

AGENDA

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, December 14, 2023 – 9:35 am OR at the conclusion of the Organizational Meeting
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

4. 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.

5. Approval of Minutes

- a. November 16, 2023 - City Commission Regular Meeting & Public Hearing Minutes – **Pgs. 1-11**
- b. November 20, 2023 – City of Key Colony Beach ‘Smart City’ Townhall Meeting – **Pg. 12**

6. 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
 - i. Discussion on Commission Attendance of the IEMOI Conference in Gainesville, January 19th-20 – **Pg. 13**
- f. Code Enforcement Officer – Code Officer Goldman
- g. Beautification Committee
- h. Planning & Zoning Board
- i. **Recreation Committee:** Request for the installation of signage for pickleball sponsor recognition – **Pgs. 14-16**
- j. Utility Board

7. City Administrator Items for Discussion/Approval: None.

8. City Commissioner Items for Discussion/Approval

- a. Discussion/Approval of a renewal agreement for legal services with the Firm of Vernis & Bowling of the Florida Keys, P.A., for a period of one year beginning January 1, 2024, to January 1, 2025. – Pgs. 17-20*
- b. Discussion/Approval of the installation of signage for pickleball sponsor recognition*

9. Secretary-Treasurer’s Report

- a. November 2023 Financial Summary – Pgs. 21-22*
- b. Approval of Warrant 1123 in the amount of \$359,121.29 – Pg. 23*

10. City Attorney’s Report

11. Ordinances & Resolutions

- a. Resolution 2023-18: A Resolution of the City Commission of the City of Key Colony Beach, Florida, authorizing and approving designated email addresses for the City of Key Colony Beach Commissioners; providing for an effective date. – Pgs. 24-25*
- b. Resolution 2023-19: A Resolution of the City Commission of the City of Key Colony Beach, Florida, adopting a policy for naming/renaming City property within the City of Key Colony Beach as attached hereto as Exhibit “A”, providing for an effective date. – Pgs. 26-31*
- c. Resolution 2023-20: A Resolution of the City Commission of the City of Key Colony Beach, Florida, ratifying and approving the City’s Grant Funding Application to the 2024 FDOT Transportation Alternatives (Ta) Program; authorizing the City Administrator to take necessary action to effectuate the City’s Funding Application as attached hereto as Exhibit “A”; and providing for an effective date. – Pgs. 32-51*

12. Commissioner’s Reports & Comments

- a. Commissioner Harding**
 - i. Wastewater Sampling Update – Pg. 52*
 - ii. South Florida Water Management District Resiliency Coordination Forum Feedback – Pgs. 53-57*
- b. Commissioner DiFransico**
 - i. Introduction on Discussion on proposed changes to Resolution 2023-01: Rules of Procedure for Volunteer/Advisory Boards – Pgs. 58-62*
 - ii. Introduction on Discussion on proposed procedures for City Commission Meetings – Pg. 63*
- c. Commissioner Foster**
 - i. Introduction on Discussion to promote Jamie Buxton to Sargent with back pay*
 - ii. Introduction on Discussion for Commissioner Foster to re-write the employee manual with input from the department heads*
 - iii. Introduction on Discussion to stop the independent investigation of FEMA fraud*
 - iv. Introduction on Discussion to turn over Union negotiations to Commissioner to be named*
 - v. Introduction on Discussion to discontinue ALL city employees travel without explicit approval from the Commission*
 - vi. Introduction on Discussion on employees attendance expectations*

d. Commissioner Raspe

- i.** Introduction on discussion to repeal the 7/20/2023 acceptance of HOB bid for City Hall or submit to a vote of electors
- ii.** Introduction on discussion to revisit/reduce the City Attorney budget
- iii.** Introduction on discussion to reopen Marble Hall for immediate use
- iv.** Introduction on discussion to get bids to repair Marble Hall and Administration area floor
- v.** Introduction on discussion City Staff hours/attendance for ALL employees
- vi.** Introduction on discussion on the City Administrator position, in what capacity is it needed?
- vii.** Introduction on discussion for the Personnel Policy and Procedures manual to have the Chief of Police report to the Mayor directly or the Vice-Mayor in the Mayor's absence.

13. 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).

14. Re-opening of Public Hearing & Regular Meeting and Termination of Closed Session

15. Discussion/Approval on a settlement proposal pertaining to Laurie Swanson vs. Key Colony Beach’ Case No. 23-CA-000205-M

16. 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/85420425397?pwd=R1N2RERPVzB2aXIySkgyU3dyZGlnZz09>

Passcode: 274751

Or One tap mobile:

+13052241968,,85420425397#,,,,*274751# US

+16469313860,,85420425397#,,,,*274751# US

Or join by phone:

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

US: +1 305 224 1968 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 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 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

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International numbers available: <https://us02web.zoom.us/j/kcHzFhuV5q>

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, November 16, 2023 – 9:30 am

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

1. Call to Order, Pledge of Allegiance, Prayer, Rollcall: The Key Colony Beach City Commission Regular Meeting & Public Hearing was called to order by Mayor Pro-Tem Ramsay-Vickrey at 9:30 am followed by the Pledge of Allegiance and Prayer. **Present:** Mayor Pro-Tem Ramsay-Vickrey, Commissioner Harding, Commissioner Foster, Commissioner Raspe. **Also present:** City Administrator Dave Turner, Assistant Fire Marshal Mike Card, Building Assistant Karl Bursa, Police Corporal Jamie Buxton, Code Officer Jamie Buxton, Public Works Department Head Mike Guarino, Assistant City Attorney Roget Bryan, Code Officer Goldman, Administrative Assistant Tammie Anderson, City Clerk Silvia Gransee.

Public Attendance: 24

2. Agenda Additions, Changes & Deletions:

a. Commissioner Harding asked for the addition of an update on the FDOT Grant under Item 10c. and the addendum of the Wastewater sampling under 13a.

City Administrator Turner asked for the addition of a special report by Toni Rosabal on the City Hall building. Commissioner Raspe asked for the addition of a discussion on the use of Marble Hall. Mayor Pro-Tem Ramsay-Vickrey confirmed the addition to ‘Commissioners Comments’ under Item 13 and asked Assistant City Attorney Bryan to advise on Commissioner Raspe’s objection on the placement on the agenda. Assistant City Attorney Bryan advised on the discussion item being under litigation but the agenda addition being at Mayor Pro-Tem Ramsay-Vickrey’s discretion. Mayor Pro-Tem Ramsay-Vickrey did not change the placement on the agenda and there were no other additions.

Mayor Pro-Tem Ramsay-Vickrey asked City Clerk Gransee to perform rollcall. All Commissioners were present.

b. Toni Rosabal, Architect for LIV’s spoke on his fulfilled contractual agreement and his responsibilities to the City. Toni Rosabal explained that the project design was completed and approved, and there to be no gain for him on the project going forward. Toni Rosabal stated for there to be only two viable options if the City decides not to proceed with a new building. Toni Rosabal explained the first option to be the rebuilding of damaged portions to the existing building and the requirement to rebuild to the current building code. Mr. Rosabal talked about undamaged areas in the building and the original City Hall Building being too small to house the current staff. Toni Rosabal informed on cost to rebuild, code requirements for a complete renovation, and for a renovated building not being functional due to size. Toni Rosabal explained option number 2 to require a renovation of the entire building and gave estimates on costs. Toni Rosabal explained that a fully renovated building would also not be sufficient to hold all staff.

Toni Rosabal stated for these to be the only two options in order to follow Florida Statutes and Building Code requirements. Toni Rosabal talked on the cost difference between the lowest bid and complete cost to renovate, and stated his opinion on not making sense to spend money on a renovation for a building that is too small on the day of groundbreaking.

Mayor Pro-Tem Ramsay-Vickrey informed of no Commission discussion on the item due to litigation and thanked Toni Rosabal for his presentation.

3. Appointment of Vacant Commission Seat

a. Introduction of candidates by the City Clerk: Mayor Pro-Tem Ramsay Vickrey informed on the procedures of appointment to the City Commission and asked City Clerk Gransee to proceed. City Clerk Gransee introduced the candidates in order that their applications were received.

1. Tom DiFransico, 171 8th Street.
2. Joe Schmidt, 430 4th Street
3. Fred Swanson, 620 9th Street
4. John Dalton, 661 9th Street
5. Lynne Conkling Benton, 621 10th Street
6. Douglas Colonell, 381 8th Street
7. Mario Di Genaro, 390 13th Street

b. Candidate Statements: Each candidate introduced themselves to the City Commission and gave a statement with a request for recommendation. Applicant Joe Schmidt withdrew his application for City Commissioner. Applicant Lynne Conkling Benton appeared via Zoom.

c. Citizen Comments & Correspondence: Mayor Pro-Tem Ramsay-Vickrey asked for citizen correspondence from City Clerk Gransee. City Clerk Gransee informed of the following correspondence received regarding the appointment for Commissioner:

November 09, 2023 Mary Kohl, 1121 W. Ocean Drive
November 09, 2023 Dr. Renee H, 391 4th Street
November 09, 2023 Dr. James Ha, 391 4th Street
November 10, 2023 Toni & Randi Wheeler, 255 15th Circle
November 11, 2023 Planning & Zoning Chair George Lancaster
November 11, 2023 Bob & Sandy Glassman
November 11, 2023 Toni Appell, 200 8th Street
November 12, 2023 Richard & Jan Pflueger
November 12, 2023 Donald Steamer, 311 11th Street
November 11, 2023 Chris Corso
November 12, 2023 Greg Burke
November 13, 2023 Sally Cherry, 601 W. Ocean Drive
November 13, 2023 Bill Cherry, 601 W. Ocean Drive
November 15, 2023 Andrey & Galina Nikiforov, 821 W. Ocean Drive
November 15, 2023 Cynthia Catto, 601 W. Ocean Drive
November 15, 2023 Ted Fischer, 195 13th Street
November 15, 2023 William Catto, 601 W. Ocean Drive
November 16, 2023 Stan & Laurie Friend, E. Ocean Drive

Mayor Pro-Tem Ramsay-Vickrey asked for citizen comments in support or rebut of a candidate.

Janie Byland, 7th Street, spoke in support of Tom DiFransico.

Lynn Goodwin spoke in support of Mario Di Genaro.

Toni Marino, 271 7th Street, spoke in support of Mario Di Genaro.

Margitte Di Genaro, spoke in support of her husband Mario Di Genaro.

Sandy Bachman, 171 8th Street, spoke in support of Tom DiFransico.

There were no citizen comments online.

d. City Commissioner Questions/Comments:

Commissioner Harding had no comment.

Commissioner Foster thanked all candidates for their application and interest in serving on the City Commission.

Commissioner Raspe asked for candidates to be involved with other boards and show support for the City.

Mayor Pro-Tem Ramsay-Vickrey thanked all candidates for their application and advised all not chosen to apply to one of the City's advisory boards. Mayor Pro-Tem Ramsay-Vickrey spoke on her appointment to her position and consequent election as well as Commissioner Raspe's appointment. Mayor Pro-Tem Ramsay-Vickrey talked about the upcoming elections in November and fiscal responsibilities of the City Commission to fill the vacant seat. Mayor Pro-Tem Ramsay-Vickrey spoke on the Commission reaching a consensus for today's appointment and the electors making their decision in November. Mayor Pro-Tem Ramsay-Vickrey gave her support to Tom DiFransico for being the only candidate actively engaged in the community and active on several volunteer boards with experience and knowledge. Mayor Pro-Tem Ramsay-Vickrey informed not knowing of Tom DiFransico's position on City Hall and the vote for today being for a candidate on community knowledge, involvement, and experience to fill the vacancy.

e. Call for Nominations: Mayor Pro-Tem Ramsay-Vickrey nominated Tom DiFransico to the vacant Commission seat and asked City Clerk Gransee for rollcall.

