEY COLONY BEACH in the amount of \$700,000; and

WHEREAS, the City of Marathon ("Marathon") and the City of Key Colony Beach ("Key Colony Beach") desire to extend the Interlocal Agreement between the parties for the delivery of fire rescue and emergency medical services within the municipal boundaries of Key Colony Beach to September 30, 2026, with annual reviews; and

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms and conditions set forth herein, MARATHON and KEY COLONY BEACH do hereby agree as follows:

1. The expiration of the AGREEMENT is hereby extended to September 30, 2024.
2. The amount of the agreement for FY 2023/2024 should be \$700,000. With the exception of the extension years, all other terms and conditions of the AGREEMENT are reaffirmed.

[Signatures on the following page.]

IN WITNESS OF, the parties hereto have executed this Extension as of this __ day of _____, 2023.

ATTEST:

CITY OF MARATHON

Diane Clavier, City Clerk

By: _____
George Garrett, City Manager

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

Steve Williams, City Attorney

IN WITNESS OF, the parties hereto have executed this Extension as of this __ day of October 2023.

ATTEST:

CITY OF KEY COLONY BEACH

City Clerk

By: _____
Beth Ramsay-Vickrey,
Mayor Pro-Tem/Vice-Mayor

Date: _____

APPROVED AS TO FORM AND LEGALITY:

Dirk Smits, City Attorney

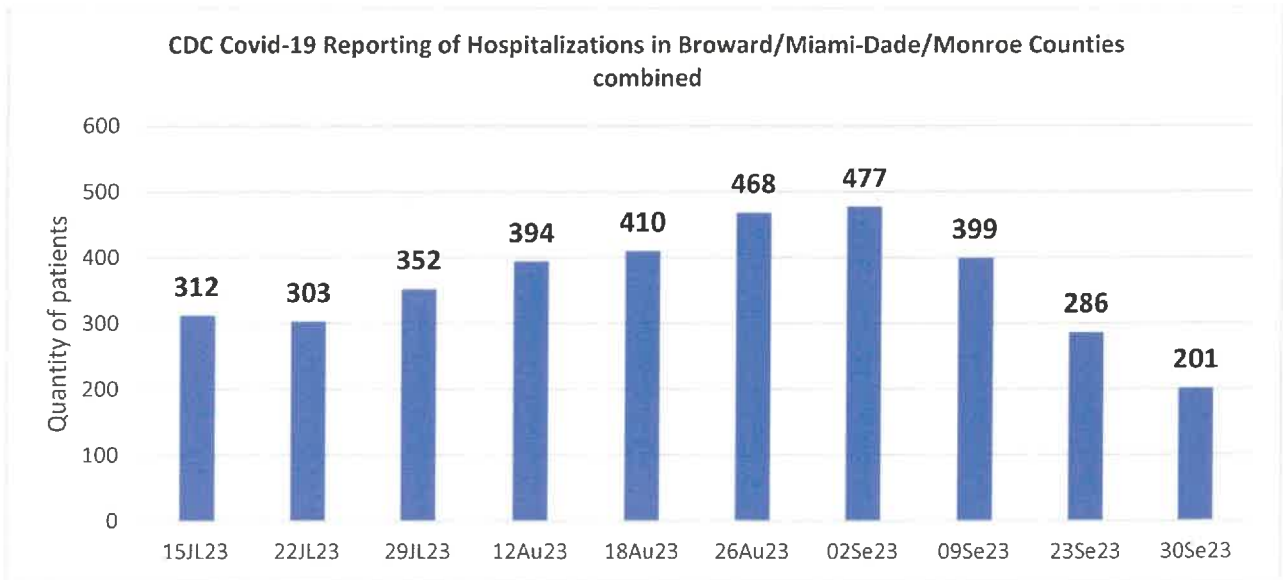
City of Key Colony Beach

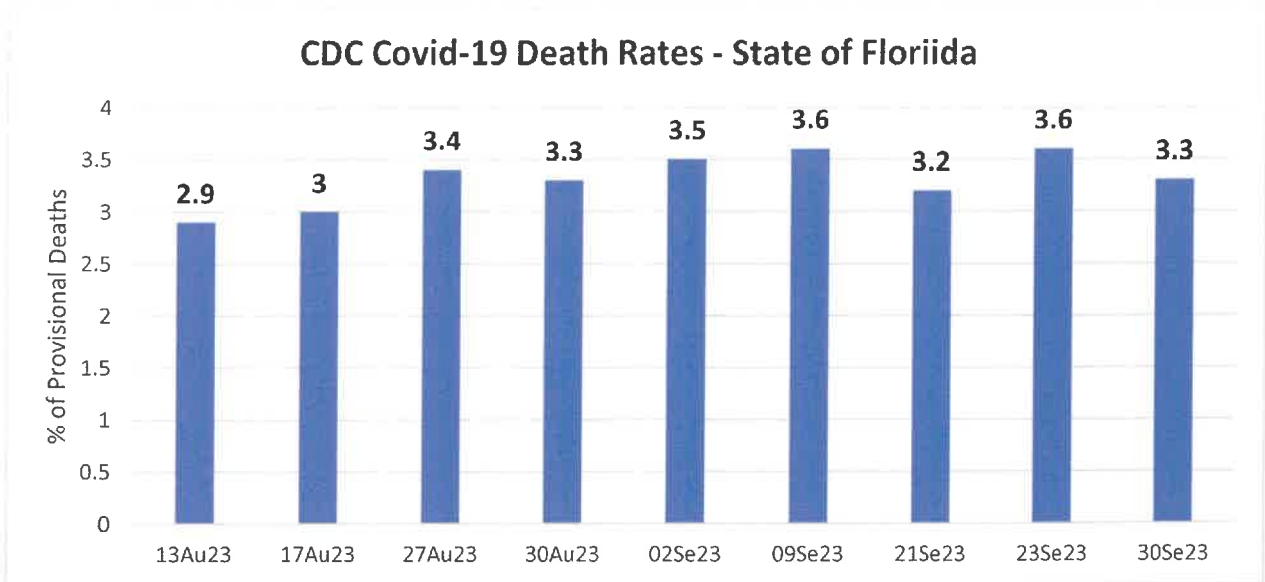
Wastewater Sampling Update for Concern Virus's – October 19, 2023