NOMINATION: Mayor Pro-Tem Vickrey-Ramsay nominated Tom DiFransico for City Commissioner.

f. Vote by Commissioners:

ROLLCALL: Commissioner Raspe – Yes. Commissioner Harding – Yes. Commissioner Foster – Yes. Mayor Pro-Tem Ramsay-Vickrey – Yes.

Tom DiFransico was appointed to the vacant City Commission seat.

g. Swearing-in Ceremony: City Clerk Gransee administered the Oath of Office to newly appointed Commissioner Tom DiFransico.

~~**h. ****Tentative**** If a majority of Commission members are unable to agree upon a candidate to fill the vacant seat, candidates will need to qualify between December 4th-8th, 2023, noon to noon, for the March 19th, 2024, Election (dates provided by the Monroe County Supervisor of Elections Office). A majority vote is required for the agreement on dates.**~~

Newly appointed Commissioner DiFransico took his seat on the dais. Mayor Pro-Tem Ramsay-Vickrey thanked the City Commission and expressed appreciation for her fellow commissioners and working together in the best

interest of the City. Mayor Pro-Tem Ramsay-Vickrey stated the diversity of opinion being important and the Commission to continue to work as a whole to represent the City.

Mayor Pro-Tem Ramsay-Vickrey called for 10-minute recess at 10:37 am.

The meeting continued at 10:51 am.

4. Special Request

a. Proclamation - Ron Sutton Day: A Proclamation in honor of late Commissioner Ron Sutton proclaiming every second day of October of each and every year to be named "Ron Sutton Day".

Mayor Pro-Tem Ramsay-Vickrey provided the reading of the Proclamation in honor of late Commissioner Ron Sutton.

5. Citizen Comments and Correspondence:

Mayor Pro-Tem Ramsay-Vickrey asked for citizen correspondence.

City Clerk Gransee informed of the following citizen correspondence:

November 11, 2023, Laurie Swanson, 620 9th Street: Mrs. Swanson wrote to the City Commission with a request on agenda additions to today's meeting.

There was no other correspondence.

Mayor Pro-Tem Ramsay-Vickrey asked for citizen comments.

Laurie Swanson, 620 9th Street, congratulated the Commission on the Commissioner appointment and spoke on concerns of Key Colony Beach residents on the ongoing litigation on City Hall, the received bid, the Post Office, and the use of Marble Hall.

Tim Husel, 680 9th Street, spoke to the Commission with concerns on rising taxes and insurance increase and to consider concerns of residents with fixed income.

There were no other comments in person or online.

6. Approval of Minutes

a. October 19th, 2023 - City Commission Regular Meeting & Public Hearing Minutes: Mayor Pro-Tem Ramsay-Vickrey asked for corrections or changes to the minutes. There were none and the minutes were accepted as written.

7. Committee and Department Reports

a. Marathon Fire/EMS: Marathon Assistant Fire Marshal Card apologized for not having supplied the monthly report and informed to provide it via email after the meeting. Assistant Fire Marshal Card reported on flooding in the City of Marathon and to be cautious with flooded roads. The Assistant Fire Marshal continued giving his monthly report on received Fire and EMS calls and a decrease in calls. Assistant Fire Marshal Card reminded for slower traffic to drive in the right lane and for the Fire Department planning to spend more time in the City of Key Colony Beach for the annual Christmas Parade.

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

The City Commission had no questions on the submitted Department Head reports.

8. City Administrator Items for Discussion/Approval

a. Discussion/Approval of the Florida Coast Equipment quote in the amount of \$16,795.16 for the purchase of a Kubota Mower.

City Administrator Turner informed on the need and purpose of the proposed purchase and informed of the use of surplus money for the expenditure, with no cost to the taxpayer. City Administrator Turner confirmed for Public Works to be able to handle the anticipated workload and explained how upcoming projects are being managed.

MOTION: Motion made by Commissioner Foster to approve the purchase of the mower. Commissioner Raspe seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval of the installation of signage for pickleball sponsor recognition: City Administrator Turner spoke on a suggested recognition sign for Pickleball donations and a staff recommendation for approval.

Commissioner Raspe stated his opposition to a sign and for the City to solicit for donations. City Administrator Turner clarified the signs purpose to be for received donations. After discussion on size, location, and design, the City Commission agreed to table the agenda item until the following month. City Administrator Turner agreed to bring back the matter at the following month with more details.

c. Discussion/Approval of calendar of events for the KCB Community Association for the 2023/2024 season: City Administrator informed on the planned events for the upcoming season and recommended approval. Commissioner Raspe informed of a scrivener's error on the calendar for the first event. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Foster to approve the events. Commissioner Raspe seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

d. Discussion/Approval of CitizenServe Invoice No. 5308 in the amount of \$16,800.00 for 2024/2025: City Administrator Turner spoke on the use and purpose of the licensing software and recommended approval. City Administrator Turner confirmed the ability to look up licenses in the system and for the software having been updated to address prior issues. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Harding to approve the invoice. Commissioner Foster seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

e. Discussion/Approval to go forward with Request for Bids for the tennis courts: City Administrator Turner spoke on the project being funded by donations and to be ready to go out to bid. Commissioner Foster reminded on timelines to abide by when working with bids. City Administrator Turner confirmed for grant monies having been applied for with a possible award by July of next year. The City Commission gave a head-nod to go forward with the bidding process.

f. Update on the ‘Smart City’ Townhall Meeting on November 20th, 2023: City Administrator Turner informed of the upcoming Townhall Meeting and encouraged all residents to attend. Commissioner DiFrancisco asked on other companies offering the same service and putting out a request for proposals for comparison. City Administrator Turner informed on prior requests having been declined by the two competitors in the Keys. City Administrator Turner further informed on his prior visit to the City of Golden Beach to research the benefits of a ‘Smart City’ and explained the structure and benefits to the City.

Building Assistant Karl Bursa informed on the recently completed Community Rating System (CRS) Report and gave details on the current class and anticipated savings if upgraded to a lower rating. Building Assistant Bursa further informed on attainable future goals and to be working closely with FEMA for compliance.

Commissioner Foster thanked Building Assistant Bursa for his report and asked when additional documentation has to be provided. Building Assistant Bursa informed to have the documentation completed by the first week of December. Commissioner Foster further asked to remind property owners to give this information to their insurance company to receive the discount. Building Assistant Bursa confirmed to provide documentation.

Commissioner Harding thanked Building Assistant Bursa and the staff for his report and work on CRS.

Mayor Pro-Tem Ramsay-Vickrey thanked Building Assistant Bursa and Commissioner Harding for their work.

9. City Commissioner Items for Discussion/Approval

a. Discussion/Approval of a renewal agreement for legal services with the Firm of Vernis & Bowling of the Florida Keys, P.A., for a period of one year beginning December 1, 2023, to December 1, 2024.

Mayor Pro-Tem Ramsay-Vickrey introduced the agenda item and asked for a motion to approve the agreement.

MOTION: Motion made by Commissioner Harding to approve the agreement. Mayor-Pro Tem Ramsay-Vickrey seconded the motion.

DISCUSSION: Commissioner Foster suggested to table the agenda item until the following month to give Commissioner DiFrancisco time to be informed and further asked City Administrator Turner on possible improvements with billing breakdowns and classifications. City Administrator Turner stated for there always to be room for improvement and to work with City Attorney Smits on the concern.

Commissioner Harding stated satisfaction with the breakdown on billing items and encouraged a timelier submittal of invoices.

Commissioner Raspe expressed agreement with the increase in the hourly rate for legal fees and asked for clarification on the language in the contract. Assistant City Attorney Bryan confirmed the correct amounts in the contract.

Commissioner Raspe further expressed disagreement with the hourly rate for travel expenses. Assistant City Attorney Bryan gave his understanding on the billing for travel and language in the retainer agreement. Mayor Pro-Tem Ramsay-Vickrey confirmed the language in the proposed agreement to specify the hourly rate for travel. After discussion, the City Commission agreed to table the item until the following month.

Assistant City Attorney Bryan confirmed for legal services to continue until the following month.

ON THE MOTION: No action taken.

Commissioner DiFransico commented on adequate time to discuss an extension of a contract and in addition asked for a letter from City Attorney Smits on the continuance of services. Assistant City Attorney Bryan confirmed for City Attorney Smits to prepare a letter and to reach out to Commissioner DiFransico to answer questions. Mayor Pro-Tem Ramsay-Vickrey reminded of Sunshine Law and protocol, and City Administrator Turner explained the chain-of-command and for the City Attorney to work for the Commission.

b. Discussion/Approval of Grant Agreement H1033 for the Dry Floodproofing of the City Maintenance Building: Commissioner Harding spoke on the proposed grant agreement and for FEMA having given approval to execute the contract. Public Works Department Head Guarino and Police Chief DiGiovanni informed on history of prior storms and water intrusion to the building. Commissioner Harding explained the purpose and future benefits behind the proposed project.

MOTION: Motion made by Commissioner Harding to approve the grant agreement. Mayor Pro-Tem asked for a second. Commissioner Foster seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

10. Secretary-Treasurer's Report

a. October 2023 Financial Summary

b. Approval of Warrant 1023 in the amount of \$476,168.08

Commissioner Harding gave his financial report for October and reported on the general budget and standing of accounts.

Commissioner Harding informed on revenue and expenses for the Wastewater budget and informed of a lower level of electricity charges. Commissioner Harding further informed of having organized a package for the Utility Board to review cost saving potentials on solar panels. Commissioner Harding talked on the report and information on the Key Largo Sewer Plant using solar for alternative energy. Commissioner Harding closed his report by reporting on a positive net-revenue for wastewater, no concerns for stormwater, and no further updates on City Hall financing due to litigation.

c. FDOT Grant Application (Addendum): Commissioner Harding continued his report by informing on the FDOT application cycle for the alternate transportation grant process and explained its purpose for pedestrian, bicycle, and disability benefits and not to be road related. Commissioner Harding informed on having worked with Public Works Department Guarino and Police Chief DiGiovanni on possible improvement projects and informed of the 2024 application cycle which applies to projects in the year 2030. Commissioner Harding informed of current projects being funded and asked for approval to apply for the 2024 application cycle. Commissioner Harding further informed for the City Attorney having advised to bring the matter back via a Resolution for the December meeting. Commissioner Harding continued informing on suggested projects including ADA improvements in the parks and the removal of invasive species and replacement of vegetation. Commissioner Harding further informed of Public Works Department Head Guarino's suggestion on the purchase of wheelchairs for public use at Sunset Park and additional signage in the City. Commissioner Harding informed of a total cost of \$90,000.00 and a suggested share of 25% by the City.

Commissioner Harding asked for comments.

Commissioner DiFransico asked for clarification on the removal of invasive species. Commissioner Harding explained for the invasive species removal to apply to the entrance of the City and parts of Clara Boulevard and gave further details on the application cycle.

Commissioner Foster asked for a review for the City to have the space and footprint requirements needed for solar panels. Commissioner Harding explained that the next step should be a proposal by the Engineering Firm Mittauer to inform on possibilities for the City.

Mayor Pro-Tem Ramsay-Vickrey asked Assistant City Attorney Bryan what is needed in terms of the transportation agreement.

Assistant City Attorney Bryan asked for affirmative Commission directive in form of a motion and a formal resolution to be supplemented at the next meeting to have as an addendum to the application.

Mayor Pro-Tem Ramsay-Vickrey asked for a motion.

MOTION: Motion made by Commissioner Harding to approve the 2024 FDOT grant application for transportation alternatives per the spreadsheet that was provided. Mayor Pro-Tem Ramsay-Vickrey asked for a second. Commissioner DiFrancisco seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Administrator Turner informed that the Engineering Firm Mittauer will be working on a survey on the possibilities of solar energy for the City and to give an update at the next Utility Board meeting. Commissioner Harding talked further on the next steps in the process.

Commissioner Harding introduced Warrant 1023 for approval. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

MOTION: Motion made by Commissioner Harding to approve the warrant. Mayor Pro-Tem Ramsay-Vickrey asked for a second. Commissioner Foster seconded the motion.

DISCUSSION: Commissioner Foster asked Commissioner Harding to look at a breakdown of expenses out of the Road Reserve account. Commissioner Harding agreed.

ON THE MOTION: Rollcall vote. Unanimous approval.

11. City Attorney's Report

a. Discussion: Naming/Renaming of city facilities or roads: Mayor Pro-Tem Ramsay-Vickrey introduced the agenda item and asked Assistant City Attorney Bryan to continue. Assistant City Attorney Bryan explained prior City Commission discussion and the purpose behind the consideration of a formal policy. Assistant City Attorney Bryan further explained for the matter being before the Commission for review only for the purpose of consideration and feedback. The Commission had no further comment and Mayor Pro-Tem Ramsay-Vickrey asked Assistant City Attorney Bryan to come back to the Commission with a formal policy when ready. Assistant City Attorney Bryan agreed.

12. Ordinances & Resolutions

a. Resolution 2023-18: A Resolution of the City Commission of the City of Key Colony Beach, Florida, authorizing and approving designated email addresses for the City of Key Colony Beach Commissioners; providing for an effective date.

Mayor Pro-Tem Ramsay-Vickrey provided the reading of Resolution 2023-18 and asked Assistant City Attorney Bryan for comment. Assistant City Attorney Bryan stated for this Resolution to have been drafted based on discussion on the dais to have a policy in place to consider and for Assistant City Attorney Smith to available online for further questions. Mayor Pro-Tem Ramsay-Vickrey asked for a motion to approve.

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

DISCUSSION: Commissioner Harding informed on FEMA requiring the use of official email addresses for grant applications. Commissioner Foster asked how previous grant applications were completed. Commissioner Harding explained his experience and gave his support for the implementation of the email policy. Commissioner DiFransico stated his thoughts on the email addresses being impersonal. Mayor Pro-Tem Ramsay-Vickrey explained the purpose behind the use of city-issued email addresses including continuity of city business and fulfillment of public records requests. Discussion continued on access to emails on the server and the possibility of forwarding emails to the city-issued email address. Mayor Pro-Tem Ramsay-Vickrey further talked on the importance of accessing emails in case of the resignation of a Commissioner. Commissioner Foster expressed his support for keeping his own email address and his opposition to a city-issued email address. Commissioner Harding explained his involvement with FEMA over the last three years and the possibility of all the knowledge being lost if there is no access to his emails if he decides not to run again.

Commissioner Foster asked for Commissioner DiFransico to get familiar with the matter and to bring back next month for a discussion. Commissioner Harding and Mayor Pro-Tem Ramsay-Vickrey gave further comments of support for city-issued email addresses. Mayor Pro-Tem Ramsay-Vickrey asked Commissioner DiFransico on his preference to vote or defer to the following month. Commissioner DiFransico informed to prefer a vote the following month.

ON THE MOTION: Commissioner Harding withdrew his motion for approval. Mayor Pro-Tem Ramsay-Vickrey withdrew her second.

The Commission agreed to bring the agenda item back the following month and for the City Attorney's office to reach out to Commissioner DiFransico of the proposed policy.

Assistant City Attorney Bryan informed for the matter to deal with State Law requirements, public records retention, and an obligation for City Commissioners for retainment of records. Commissioner DiFransico stated no objection to using the City's domain but disagreement with the suggested impersonal numbering of the city-issued email addresses. Commissioner Foster asked Assistant City Attorney Bryan to take care with the language requirements on records retention.

13. Commissioner's Reports & Comments

a. Commissioner Harding

i. Monthly Covid Wastewater Report: Commissioner Harding provided his monthly report on wastewater sampling and explained data provided on Covid-19, Influenza-A, and RSV. Commissioner Harding informed that the contract between the CDC and Biobot ended and the onboarding with Verify was completed. Commissioner Harding informed that sampling was on hold for a short period due to litigation matters but is being continued with the help of an interim sampling contract.

Commissioner Harding informed of the sampling to include testing for Covid, Monkey Pox, RSV, and Influenza A & B and informed of a current hospitalization rate of 115 cases for the three South-Florida Counties. Commissioner Harding stated this to represent no change from last week and a slight decrease to the death rate, with an overall decrease of cases in the State of Florida. Commissioner Harding continued explaining the data that was provided in his report.

ii. Update on the FDOT Tentative 5-year Plan 2024-2029: Commissioner Harding reported on attending the FDOT 5-Year Planning Public Meeting and gave background on timelines for planning and budget funding. Commissioner Harding talked on projects for Monroe County including the project of pedestrian bicycle safety improvements and for the implementation of the project over the next two years. Commissioner Harding gave further information on planned projects including bridge repairs, bridge replacements, and anticipated construction timelines. Commissioner Harding informed on workforce transportation between Homestead to the

Keys as well as planned improvements for the airport in Key West. Commissioner Harding continued talking on the importance of abiding by timelines for funding requests.

Commissioner Harding gave his general update and reported attending a South Florida Water Seminar, a FEMA class on flood insurance, the DOAH Hearing, and the Monroe County Delegation meeting alongside City Administrator Dave Turner which included discussions on workforce housing, Stewardship acts, and vacation rentals. Commissioner Harding further updated on attending the Beautification Meeting, the Monroe County Evacuation Model Meeting and suggested to give directions to consider additional improvements for 7th Street. Commissioner Harding asked for a head-nod from the Commission to Dave to bring forward 7th Street improvements for discussion and extra money being available until the year 2024.

The Commission gave a head-nod to City Administrator Turner to bring the item back for review and discussion. Commissioner Raspe asked for a review of the area by West Ocean and 9th and 10th Street as well. Discussion continued on the amount of flooding due to the rain over the last day.

Commissioner DiFransico asked Commissioner Harding on the City's role in the Monroe County Traffic Study. Commissioner Harding explained the purpose of the study including evacuation models, infrastructure, and evacuation criteria. Mayor Pro-Tem Ramsay-Vickrey and Commissioner Harding gave further information on the correlation between undeveloped properties, allocations, and cost sharing between the State and the County.

Commissioner Foster had no report.

Commissioner Raspe spoke on having received many questions from residents on the possibility of the use of Marble Hall. Commissioner Raspe stated that the building was used until 16 month ago and stated disagreement with not being able to use Marble Hall. Commissioner Raspe stated for Mable Hall to be safe and suggested for volunteers to clean the building. Commissioner Raspe stated for the City not having a place to hold social events and asked for an answer on the use the building.

Mayor Pro-Tem Ramsay-Vickrey thanked Commissioner Raspe for his comments and advised to contact City Attorney Smits and Assistant City Attorney Bryan for further discussion due to being in litigation on the subject. Mayor Pro-Tem Ramsay-Vickrey declined taking comment from Commissioner Foster.

Commissioner Foster asked for point of order on his ability to comment.

Commissioner Foster asked for agreement from Assistant City Attorney Bryan to comment.

Assistant City Attorney Bryan advised for the subject matter to be under litigation and advised all City Commissioners to be careful in their comments.

Commissioner Foster suggested the possibility of a safety inspection to determine the temporary use of Marble Hall.

Commissioner DiFransico expressed the need for communication between citizens and the City and suggested for Toni Rosabal from Livs to come back to give another presentation on City Hall. Commissioner Harding commented on having attended several presentations prior to becoming a Commissioner 4 years ago. Commissioner DiFransico gave his thoughts on the benefits of Toni Livs giving another presentation to residents.

Assistant City Attorney Bryan stated to have given his legal advice to the Commission and advised on the ongoing litigation and liability issues associated with open discussion.

Assistant City Attorney Bryan stated for questions to be valid but not the right time for the discussion due to litigation.

Commissioner DiFransico asked for a way to facilitate a communication between both sides.

Mayor Pro-Tem Ramsay-Vickrey suggested for Commissioner DiFransico to meet with the City Attorney's to get updated on the current situation.

Commissioner DiFransico asked about the issuance of a building permit for the old City Hall building. Mayor Pro-Tem Ramsay-Vickrey asked Commissioner DiFransico to stop the open discussion on ongoing matters of litigation and stated for questions to be directed to the City Attorney's office. Mayor Pro-Tem Ramsay-Vickrey asked Commissioner DiFransico for comments any other than on City Hall. Commissioner DiFransico stated that communications have to be improved. Commission Raspe commented (inaudible). Assistant City Attorney Bryan advised Commissioner Raspe and DiFransico to communicate with City Attorney Smits on questions. Assistant City Attorney Bryan further explained for the City to be defending a lawsuit and a resolution will be achieved through the court or through a settlement.

Mayor Pro-Tem Ramsay-Vickrey reported judging this year's Boo-Bash Halloween Contest alongside Sheriff Rick Ramsay, and Alex Rickert from the Key Weekly Newspaper. Mayor Pro-Tem Ramsay-Vickrey further reported attending the FKSPCA November Fundraiser, the County's Townhall meeting regarding the move forward to a Charter County, the Chamber After-Hours event, the Beautification November Award, the County's Hurricane Evacuation Modeling Workshop, as well as the Marathon City Council meeting. Mayor Pro-Tem Ramsay-Vickrey congratulated Robyn Still on her appointment to Marathon Mayor, Lynn Landry for his appointment to Vice-Mayor, and Holly Raschein for her appointment as Monroe County Mayor and Jim Scholl for his appointment as Vice-Mayor.

Commissioner Harding asked for consideration of closing City Hall the Friday before Christmas. City Administrator Turner asked to make the decision as the operational leader and to further look at the County for guidance. The Commission gave a head-nod to City Administrator Turner to make the decision.

14. Adjournment: The meeting adjourned at 12:48 pm.

Respectfully submitted,
Silvia Gransee
City Clerk

CITY OF KEY COLONY BEACH

TOWNHALL MEETING MINUTES

'SMART CITY' PRESENTATION

Monday, November 20, 2023 – 9:43 am

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

1. **Introduction of Speaker(s):** Regional Vice-President of Hotwire Communications, Marcelo Martinez, opened the Townhall meeting and gave a brief introduction on the presentation. Mr. Martinez continued by presenting a video from the company's CEO and Founder Kristen Johnson sharing a vision of the Smart City Services.