✓ **SARS-CoV-2 Virus – Covid -19**

○ **General overview data from CDC and Florida Dept of Health websites:**

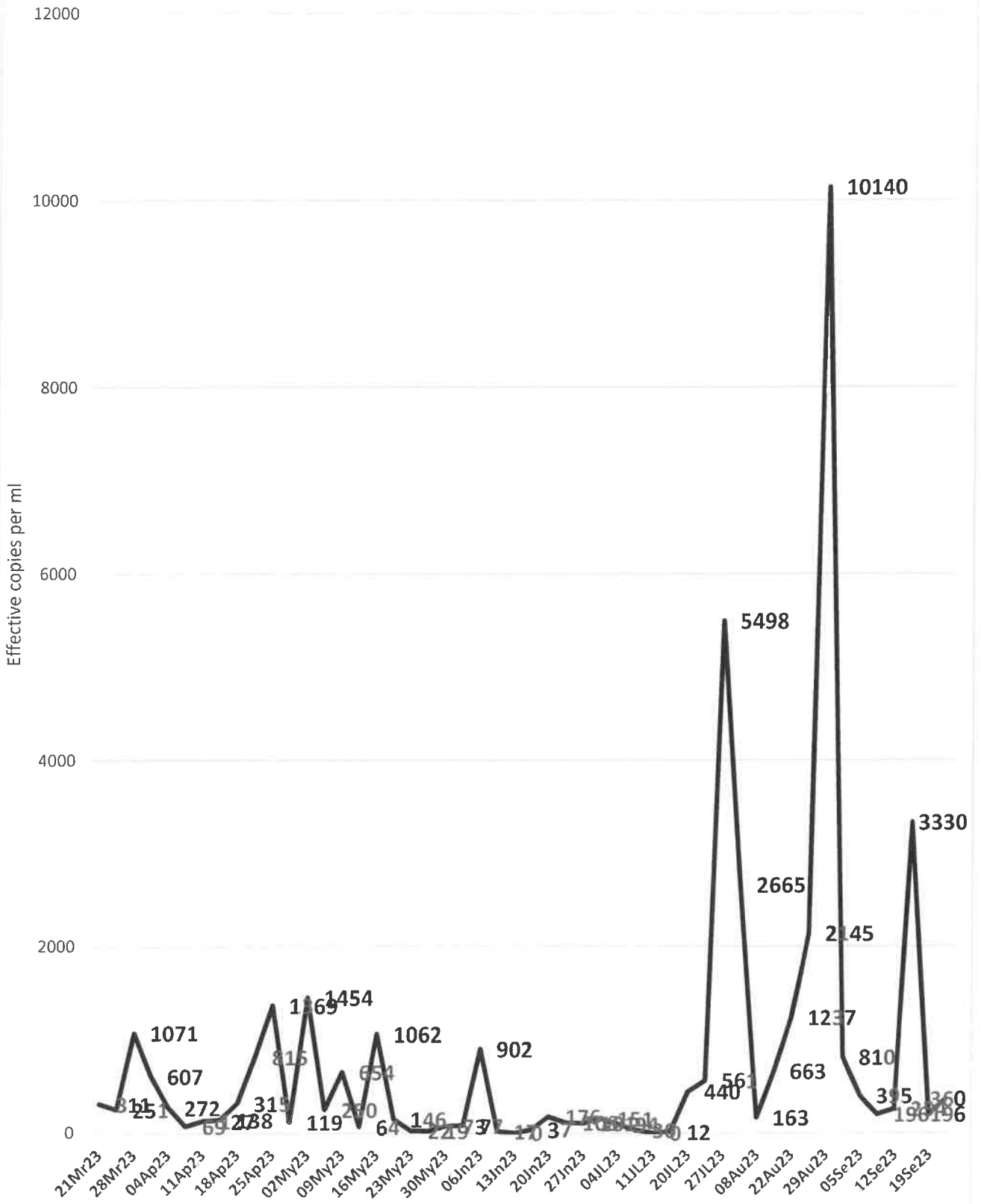
- CDC Hospitalizations Summary – 201 cases, -30 % decrease (Broward, Miami-Dade, and Monroe County data together, data through 30Se30).
- CDC Death rates due to Covid-19 in the last week for Florida, 3.3%, a 2.9% decrease from last week (data through 30Se23)
- Florida Department of Health Weekly Situation Report (data for week 22Se23 – 28Se23). No updates for this week, starting in November weekly updates should be available.
 - Overall State of Florida – 9,540 new cases (decreasing)
 - Monroe County - 22 new cases (decreasing)
 - Dade County – 1,128 new cases (decreasing)
 - Broward County – 740 new cases (decreasing)





- ✓ Specific data for Key Colony Beach- wastewater sampling (data through 26Se23):
 - Total KCB specific wastewater samples collected and analyzed to date - 50.
 - KCB has no updates this week, due to awaiting a new contractor sample kits.

Key Colony Beach Effective SARS-CoV-2 Virus Concentration



- ✓ Mpox virus (Monkeypox) virus in Wastewater samples:
 - KCB specific samples to-date have shown no detection of the Mpox virus for Key Colony Beach
- ✓ Update on status for the overall CDC funding to support wastewater sampling program:
 - CDC has announced a new contract with Verily Life Sciences LLC.
 - Key Colony Beach has been requested to participate again this year by CDC.
 - Onboarding is in process by me with the new contractor. Sample kits should be expected in the next week for shipment to Key Colony Beach for re-start sampling.