2. **Presentation**

- i. Introduction of Hotwire Communications & Team
- ii. Smart City Deployment and Vision

Mr. Martinez gave a PowerPoint presentation on the company's products and services. Mr. Martinez talked about the background of the company, services provided to other municipalities and corporations, and overall footprint in the country. Mr. Martinez explained the facilities grid and self-sufficiency and benefits in case of a storm.

Mr. Martinez continued giving information on the back-up facility, data center, Network Operations Center, and services that are provided.

Justin Mila informed on the displayed hardware and explained available standards and the ability to upgrade to additional services. Justin Mila continued explaining the ability to share information via a dedicated channel and capabilities on streaming services. Justin Mila further answered residents questions on band width, hardware, and services.

Mr. Martinez continued informing on Customer Care Centers and available account representatives for the City. Mr. Martinez talked on the ability to set up Townhall meetings for residents and the availability of self-help videos and virtual training sessions. Mr. Martinez further reported being the industry leader in speed and the Number 1 rated provider on Netflix.

Mr. Martinez informed of an investment into the City by Hotwire Communications in the amount of 2.5 million in exchange for services and a partnership with the City.

Mr. Martinez further answered residents questions on how services will be implemented for the City and how condos will be integrated.

Mr. Martinez talked about the company's presence in the Keys and an experience of hyper growth.

Mr. Martinez informed on providing services to other municipalities including the City of Aventura, Miami Beach, Plantation, and Golden Beach. Mr. Martinez further informed on security system abilities and the improvement to public services.

Mr. Martinez informed on the fiber installation and residents preference to be underground or aerial. Mr. Martinez further talked on the onboarding process, installation times, the process of implementation of services, available construction techniques, and the ability to go under driveways and pavers.

Mr. Martinez thanked all present for attending and opened the Townhall meeting for questions.

3. **Citizen Correspondence/Public Comment**

Marcelo Martinez and City Administrator Turner answered various questions from residents regarding billing, length of contract, cost, channel line-ups, the option of internet only, yearly cost increases, and tax assessments.

4. **Adjournment:** The Townhall meeting adjourned at 11:09 am.

Respectfully submitted,

Silvia Gransee

City Clerk

****Please contact the City Clerk at cityclerk@keycolonybeach.net for a copy of the video recording****

Advanced IEMO Curriculum

The curriculum is divided into four instructional modules, taught in the following schedule:

Day One

Part II of Effective Council Techniques: Decision-Making Models and Media Relations: 3-hour class includes: group decision-making models and best practices for consensus-building; second half of class is role-playing with different media situations and discussions related to TV, radio and one-on-one interviews as elected officials; closes with best practices for message delivery.

Growth Management in Florida: 4-hour class includes: history of land-use planning and Florida's growth management laws over past 100 years; current law and review process by state; concurrency requirements; 20-year comprehensive land-use plans and their adoption and amendment cycles; discussion of planning issues for cities.

Lunch activity: One hour discussion on advocacy and lobbying with FLC officers and board members.

Day Two

Advanced Revenue and Finances for Cities: 3.5 hour class includes: trends and issues with the municipal property tax; overall discussion of municipal taxation limits; use of tax-increment financing, assessments and other fees; creative funding uses for large projects and infrastructure and best practices for financing the same; discussion of revenue structures overall and what is trending in Florida; resources to learn more about FL fiscal capacity and state financing issues.

Building Your City's Team: Personnel and Labor Issues: 3-hour course includes: city hiring practices and tips; labor roles within a city if unions exist, and what specifically the council may/may not do; labor relations within Florida and what U.S. laws apply; review of best practices in labor negotiations; class closes with an open-question forum related to city staff, best practices in elected-staff relationships.

Lunch activity: One-hour continuation of advocacy program with FLC lobbying staff.

CITY OF KEY COLONY BEACH

**Thank You to all Donors who
made this Dog Park possible**

**Steve & Ann Wenger - Coco & Lucie
Harley Turner & Maggie Matthews**

**"ENJOY" Steve, Tami & Tiki Too
Love, Ziggy Adams**

**Lynn Goodwin - Forrest & Elvis
Kelley & Joan Bergstrom - Daisy**

Carol & Dave Fisher

**Tim & Barb Heitman - Duncan
Tom, Gerri & Kacee B. McGill**

**Nancy & Dennis McGill - Luke
Lou & Mary's Getaway, LLC**

Patrice Wernlund & T-Rex

The McGeehan's & Big Huss

Teddy - The Kesler Family

Hunter & Finny Dunn

Chloe & Letty Testa

VESTA - Guardian & Family Member

David & Susan McKee - Skiff

KCB Fishing & Boating Club

Funding For The Acquisition of this site
was provided by the



Florida Communities Trust

using

Preservation 2000 Funds

Acquired June 2002





**CITY OF KEY COLONY BEACH
Contract for Legal Services**

This Contract entered into this ____ day of _____ 2023, with an *effective date of January 1, 2024* between **DIRK M. SMITS, ESQUIRE**, Individually, and on behalf of **VERNIS & BOWLING OF THE FLORIDA KEYS, P.A.**, a law firm operating under the laws of the State of Florida, whose principal place of business is located at 81990 Overseas Hwy., 3rd Floor, Islamorada, FL 33036 (herein called “The Firm”), and the **CITY OF KEY COLONY BEACH, FLORIDA** (herein called “City”).

In consideration of the mutual covenants and benefits hereinafter set forth, the parties herein covenant and agree as follows:

1. TERM

The term of this Contract shall remain in force for the period of ONE (1) year, beginning **January 1, 2024** to **January 1, 2025** after which one (1) additional one year option is available with the mutual consent of both parties. Section three (3) may be renegotiated after ONE (1) year and is subject to budget review.

2. THE FIRM'S SERVICES

The Firm agrees to provide the following services:

- A. Furnish to the City of Key Colony Beach legal services, providing the City Commission with legal advice and opinions, representation of City and City personnel in legal matters concerning the City, making recommendations to the City Commission regarding legal issues, and performing all other legal services the City may require.
- B. Maintain accessibility and availability to all City Commissioners, City Administrator and executive staff on an “on call” basis.

- C. Attendance at City meetings, special meetings, budget meetings and any other public meetings as approved by the City Administrator or as required by law. These meetings will be attended by Dirk M. Smits, or other members of The Firm as may be requested or approved by the City.
- D. The Firm will be responsible for paying the salaries, wages, health insurance and other benefits of its employees and representatives.

3. LEGAL SERVICES

The Firm's hourly rate for services shall be **\$205.00** per hour for attorneys with five (5) plus years of experience and **\$195.00** for attorneys with less than five (5) years of experience. Paralegals shall be paid at **\$130.00** per hour. These hourly charges are to be made without regard to any overtime charges that must be paid by The Firm to its employees. The Firm will provide billing statements to the City on a monthly basis. No payment shall be due until City verifies that all services for which payment has been requested have been fully and satisfactorily performed. Yearly compensation not to exceed \$125,000.00 without express prior written authorization from the City Commission.

The aforementioned hourly rates will not apply for travel to and from and attendance at Regular City meetings, Planning and Zoning Meetings, Code Board Meetings, Utility Board Meetings, workshops, Emergency meetings, Budget meetings, Audit meetings and any other meetings of the City Commission. Mileage to and from meetings will be billed in accordance with 112.061 Fla. Stat. The Firm will provide unlimited phone calls with City Commissioners at no cost.

4. COMPLIANCE WITH LAWS AND POLICIES

- A. The Firm shall comply with all current City policies, Florida Bar Rules, and all applicable local, state and federal laws, including laws pertaining to the confidentiality.
- B. It is anticipated that a future need for the law firm's services will or may be required. Therefore, pursuant to Florida Statute § 112.313(16) entitled *Local Government Attorneys*, this is a specific provision of this Agreement authorizing the use of The Firm to complete legal services for the City in addition to the services pursuant to this contract.

5. TERMINATION

Both parties reserve the right to terminate this contract at any time and for any reason, upon giving sixty (60) days' notice to the other party during which time services will be maintained.

6. ASSIGNMENT

Neither the Firm nor City may assign or transfer any interest in this Agreement without the prior written consent of both parties.

7. AMENDMENT

This Agreement may be amended only with the mutual consent of the parties. All amendments must be in writing and must be approved by the City Commission.

8. INDEMNIFICATION, GOVERNING LAW AND VENUE

The Firm shall indemnify and hold harmless City from and against any and all claims, liabilities, damages, and expenses, including, without limitation, reasonable attorneys' fees, incurred by City in defending or compromising actions brought against it arising out of or related to the acts or omissions of The Firm, its agents, employees or officers in the provision of services or performance of duties by The Firm pursuant to this Agreement.

The Parties agree to attend mediation prior to any further legal proceeding for any dispute regarding this Agreement. This Agreement shall be construed in accordance with the laws of the State of Florida. Any dispute arising hereunder is subject to the laws of Florida, venue being in Monroe County, Florida. The prevailing party shall be entitled to reasonable attorney's fees and costs incurred as a result of any action or proceeding under this Agreement.

9. REPRESENTATIONS AND WARRANTIES

The Firm represents and warrants to City, upon execution and throughout the term of this Agreement that;

- 1) The Firm is not bound by any agreement or arrangement which would preclude it from entering, or from fully performing the services required under the Agreement;
- 2) None of The Firm's agents, employees or officers has ever had his or her professional license or certification in the State of Florida, or any other jurisdiction, denied, suspended, revoked, terminated and/or voluntarily relinquished under threat of disciplinary action, or restricted in any way.
- 3) The Firm and The Firm's agents, employees and officers have, and shall maintain throughout the term of this Agreement, all appropriate federal and state licenses and certifications which are required in order for The Firm to perform the functions, assigned to him or her in connection with the provisions of the Agreement.

10. CONFIDENTIALITY

The Firm recognizes and acknowledges that by virtue of entering into this Agreement and providing services hereunder, The Firm, its agents, employees and officers may have access to certain confidential information. The Firm agrees that neither it nor any of The Firm's agents, employees or officers will at any time, either during or after the term of this Agreement, disclose to any third party, except where permitted or required by law or where such disclosure is expressly approved by City in writing, any confidential information, personal health information or other

confidential information, and The Firm, its agents, employees and officers shall comply with all Federal and State laws and regulation and all City policies regarding the confidentiality of such information.

11. INSURANCE

The Firm agrees to secure and maintain at all times during the term of this Agreement, at The Firm's expense, professional liability insurance covering The Firm for all acts or omissions which may give rise to liability for services under this Agreement. All of The Firm's staff are to be insured in minimum amounts acceptable to City and with a reputable and financially viable insurance carrier. Such insurance shall not be cancelled except upon thirty (30) days written notice to City. The Firm shall provide City with a certificate evidencing such insurance coverage within five (5) days after obtaining such coverage. The Firm agrees to notify City immediately of any material change in any insurance policy required to be maintained by The Firm.

12. This agreement supersedes all prior agreements of the parties.

IN WITNESS WHEREOF, the parties have executed this Contract on this ____ day of _____ 2023.

CITY OF KEY COLONY BEACH

By: _____

Print Name

Date

Title

Dirk M. Smits, B.C.S.

Date

Title

City of Key Colony Beach

Treasurer's Report – December 14, 2023

November 2023 financial summary – General Fund

- 2nd month of 2023 fiscal year budget-
 - Addendum will be published on Monday 11De23. The financial monthly summary is expected to be released on Friday 08De23 for review and summarizing into the monthly document.
- Question on Warrant information:
 - Monthly Warrants – definition
 - Municipal warrants are an instrument for payment of city funds to outside contractors, payroll to employees and contract employees, etc.
 - Warrants are required by Florida Statue as a city order for payment of services. For Key Colony Beach they are organized by our financial consultant and directed to city staff for actual payment once approved.
 - Monthly Warrants are only required if services were performed in the previous month in the categories list on the regular warrant format.
 - If no services were performed, then no line-item funds are listed on the monthly warrant.
 - Regular monthly warrants that are typical for payment are:
 - Payroll
 - General fund checking for regular monthly bills and outside payments.
 - Sewer account for services performed

Treasurer's Report – December 14, 2023

November 2023 financial summary – General Fund

Grant Activity:

1. FEMA shared funding for the Dry Proofing of the Maintenance Building Project:
 - a. All signed documents provided to Florida Division of Emergency Management after our last meeting with the Commissions approval. Awaiting their feedback from their review.
2. FDOT 2024 Transportation Alternative shared funding application submitted for the city improvements, that were approved last Commission meeting. Need to review Resolution today for supporting documentation to update the documentation. Awaiting feedback from FDOT if the project will be considered for their formal review process in January 2024.

Update for Draft New City Hall Financing Proposal:

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

Financial summary – Jen Johnson, Summary report compiled by Tom Harding

CITY OF KEY COLONY BEACH

Warrant Number	1123
Items paid from	November 1, 2023
to	November 30, 2023
General Fund Checking Account - 6871	\$222,064.44
Escrow Account - 5537	-
Payroll Account - 2942	\$83,895.34
Infrastructure Account - 8644	-
Road Reserve Account - 8677	-
Impact Fees Account - 8669	-
First State Bank - 3703	-
Sewer Money Mkt - 0301	-
Stormwater Account - 0128	\$2,000.00
Sewer Account - 6006	<u>\$51,161.51</u>
TOTAL DISBURSEMENTS	<u><u>\$359,121.29</u></u>

RESOLUTION NO. 2023-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AUTHORIZING AND APPROVING DESIGNATED EMAIL ADDRESSES FOR THE CITY OF KEY COLONY BEACH COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, email correspondence to or from elected officials or city employees is public record and subject to public records requests, under Chapter 119 Florida Statutes; and

WHEREAS, a violation of public records law may result in fines, suspension and removal or impeachment, or criminal charges as provided in section 119.10, Florida Statutes.

WHEREAS, a single repository for City Commissioners and City employees for email communications regarding City business is the most effective and efficient way to ensure legal compliance; and

WHEREAS, City Commissioners and City employees shall be assigned a City email address which shall be used exclusively for all City related correspondence; and

WHEREAS, the City Commission finds that providing a designated City email address to its City Commissioners and City Employees serves a valid public purpose and is in the best interests of the City and its residents.

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

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Designated Email Addresses. The City Commission hereby approves the following designated email addresses for the City Commissioners:
Commissioner1@keycolonybeach.net is Commissioner Ramsay-Vickrey,
Commissioner2@keycolonybeach.net is Commissioner Harding,
Commissioner3@keycolonybeach.net is Commissioner Foster,
Commissioner4@keycolonybeach.net is Commissioner Raspe, and
Commissioner5@keycolonybeach.net is Commissioner DiFransico.

Section 3. Email Succession. Upon a City Commissioner's departure from office, by resignation, death, or loss of office through the election process, the assigned City email will be appropriately archived, then reassigned to the incoming Commissioner.

Section 4. Email Implementation. The City Administrator is hereby authorized to take all necessary action to implement designated email addresses and effectuate the intent of this Resolution.

Section 5. Effective Date. This Resolution shall go into effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on December 14, 2023.

FINAL VOTE AT ADOPTION
CITY COMMISSION OF KEY COLONY BEACH

Mayor _____	NO _____	YES _____
Vice-Mayor _____	NO _____	YES _____
Commissioner _____	NO _____	YES _____
Commissioner _____	NO _____	YES _____
Commissioner _____	NO _____	YES _____

Mayor

Silvia Gransee, City Clerk

(City Seal)

Approved as to form and legal sufficiency:

Dirk Smits, City Attorney

RESOLUTION NO. 2023-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, ADOPTING A POLICY FOR NAMING/RENAMING CITY PROPERTY WITHIN THE CITY OF KEY COLONY BEACH AS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida (the "City") desires to establish procedures for naming, renaming or co-designating City streets and/or property within the City; and

WHEREAS, the City Commission of the City of Key Colony Beach, Florida ("City Commission") has determined that it is in the best interest of the citizens and residents of the City to adopt a formal policy for naming, renaming or co-designating street names and/or property or portions thereof within the City; and

WHEREAS, the City Commission desires to approve the adoption of the Naming/Renaming City Property policy as set forth in Exhibit "A" attached hereto.

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

Section 1: **Recitals.** That the foregoing recitals are hereby incorporated by reference.

Section 2. **Adoption of Naming Policy.** That the City Commission of the City of Key Colony Beach, Florida, hereby adopts a Policy for Naming/Renaming City Property, as set forth and attached hereto as Exhibit "A".

Section 3. **Authorization of City Officials.** That the City Administrator is hereby authorized to take all necessary action to effectuate the intent of this Resolution.

Section 4. **Effective Date.** That this Resolution shall go into effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on December 14, 2023.

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**FINAL VOTE AT ADOPTION
CITY COMMISSION OF KEY COLONY BEACH**

Mayor _____	NO _____	YES _____
Vice-Mayor _____	NO _____	YES _____
Commissioner _____	NO _____	YES _____
Commissioner _____	NO _____	YES _____
Commissioner _____	NO _____	YES _____

_____, Mayor

Silvia Gransee, City Clerk

(City Seal)

Approved as to form and legal sufficiency:

Dirk M. Smits, City Attorney

EXHIBIT A

Policy

The Policy for Naming/Renaming City Property (or portion thereof) for Persons is as follows:

1. The naming or renaming of a designated facility or area/portion of public property will be considered through an application process.
2. The candidate for whom the designated facility or area/ property is to be named must be deceased.
3. The candidate must have contributed significantly to the City of Key Colony Beach and its citizens.
4. The name of the candidate and their accomplishments must be presented in writing with the application by the nominator.
5. Nominations for naming/renaming city property shall only be made by current residents and/or property owners within the limits of the City of Key Colony Beach, Florida.
6. Each request will be considered at the time of application only. There will be no waiting lists of names to be assigned.
7. The City Commission will have the final decision as to the naming/renaming of a designated facility, or area of public property.
8. Applications must be submitted to the City Clerk at least four (4) weeks prior to the meeting at which the proposed naming/renaming is to be discussed.

Sample Application

Proposed Name (Name of Person): _____
History of the City Property to the Proposed Name _____ _____ _____ _____
Proposed Person Contribution to the City of Key Colony Beach and its Citizens: 1. 2. 3. 4. 5. <i>(Attach sheet for additional items)</i>
Proposed Person Accomplishments and Accolades: 1. 2. 3. 4. 5. <i>(Attach sheet for additional items)</i>
Additional Information: _____ _____
Nominator Details: Name _____ Address _____ Email _____ Phone _____ Signature _____ Date _____

Sample Resolution

RESOLUTION NO. 2023-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CITY OF KEY COLONY BEACH, FLORIDA, APPROVING *[NAME OF PERSONS]* AS THE NAME OF THE BUILDING ____; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Key Colony Beach, Florida (“City Commission”) it to be in the best interests of the City to approve _____ as the name of the _____ (building, park, road, etc.).

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

Section 1. That the foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission. All exhibits attached hereto are hereby incorporated herein.

Section 2. That in accepting the recommendation of City staff, the City Commission of the City of Key Colony Beach, Florida, hereby approves _____ as the name of the _____ (building, park, road, etc.).

Section 3. That all Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 4. That if any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

Section 5. That this Resolution shall become effective immediately upon its passage and adoption.

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RESOLUTION NO. 2023-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, RATIFYING AND APPROVING THE CITY'S GRANT FUNDING APPLICATION TO THE 2024 FDOT TRANSPORTATION ALTERNATIVES (TA) PROGRAM; AUTHORIZING THE CITY ADMINISTRATOR TO TAKE NECESSARY ACTION TO EFFECTUATE THE CITY'S FUNDING APPLICATION AS ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida (the "City) is actively searching for both State and Federal grant programs to assist with making infrastructure improvements throughout the City; and

WHEREAS, during the November 16, 2023 regular meeting of the City Commission of the City of Key Colony Beach, Florida (the "City Commission"), consensus direction was provided by the City Commission to move forward with a funding application for the 2024 Transportation Alternatives (TA) Set Aside Program administered by the Florida Department of Transportation (FDOT); and

WHEREAS, the FDOT Transportation Alternatives Program funds a variety of smaller-scale transportation projects and activities that expand and integrate accessible nonmotorized travel choices and make them safer, including on- and off-road bicycle and pedestrian facilities, recreational trails, safe routes for non-drivers, safe routes to schools, and accessibility improvements to help achieve compliance with the Americans with Disabilities Act (ADA); and

WHEREAS, the City Commission desires to continue pursuing funding opportunities to assist with making necessary infrastructure improvements throughout the City to enhance the quality of life for the City's residents; and

WHEREAS, based on the direction provided during the November 17, 2023 meeting, the City Commission desires to hereby ratify and approve the 2024 FDOT Transportation Alternatives Program funding application as set forth in Exhibit "A" attached hereto; and

WHEREAS, the City Commission finds that such grant funding application serves a valid public purpose and is in the best interests of the City and its residents.

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

Section 1: Recitals. That the foregoing recitals are hereby incorporated by reference.

Section 2: Ratifying and Approving TA Funding Application. That the City Commission hereby ratifies and approves the submittal of the 2024 Transportation Alternatives Program Application to the Florida Department of Transportation (FDOT), as set forth in Exhibit "A" attached hereto.

Section 3: Authorization of City Officials. That the City Administrator is hereby authorized to take all necessary action to effectuate the intent of this Resolution.

Section 4: Effective Date. That this Resolution shall go into effect immediately upon its passage and adoption

PASSED AND ADOPTED by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on December 14, 2023.

**FINAL VOTE AT ADOPTION
CITY COMMISSION OF KEY COLONY BEACH**

Mayor	NO _____	YES _____
Commissioner	NO _____	YES _____
Commissioner	NO _____	YES _____
Commissioner	NO _____	YES _____
Commissioner	NO _____	YES _____

, Mayor

Silvia Gransee, City Clerk

(City Seal)

Approved as to form and legal sufficiency:

Dirk M. Smits, City Attorney

EXHIBIT A



TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM (TA) FUNDING APPLICATION

A continuation of the Surface Transportation Block Grant, TA funding is by contract authority from the Highway Trust Fund, subject to the overall federal-aid obligation limitation determined by the Federal Highway Administration (FHWA). Projects must support surface transportation, be competitively solicited, and comply with the provisions of the FDOT Work Program Instructions and the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA) [§ 11109; 23 United States Code (U.S.C.) 133(h)]. District representatives may be contacted for guidance.