Summary Report by Tom Harding, based on Biobot/CDC/State of Florida data through 13Oc23.

City of Key Colony Beach

Commissioner Reports – Tom Harding October 19, 2023

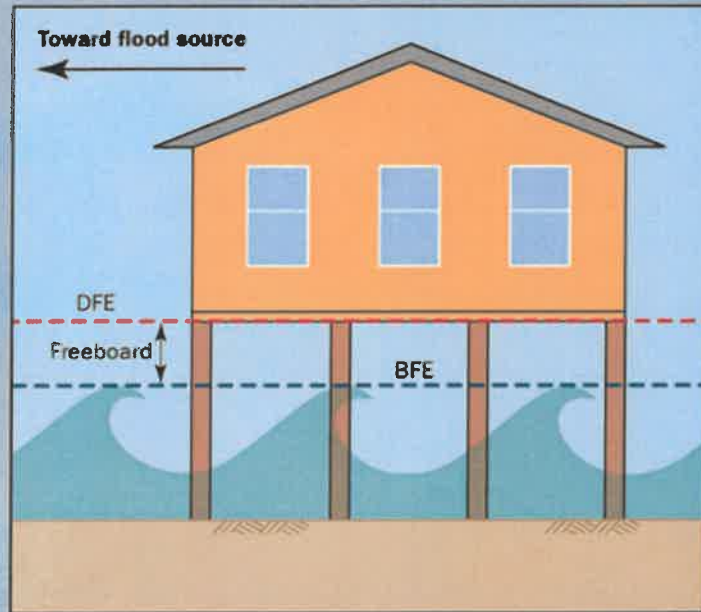
✓ Mitigation learnings – FEMA/State of Florida Bureau of Mitigation – Hurricane Ian

- FEMA and the State of Florida Division of Emergency Management provided a communication update in late September of new released FEMA “Recovery Advisories”, lessons learned from tours and assessments in reviewing structures after Hurricane Ian landed in the Fort Myers area. Recommendations and advice are provided for opportunities of improvements to building codes and mitigation efforts to help save lives, improve continued usage of essential and critical facilities, and to reduce future costs of repairs.
 - Reminder of Hurricane Ian:
 - Landfall on Sept 28, 2022
 - Category 4 Hurricane at landfall, with 155 winds
 - 150 people died in Florida.
 - 3rd costliest storm in history with estimates at \$113 Billion
 - 20 inches of rain in some areas
 - 7.5 to 15 feet of storm surge measured.
 - The center of the storm passed by 165 miles west of Marathon, locally conditions: wind gusts up to 50 mph, 2-4 feet of storm surge, and 4-6 inches of rain.
- FEMA provides communication to the State of Florida Emergency Management team, who then shares the information on a monthly basis with the Local Mitigation workgroup for Monroe County. I and others on the Staff are members of the Monroe County workgroup. This provides regular communication of storm mitigation work and also provides a forum to coordinate Monroe County as a team to report updates and needs to the State of Florida Bureau of Mitigation and eventually downstream to FEMA.
 - The intent for Key Colony Beach representatives is to plan for improvements that align with the Counties priorities, and also to pass the awareness and education on to our residents of learnings from the State and FEMA.

- Highlights summarized from the three released FEMA Recovery Advisory's, based on lessons learned from Hurricane Ian:
 - **Designing for Flood Levels Above the Minimum Required Elevation:**
 - Actual flood levels were several feet higher than predicted, resulting in damage to buildings even built above base flood elevations.
 - Buildings that were built 1-2 feet above base flood elevations did considerably better, with little damage.
 - Recommendation for reviews of local building codes to assure freeboard heights are above the minimal standard, with suggestion to have local ordinances 1-2 feet above base flood elevation for freeboard heights.
 - Expectation FEMA will be updating the modeling techniques to match the actual flood heights and recommending increased freeboard heights based on the damaged observed.
 - Recommendation of essential and critical public buildings to be elevated higher than commercial and residential buildings to assure continued usage of the buildings.
 - Significant damage occurred from surge wave height loading, thus expectation of new design parameters based on wave heights observed and the damaged that occurred.