PART 1 – APPLICANT INFORMATION

1. Applicant Agency Sponsor Type. Select the box indicating the agency of the person who can answer questions about this project proposal. Then complete applicable text fields. Note: State-recognized non-profit agencies may partner with an eligible governmental entity but are not eligible as a direct grant recipient.

Checkbox next to each of the following types of agencies that do not indicate text field. Document allows one selection.

- Local government (e.g., county, city, village, town, etc.).
- Regional transportation authority or transit agency.
- Natural resource or public land agency.
- School district, local education agency, or school (may include any public or nonprofit private school). Projects should benefit the public and not just a private entity.
- Recognized Tribal Government.
- Other local or regional governmental entity with oversight responsibility for transportation or recreational trails, consistent with the goals of 23 U.S.C. 133(h).
- Metropolitan / Transportation Planning Organization / Agency (collectively MPO) (only for urbanized areas with less than 200,000 population).
- FDOT (only by request of another eligible entity, then enter the requesting entity). If “checked”, enter the requesting entity in the space provided. (Word limit 5)

2. Agency name of the applicant. (Word limit 5).

City of Key Colony Beach

3. Agency contact person’s name and title. (Word limit 5).

Thomas L Harding City Commissioner Secretary Treasurer

4. Agency contact person’s telephone number and email address. (Word limit 5).

734-476-0531 kcbtomharding@gmail.com

PART 2 – LOCAL AGENCY PROGRAM (LAP) CERTIFICATION

LAP is FDOT's primary mechanism to provide governmental subrecipients with federal funds to develop transportation infrastructure facilities through cost-reimbursement (grant) agreements. This legal instrument (the grant agreement) will describe intergovernmental tasks to be accomplished and the funds to be reimbursed for selected projects. The FDOT Local Programs Manual and FDOT Procedure 525-010-300 provides details for local agencies to complete a certification process that is a risk-based assessment evaluating whether they have sufficient qualifications and abilities "to undertake and satisfactorily complete the work" for infrastructure projects. Non-profit organizations are not eligible for LAP certification, local agencies are not eligible for certification of Project Development and Environment (PD&E) or Right-of-Way (ROW) acquisition phases. FDOT is required to provide oversight on fee-simple and less-than-fee ROW acquisition phases, including license agreements, encroachment agreements, perpetual easements, temporary construction easements, and donations.

LAP Full Certification

Provide:

Approval Date:

and Expiration Date:

Responsible Charge Name:

LAP Project Specific Certification

Provide:

Approval Date:

Project FM(s) Number:

Responsible Charge Name:

Not LAP Certified – A LAP Certified Agency will deliver the project on behalf of the uncertified Agency.

Provide:

Sponsoring
Agency Name:

Contact
Name:

Address:

Phone:

Not LAP Certified - FDOT District will administer the project.

Provide:

FDOT Contact Name:

Phone:

- **Not LAP Certified – the Agency will become LAP certified 1 year prior to the delivery of the LAP project.**

Not Applicable – this is a Non – Infrastructure Project.

PART 3 – PROJECT INFORMATION

1. **Project Name / Title:** (Word limit 15).
City of Key Colony Beach ADA and Safety Improvements for Public Parks and F +

2. **Is this a resubmittal of a previously unfunded project?** If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the year(s) of submittal(s) and include project title(s), if different, in the space provided. (Word limit 5).
 Yes No N/A

3. **Does this project connect a previously funded project(s)?** If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the Financial Management (FM) number(s) and provide a brief description of the other related FDOT-funded phases that are complete, underway, or in the FDOT 5-year Work Program. (Word limit 5).
 Yes No N/A

4. **Is funding requested for this same project from another source administered by FDOT?** If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate funding source(s) / application(s) submitted. NOTE: Contact your district representative to discuss if this same project is partially funded in the 5-year Work Program or if FDOT has received another application for funding it. (Word limit 5).
 Yes No N/A

5. **What are you proposing in this application?** In 200 words or less, provide a description of the project and what it will accomplish. The description should allow a person without prior knowledge of the project to clearly understand it. Summarize the purpose, need, project attributes, the relationship to surface transportation, how the project improves safety, and expected benefits.

This project purpose is to improve ADA compliance through the installation of handicap parking space and a standard parking space in one city public park for improved safety and access to park facilities. At the same public park, a new hardened path is requested to attached to current hardened park pathways to allow improved access of the park facilities for wheelchair access. The safety improvement allows visitors to park within the park directly vs. today parking in a detached parking lot requiring vistors to walk on city streets for access.

This project also includes improving two other city public parks for hardening handicap parking spaces and providing hardening of current dirt/gravel paths with asphalt to allow wheelchair access to the park facilities. This will improve access capabilities for ADA and improve the markings for handicap parking spaces.

This project also includes the purchase of one beach access wheelchair that can be shared by residents and visitors to allow full use of all city parks grass/paths/beach areas for improved ADA access. City Staff will oversee the use of the wheelchair.

This project also includes removal of invasive species in three locations with the city and replacement with native Florida plants. This project also includes purchasing new signage for our current pedestrian/bicycle paths for improved safety through communication of no motorized vehicles usage.

REQUIRED UPLOAD: PROJECT INFORMATION SUPPORTING DOCUMENTATION including 1) Scope of Work clearly describing the purpose and need for this project and the desired outcome; detailed description of the existing conditions; and detailed description of the proposed project and major work item improvements (e.g., project limits (begin / end), width of sidewalks or trails and other components, materials, drainage, lighting, signing and pavement markings, etc.). 2) Intent to enter into a cost reimbursement agreement for delivering the project. 3) Signed PROJECT CERTIFICATION from the maintaining agency confirming the applicant is authorized to submit the proposal, the information is accurate, intent to enter into a Memorandum of Understanding or Interagency Agreement for ongoing operations and maintenance of the improved facility, and compliance with all federal and state requirements.

PART 4 – PROJECT LOCATION

1. **Indicate the municipality(ies) of the project location.** (Word limit 5).

City of Key Colony Beach

2. **Indicate the county(ies) of the project location.** (Word limit 5).

Monroe County

3. **Roadway Classification**

Yes No State roadway (on-system)

Yes No Federal roadway

Yes No Local roadway (off-system)

4. **Indicate the roadway name(s) [including applicable state, federal, county road number(s), local roadway name, and roadway identification number (e.g., SR 5 / US 1 / CR 904 / Overseas Highway / ID number: 90040000)].** (Word limit 10).

N/A

5. **Indicate the roadway beginning project limits (south or west termini), mile points, and crossroads at each end of each listed segment.** (Word limit 10).

N/A

6. **Indicate the roadway ending project limits (north or east termini), mile points, and crossroads at each end of each listed segment.** (Word limit 10).

N/A

7. **Indicate the total project length, in miles and linear feet.** (Word limit 10).

N/A

8. **Does the project involve the Florida Shared-Use Nonmotorized (SUN) Trail network?** If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the trailway identification number, beginning and ending mile points. (Word limit 5).

Yes No N/A

9. **Within the next five years, are non-FDOT funds being expended within the limits or adjacent to the proposed project?** If not, select “no” and indicate N/A in the space provided. If so, select “yes”, and briefly explain. (Word limit 50).

Yes No N/A

PART 5 – PROJECT TYPE

NOTE: Certain areas may not be prioritizing Non-infrastructure (NI) proposals or all eligible infrastructure activities (or may recommend bundling activities together). Contact your district representative for guidance.

1. **PROJECT CATEGORY** Select one box that best represents the project proposal. Then, complete either the “Infrastructure” or “NI” selections.

A. Infrastructure. If so, select “yes”, then select the most appropriate “infrastructure” eligible activity from listing below. (Pages range 5-6)

B. Non-infrastructure (NI). If so, select “yes”, then select the most appropriate NI eligible activity from the listing following the Infrastructure activities. (Page range 7)

5-A. INFRASTRUCTURE ELIGIBLE ACTIVITY

Select one box that best represents the project proposal). As applicable, complete infrastructure eligible text fields.

- **Pedestrian and / or Bicycle facilities** (Select this box for construction, planning, and design of off-road trail facilities or on-road facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation).

Safe Routes for Non-Drivers (Select this box for construction, planning, and design of infrastructure related projects and systems that provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs).

Conversion of Abandoned Railway Corridors to Trails (Select this box for conversion and use of abandoned railroad corridors into trails for pedestrians, bicyclists, or other nonmotorized transportation users).

Scenic Turnouts and Overlooks (Select this box for construction of turnouts, overlooks, and viewing areas). If “yes”, list any Florida Scenic Byways visible from the project or indicate N/A in text field. (Word limit 5).

Outdoor Advertising Management (Select this box for inventory, control, or removal of outdoor advertising). If “yes”, list any Florida Scenic Byways within the project limits or indicate N/A in text field. (Word limit 5).

Historic Preservation and Rehabilitation of Historic Transportation Facilities (Select this box for historic preservation or rehabilitation of historic transportation facilities). If “yes”, list any locally designated or National Register of Historic Places listed or eligible resources or indicate N/A in the text field. (Word limit 5).

Vegetation Management (Select this box for vegetation management in public transportation ROW to improve roadway safety, prevent invasive species, and erosion control). If “yes”, list any Florida Scenic Byways within the project limits, or indicate N/A in text field. (Word limit 5).

Archaeological Activities (Select this box for archaeological activities related to impacts from transportation projects funded by FHWA). If “yes”, list the State Site Number (aka Site File Number) for the archaeological site, or indicate N/A in the text field. (Word limit 5).

Stormwater Mitigation (Select this box for environmental mitigation activities addressing stormwater management, control, and water pollution prevention or abatement related to transportation projects).

Wildlife Management (Select this box for wildlife mitigation and reduction of wildlife mortality, or to restore and maintain connectivity among terrestrial or aquatic habitats).

Boulevards (Select this box for boulevards, defined as a walkable, low speed (35 mph or less) divided arterial thoroughfares in urban environments designed to carry both through and local traffic, pedestrians, and bicyclists. These may be high ridership transit corridors; serve as primary goods movement and emergency response routes; and use vehicular and pedestrian access management techniques that promote economic revitalization and follow complete street principles]. If “yes”, list any Florida Main Street communities or Florida Trail Towns within the project limits, or indicate N/A in text field. (Word limit 5).

Recreational Trails Program [Select this box for recreational trails compliant with 62-S-2, Florida Administrative Code, and 23 U.S.C. 104 (b)]. If “yes”, list the parks / recreational areas within the project limits, or indicate N/A in the text field. (Word limit 5).

Safe Routes to Schools (SRTS) [Select this box for SRTS projects, codified as 23 U.S.C. 208, that substantially improves the ability of kindergarten through 12th grade students (vulnerable road users) to walk and / or bicycle to school]. Traditionally includes sidewalks, traffic calming and speed reduction, traffic diversion improvements, pedestrian and bicycle crossings, on-street bicycle facilities, off-street bicycle facilities, and bicycle parking facilities at public schools. If “yes”, list the benefiting schools that are within two miles of the project limits; total student enrollment; approximate number of students living along the route; and the percentage of students eligible for reduced meal programs, or indicate N/A in the space provided. (Word limit 10).

Other surface transportation eligible purpose (Only if within urbanized areas with a population greater than 200,000). If “yes”, list the eligible activity or indicate N/A in the space provided. (Word limit 5).

5-B. NI ELIGIBLE ACTIVITY *** Note: For Infrastructure projects, skip this page.***

Select one box that represents the project proposal. Checkbox indicating NI eligible activity. Document allows one selection.

Vulnerable road user safety assessment as defined by Section 316.027 (b), F.S.

Workforce development, training and education activities that are eligible uses of TAP funds.

SRTS projects, codified as 23 U.S.C. 208. This NI activity must be primarily based at the school and benefit students and / or their parents and have documented support from the school(s). If “yes”, list the benefiting schools; total student enrollment and students served by project; approximate number of students living along the route; and the percentage of students eligible for reduced meal programs, or indicate N/A in space provided. (Word limit 10).

NI COMPONENTS As applicable, insert the number of each type of proposed activity. Numerical field indicating total number NI program would provide.

- | | |
|--|---|
| Number of walk or bicycle audits. | Number of after school programs receiving pedestrian / bicycle safety instruction / education. |
| Number of bicycle skills / safety classes. | Number of bicycle rodeos. |
| Number of pedestrian skills / safety classes. | Number of pedestrian safety skills events. |
| Number of community demonstration projects. | |
| Number of community encouragement activities. | |
| | Number of schools with walking school bus programs (defined as planned route with meeting points, a timetable, and a schedule of trained volunteers). |
| Number of community challenges. | |
| Number of community workshops / stakeholder meetings. | Number of schools with bicycle train programs (defined as a planned route with meeting points, a timetable, and a schedule of trained volunteers). |
| Number of classroom / educational classes receiving pedestrian / bicycle safety instruction / education. | Number of student-led leadership initiatives (e.g., student patrols, peer-led learning, etc.). |
| Number of school assemblies receiving pedestrian / bicycle safety instruction / education. | |
| Number of training sessions to implement the SRTS program (e.g., training for volunteer walking school bus leaders, training for bicycle train leaders, etc.). | |

PART 6 – AREA CONDITIONS

Select applicable boxes describing the area and complete applicable text fields. Then, upload supporting documentation.

1. Select one box that describes the geographic population size of the project area.

- Non-Urban Area with a population of 5,000 or less
- Urban Area with a population greater than 5,000 but no more than 50,000
- Urban Area with a population greater than 50,000 but no more than 200,000
- Urban Area with a population greater than 200,000

2. Is the project within the boundary of an MPO*? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the MPO in the space provided. (Word limit 5).

Yes No N/A

3. Is the project within the boundary of a Transportation Management Area (TMA)? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the TMA in the space provided. (Word limit 5).

Yes No N/A

4. Is the project within a Rural Economic Development Initiative (REDI) community or designated as a Rural Area of Opportunity (RAO) as defined pursuant to Section 288.0656, F.S.? If not, select “no”, and indicate N/A in the space provided. If so, select “yes” and indicate the REDI / RAO in the space provided. (Word limit 5)

Yes No N/A

5. Indicate the United States Congressional District number(s) of the project location. (Word limit 5).

28th Congressional district of Florida.

6. Will the project address equity by providing benefits to traditionally underserved communities as determined by the U.S. Census? These communities could include low-income residents, minorities, those with limited English proficiency, persons with disabilities, children, or older adults. If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and briefly explain how the project improves environmental justice (e.g., disadvantage community access point(s) and destinations the project benefits, median household income, free or reduced priced school meals and how SRTS projects benefit the students, etc.). (Word limit 10).

Yes No N/A

7. Are there transit stops / shelters / support facilities within the project limits? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the identification number. (Word limit 5).

Yes No N/A

8. Is the project within a high-crash pedestrian corridor (or an area with a history of crashes involving pedestrians)?

Yes No

Part 6 - Area Conditions continued...

9. Is the project within a high-crash bicycle corridor (or an area with a history of crashes involving bicyclists)?

Yes No

10. Would the project implement a bicycle or pedestrian action plan(s)? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and specify the name of the plan and date of adoption. (Word limit 5).

Yes No

*** Metropolitan / Transportation Planning Organization / Agency (MPO)**

REQUIRED UPLOAD: AREA CONDITIONS SUPPORTING DOCUMENTATION (e.g., excerpt pages from adopted plans or studies, maps illustrating transit facilities and connectivity to the improvement, short statement of support with a signature of the school official and their contact information for SRTS projects, median household income by census tract for community benefiting, collision heat maps / crash data for area surrounding project limits, etc.).

PART 7 – PUBLIC INVOLVEMENT

Public involvement, engagement, and collaboration is a key component of the federal project development process and must be conducted in accordance with applicable rules and regulations in the event the project is selected for funding. Indicate which of the following are applicable (Select all that apply). Complete the text field or indicate N/A in the space provided. Then, upload supporting documentation.

1. Does the greater community support the project, as demonstrated by recently adopted proclamations or resolutions expressing commitment and public engagement? If “yes”, explain the engagement and how the concept evolved based on public involvement. Indicate the resolution number, adoption date, and participating parties in the space provided. If “no”, indicate N/A in the space provided. (Word limit 10).

Yes No Public Meeting held by use of City Commission monthly meeting, 16No23

2. Was the project discussed at a regularly scheduled meeting of an advisory board of an appointed group of citizens, such as bicycle pedestrian advisory groups or similar committee that provides support toward the project? If “yes”, provide meeting information, including the date and type of advisory board meeting, and the input received. If “no”, indicate N/A in the space provided. (Word limit 10).

Yes No N/A

3. Was there an advertised public meeting to discuss the project? If “yes”, provide a brief description, including the input received, how the concept evolved based on public involvement, date, and type of meeting. If “no”, indicate N/A in the space provided. (Word limit 10).

Yes No Public City Commission Meeting on November 16, 2023. Input from City Staff on ideas.

4. Do recent community surveys indicate both need and support for the project and stakeholders will continue to be engaged in the implementation of the project? If “yes”, briefly explain. If “no”, indicate N/A in the space provided. (Word limit 10).

Yes No Resident support for improved park usage and removal of invasive species

REQUIRED UPLOAD: PUBLIC INVOLVEMENT SUPPORTING DOCUMENTATION (e.g., resolution, proclamation, regularly scheduled meeting agenda and minutes, public meeting advertisement, community survey, letters of support, etc.).

PART 8 – CONCURRENCY / CONSISTENCY

Is the project consistent with the applicable comprehensive plan(s), transportation plan(s), capital improvement plan(s), and / or the long-term management plan(s)? [Note: Board of County Commissioners functions as MPO in nonmetropolitan areas (Section 339.135(4)(c)1, F.S.)]. If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and use the text field to explain consistency, include MPO prioritization number. If a modification is required, indicate the meeting date for adoption. (Word limit 10).

- Yes No Consistent with Key Colony Beach Comprehensive Plan

REQUIRED UPLOAD: CONCURRENCY / CONSISTENCY SUPPORTING DOCUMENTATION (e.g., supporting resolution(s), excerpt from comprehensive plan(s), transportation plan(s), capital improvement plan(s), management plan(s), prioritization list, etc.).

PART 9 – ENVIRONMENTAL CONDITIONS

Select the boxes describing the Environmental Conditions. As applicable, complete the text field or indicate N/A in the space provided. Then, upload supporting documentation. Applicants for NI proposals may skip the Environmental Conditions section.

1. Does the project involve lands identified by the Florida Wildlife Corridor Act of 2021 [Section 259.1055, Florida Statutes (F.S.)]?

Yes No

2. Does the project involve state-owned conservation lands? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the state-owned conservation lands. NOTE: Use of state-owned conservation lands is subject to coordination by the managing entity. (Word limit 5).

Yes No N/A

3. Does a railway facility exist within 1,000 feet of the project limits? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate railway facility. (Word limit 5).

Yes No N/A

4. Does the project physically cross a railway facility? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and indicate the crossing’s railway identification number, and beginning and ending mile points. (Word limit 5).

Yes No N/A

5. Would the project provide lighting at locations with nighttime crashes? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe the proposed lighting in the space provided. (Word limit 5).

Yes No N/A

6. Would the project implement an adopted Americans with Disabilities Act (ADA) transition plan? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe proposed ADA improvements in the space provided. (Word limit 5).

- Yes No Handicap Parking spot addition and hardening of existing parking spots

Part 9 - Environmental Conditions continued...

7. Is an Environmental Assessment for the project complete? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe any specific issues in the space provided. (Word limit 10).

Yes No N/A

8. Is the project adjacent to locally designated or National Register of Historic Places (NRHP) listed or eligible resources? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and list resources, indicate if the resources have received Florida Department of State Historic Preservation Grant funds, and explain any preservation agreements, covenants, or easements in the space provided. If applicable, select “unknown”. (Word limit 5).

Yes No Unknown N/A

9. Are there any archaeological sites or Native American sites located within or adjacent to the project boundary? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and list State Site Number (aka Site File Number) for the sites. If applicable, select “unknown”. (Word limit 5).

Yes No Unknown N/A

10. Are there any parks, recreation areas, or wildlife / waterfowl refuges within or adjacent to the project boundary? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and list the facilities in the space provided. (Word limit 5).

Yes No 3 city public parks all owned by the city of Key Colony Beach

11. Are there any navigable waterways adjacent to or within the project boundary? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and list the navigable waterways. (Word limit 5).

Yes No Vaca Cut Atlantic Ocean adjacent to Sunset Park

12. Are there any wetlands within or adjacent to the project limits? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe in the space provided. Include permit types required and any obtained for the project. (Word limit 5).

Yes No N/A

13. Is it likely that there are protected / endangered / threatened species and / or critical habitat impacts within the project limits? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe in the space provided. If applicable, select “unknown”. (Word limit 5).

Yes No Unknown N/A

14. Are there any potential contamination / hazardous waste areas within or adjacent to the project limits? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe in the space provided. If applicable, select “unknown”. (Word limit 5).

Yes No Unknown N/A

15. Are there any noise-sensitive areas near the project area? If not, select “no”, and indicate N/A in the space provided. If so, select “yes”, and describe in the space provided. If applicable, select “unknown” (Word limit 5).

Yes No Unknown N/A

REQUIRED UPLOAD for Infrastructure (not applicable for BI): ENVIRONMENTAL CONDITIONS SUPPORTING DOCUMENTATION (e.g., labeled photographs on maps depicting conditions, permits, copy of the entire study or environmental assessment, excerpt pages from adopted plans, etc.).

PART 10 – DESIGN / TYPICAL SECTIONS

Select the boxes describing the design status and complete the text fields. Then, upload supporting documentation. Applicants for NI proposals may skip the Design / Typical Section.

1. Are signed and sealed design plans available for this project?

Yes No

2. If design plans are not at 100 percent, or do not meet current standards and / or reflect existing conditions, select the box identifying the status. (Word limit 100).

No design plans 30% design plans 60% design plans 90% design plans

Other:

Proposed design plans with city staff developed. Dimensions of plans established, along with areas for improvements. Pictures and dimensions provided in PowerPoint presentation of proposals.

3. Briefly describe the design status in the space provided. If design is at 100 percent, indicate the date of the plans. (Word limit 100).

Design concepts identified for each area requested. Sketches completed with dimensions of proposals. Locations of parking spots and paths identified. Invasive species areas identified and length of removal needed for each areas. No formal engineering work started at this time of the request.