Terminology

Freeboard: A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed. (44 CFR § 59.1)



The freeboard graphic depicts the freeboard condition for Zone V (and Coastal A Zone per ASCE 24/ICC/FBC) where the elevation requirement is to the bottom of the lowest horizontal structural member of the lowest floor. In Zone A, the elevation requirement is to the top of the lowest floor.



Figure 1: Three neighboring buildings with varying degrees of elevation and damage on Fort Myers Beach, Florida, after Hurricane Ian. The right-most building has the lowest elevation of the three and the most damage to the lower levels, whereas the middle building has the highest elevation and minimal damage to the lower levels.

- Reducing Loss of Utility Impacts in Critical Facilities:
 - Lessons learned to protect and plan for back up potable water supplies for emergency teams to assure 2-3 weeks coverage until local main potable water can be resupplied.
 - Fire Departments/Emergency services had to be closed and portions of cities therefore had to be evacuated due to not enough potable water for proper sanitation of the fire protection and emergency services group.
 - The team had adequate bottled water for drinking, but did not have potable water for flushing toilets, and assuring proper sanitation for hand washing, etc.
 - Teams had thought of backup power supplies but did not consider back up water supplies.
 - Examples of options to plan and implement of back up potable water supplies:
 - Back up tank system

- Groundwater well back up supply.
- Have contractors lined up with portable shower trailers.
- Overall reminder is to consider all utilities that provide service to an essential/critical public building as shown in the diagram below, and not just plan for back-up power.
- Reminder to plan for mitigating sewer system lift stations and having back-up power and pumps to mitigate failed lift stations, to protect from damage of sewage back-up.
 - Many buildings had to be closed due to sewage back-up.

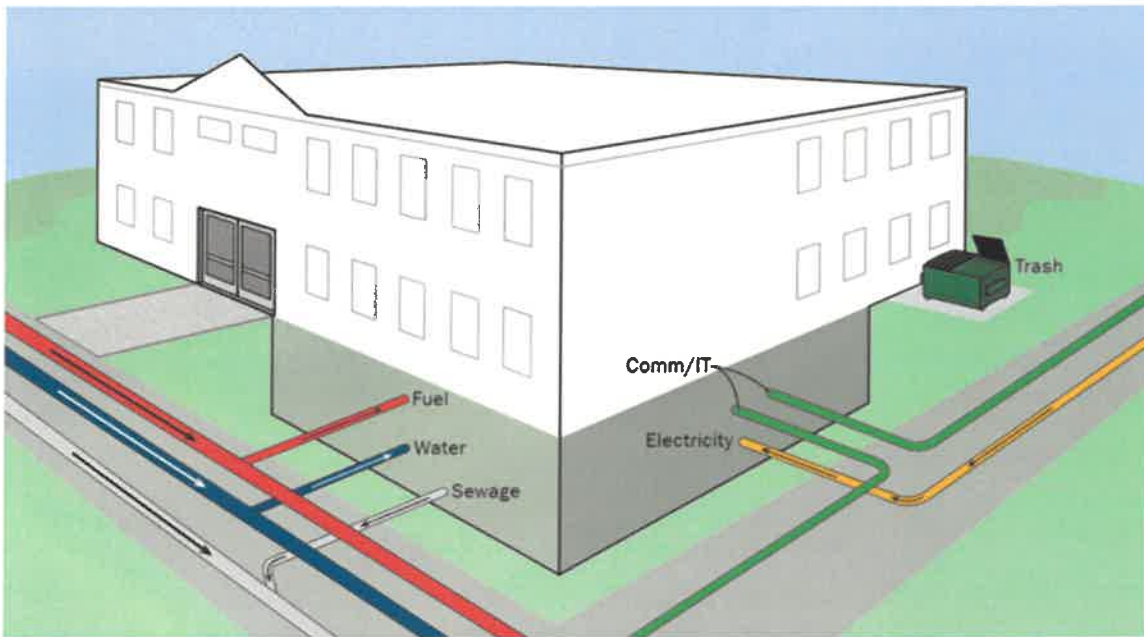


Figure 1: Utilities that serve critical facilities

- **Reducing Water Intrusion Through Windows and Doors:**
 - Some example pictures below:
 - Reminder not to remove sill risers on sliding doors since they are part of the water intrusion protection system.
 - Reminder to assure drainage weep holes are maintained and cleaned on a regular basis to assure proper drainage.

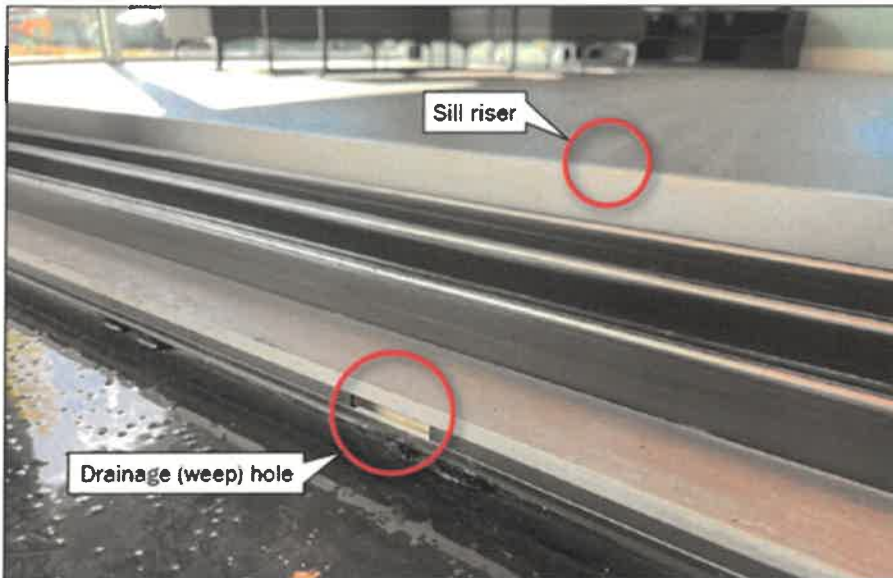


Figure 7: Sill riser on sliding door. Photo used with permission.



Figure 8: Typical drainage weepholes (red circles). Photo used with permission.

In Summary from the interim update from FEMA, final detail report planned to be released in the future:

1. Storm surge modeling will need to be updated based on actual results.
2. Building codes should be reviewed for buildings above base flood levels as a minimum.
3. Recommendation that essential and critical buildings should be built to a higher elevation than commercial and residential buildings.
4. Consider all utilities for mitigation and back-up for essential and critical buildings, with focus on having back-up potable water and sewage protection.
5. Pass on the communication for education and awareness to the State and Local Governments of the findings to-date to improve:
 - a. Planning for future storms
 - b. Mitigation planning for local governments and residents.
 - c. Advice for building codes to help in mitigation.
 - d. Recommendations for essential and critical government facilities to protect fire/emergency services/police/hospitals/government maintenance teams/wastewater facilities/post office facilities.
 - e. Build awareness to reduce deaths, damage, and the cost of repairs.
 - i. Reminder 88% of deaths from tropical storms result from flooding and storm surge.

Summarized by T. Harding from Sept 2023 FEMA Recovery Advisories, pictures and illustrations copied from FEMA documentation. 19Oc23