REQUIRED UPLOAD for Infrastructure (not applicable for NI): Typical Section(s) depicting existing and proposed features, dimensions, and ROW lines. If there are multiple segments, provide typical sections for each. If available, provide design plans.

PART 11 – OWNERSHIP / ROW STATUS

Select the boxes describing the Ownership / ROW Status and complete applicable text fields. Then, upload supporting documentation. Applicants for NI proposals may skip the Ownership / ROW Status section.

1. **Is ROW acquisition, defined as obtaining property not currently owned by the Local Agency through any means (e.g., deed, easement, dedication, donation, etc.), necessary to complete this project?**

Yes No

2. **Explain the ROW status (owned / fee simple, leased / less-than fee, and / or needs) along the project boundary, including when ROW was obtained and how ownership is documented (e.g., plats, deeds, prescriptions, certified surveys, transfers, easements). Provide information for verifying ownership (e.g., book / page number, transfer agreements, dates, etc.). If ROW acquisition is necessary before constructing the proposed project and / or the applicant agency is not the landowner, indicate the necessary coordination with other owners for all fee-simple purchases and / or any less-than fee / lease needs (including temporary construction and / or other easements and / or permits for drainage, railroad, utilities, etc.) necessary to secure ROW certification. Indicate the proposed acquisition timeline, expected funding source, the total number of parcels, type of acquisition, limitations on fund use or availability, and who will acquire and retain ownership of proposed land. (Word limit 150).**

All property areas included are owned and maintained by the City of Key Colony Beach. Are property included are within the public parks owned by the City of Key Colony Beach or within the right-of-way property limits of the City of Key Colony Beach.

REQUIRED UPLOAD for Infrastructure (not applicable for NI): OWNERSHIP / ROW STATUS SUPPORTING DOCUMENTATION

including applicable ROW Certification including ownership verification documenting site control and related landowner supporting documentation. Site control documents must include an adequate legal description of the parcel(s) comprising the project site, such that staff can compare it to the boundary map submitted with the application and evaluate whether there is control of the project site (e.g., ROW Certification, ROW maps, plats, warranty deeds, prescriptions, certified surveys, easements, use agreement, etc.). Maps should clearly show the location of each ownership in relation to the project boundary and / or limits. NOTE: provide map documentation on 8.5" x 11" scale. DO NOT provide reduced copies of original plats and or maps that cannot be read at scale. If applicable, an exhibit visually depicting the new ROW anticipated for the project, together with a spreadsheet providing the tax identification number(s) of each impacted parcel and the approximate size of the new acquisition area for each impacted parcel.

PART 12 – PROJECT IMPLEMENTATION AND COSTS

Complete either the Infrastructure Table Summary with the overall project programming (phases, schedule, and estimated costs for the proposed work) or the NI Cost Narrative Table. Then, upload supporting documentation.

Not all phase types may be eligible for TA funds, and not all areas prioritize all phases. Local agencies are responsible for covering all unanticipated cost increases, including but not limited to price inflation and increases in the cost of construction; account for them using local funds. FDOT does not allow programming TA funds for contingency costs. The local agency must have the ability to pay for non-participating costs (e.g., utility relocation). Chapter 337.14, F.S. prohibits an entity from performing both design services and construction engineering inspection services (CEI) for a project wholly or partially funded by the FDOT and administered by a local government entity.

REQUIRED UPLOAD: PROJECT IMPLEMENTATION AND COSTS SUPPORTING DOCUMENTATION.

- 1) Either provide a detailed engineer cost estimate if the project is designed or if the project has not been designed or is a NI project, provide a detailed opinion of probable costs (including all pay items and a timeline for deliverable). Utilize the FDOT Basis of Estimates Manual to develop a detailed estimate with FDOT pay items for construction phase estimates.
- 2) As applicable, letter from local agency budget office committing local funds to the project.

***** Note: Applications for NI Projects to skip to page 15.*****

Infrastructure Project Phases / Work Types	Select phase(s) included in this request	INFRASTRUCTURE Table Summary						
		Overall Project Programming (Cost Summary and Schedule)						
		Schedule (Month/Year)		Funding sources and costs (\$)				Total Cost Estimate (\$)
		Start (mm/yy)	End (mm/yy)	Federal Funds		Non-Federal / Local Funds		
TA Program (\$)	Other Federal (\$)			Non-TA/ Local Funds (\$)	Other (\$)			
Planning Development (Corridor or Feasibility)								
PD&E								
Preliminary Engineering / Design (PE)	✓	07/2029	11/2029	8,000.00	0.00	2,000.00	0.00	10,000.00
Environmental Assessment (associated with PE)	✓	07/2029	11/2029	0.00	0.00	0.00	0.00	0.00
Permits (associated with PE)	✓	07/2029	10/2029	1536.00	0.00	384.00	0.00	1920.00
ROW								
Construction	✓	01/2030	09/2030	67,040.00	0.00	16,760.00	0.00	83,800.00
CEI								
Other costs (describe)								
Total Infrastructure Project Cost Estimate								

Part 12 - Project Implementation and Costs continued...

***** Note: applications for infrastructure projects do not need to fill out this page*****

NI Cost Narrative Table

Below each item, explain how the item will support the program, and other appropriate details.

Budget Item	Requested Funds
Personnel Services	
(List titles and totals in first boxes below)	
In Narrative, include numbers of hours, hourly rates, who this person is, and whether it's a new position or new hours and duties added to an existing position.	
Narrative:	
Narrative:	
Narrative:	
Expenses	
Materials and Supplies:	
Educational items:	
Promotional Items:	
Other Expenses:	
Operating Capital Outlay	
Equipment:	
Total NI Project Cost Estimate	

RESOURCES

FDOT Transportation Alternatives Program:

<https://www.fdot.gov/planning/systems/systems-management/tap>

FDOT Local Agency Program Manual:

<http://www.fdot.gov/programmanagement/LP/Default.shtm>

FDOT Office of Environmental Management PD&E Manual:

<https://www.fdot.gov/environment/pubs/pdeman/pdeman-current>

FDOT Basis of Estimates Manual:

<https://www.fdot.gov/programmanagement/estimates/documents/basisofestimatesmanual/boemanual>

Florida Safe Routes to School Guidelines:

<https://www.fdot.gov/safety/2A-Programs/Safe-Routes.shtm>



TRANSPORTATION ALTERNATIVES PROGRAM CERTIFICATION OF PROJECT SPONSOR

PROJECT NAME: City of Key Colony Beach ADA and Safety Improvements for Public Parks and Paths, Invasive Species re

LOCATION: 600 West Ocean Drive, PO Box 510141, Key Colony Beach, Florida, 33051-0141

PROJECT LIMITS: (from south or west limit) West Ocean Drive and 12th Street within City of Key Colony Beach
(to north or east limit) 1st Street and East Ocean Drive within City of Key Colony Beach

By checking the box you agree to do the following:

- ✓ Enter into a maintenance agreement with the Florida Department of Transportation (FDOT), as necessary, prior to the design phase.
- ✓ Comply with the **Federal Uniform Relocation Assistance and Acquisition Policies Act** for any Right of Way actions required for the project.
- ✓ Provide any required funding match, incur any additional expenses beyond the approved project costs in the LAP agreement, and are responsible for any non-participating items (e.g. utility relocations).
- ✓ Pursue or retain LAP certification and enter into a LAP agreement with FDOT.
- ✓ Comply with NEPA process prior to construction, including any necessary involvement with the State Historic Preservation Officer (SHPO), and other State and/or Federal agencies, prior to construction.

I further certify that the estimated costs included herein are reasonable and agree to follow through on the project once programmed in the FDOT's Work Program. I fully understand that significant increases in these costs could cause the project to be removed from the FDOT's Work Program.

* Signature

Beth Ramsey-Vickrey

Tom Harding

Name (please type or print)

Mayor Pro-Tem/ Vice- Mayor

Secretary/Treasurer

Title

04De23

Date

* This should be executed by person who has signatory authority for sponsor and is authorized to obligate services and funds for that entity (generally chairman of the board or council).

City of Key Colony Beach

Wastewater Sampling Update for Concern Virus's –December 14, 2023

- ✓ An addendum will be provided on Monday December 11, 2023, for distribution, to include the latest updated health information provided by the weekly CDC and State of Florida reports that are released on Friday December 08, 2023.

City of Key Colony Beach

South Florida Water Management District (SFWMD) Resiliency Coordination Forum

✓ Feedback from 29No23 Meeting

○ Overview:

- Start of regular scheduled meetings to coordinate flooding resiliency forum with SFWMD partners.
- Includes representatives from FEMA, Florida Division of Emergency Management, U.S. Army Corps of Engineers, South Florida cities and special districts. Includes Broward, Miami-Dade, and Monroe Counties.
- The focus is to further develop flooding awareness from significant rain events and storms. Build education from sharing lessons learned from today's tools for flooding resiliency.
- The SFWMD and City speakers were very engaged and aware of the flooding risks. They are working actively on improvements for city-to-city communication, and execution of plans for flooding mitigation in risk areas. The speakers were very knowledgeable on all aspects of risk with flooding for their areas.

○ Summary of main meeting bullet points

- Fort Lauderdale area cities had two significant flooding events during 2023 not related to a major storm, with these events occurring from significant rain events over multiple days along with high tides and king tides occurring at the same time. Over 100 inches of rain occurred during the wet season.



South Florida Water Management District (SFWMD) Resiliency Coordination Forum

- A number of cities exhibited damage and considerable work to minimize damage and concerns to roads and residents. General agreement of too much water to move.
- Flooding in South Florida needs to be treated as an expected yearly event, and regular mitigation efforts need to continue and to be increased to limit damage to roads and properties. Strong acceptance of this as a team, with many specific examples cited.
- For awareness regular communication is sent out on the potential of new multiple day rain events, the King Tide season, and risks of high tide events from SFWMD.
- SFWMD is in final negotiations with United States Geological Survey (USGS) to collect data from Flood Gauges in channels, canals, etc. to improve the modeling methods flooding events with real time feedback.
- Discussions from several wastewater management managers of wastewater in-flows increasing by a factor of 3 during high rain events due to the excess groundwater. Agreement is a long-term goal to reduce groundwater leakages but difficult to fully eliminate leakages.
- Common tools are being utilized following lessons learned to deal with local flooding:
 - Vacuum trucks for clearing roads of excess water.
 - Pumping stations, both permanent stations and temporary – mobile trucks and pumps.
 - City to City communication of downstream water movement
 - Injection wells implementation
- Number of cities presented their long-term plans for future implementation:
 - Injection wells
 - Stormwater improvements
 - Permanent pumping stations
 - Elevation of roads and walkways
- **Open items to be worked:**
 - Improved proactive communication methods, especially with city-to-city communications on pumping details to avoid flooding other areas downstream.
 - Contamination of bays and local canals with pumping excess water.
 - Modeling improvements for proactive planning once a rain event is expected, and real time emergency management communications using the modeling feedback.
 - FEMA Community Disaster Resilience Zones, and improvement on location of zones and grant potential from FEMA (recent amendment to the Stafford Act).

South Florida Water Management District (SFWMD) Resiliency Coordination Forum

▪ Ideas for our local usage at Key Colony Beach:

- Forward planning with contracted resources for multi-day rain events during the typical wet season:
 - Pumping strategy consistent within FDEP rules? Proactive Plan.
 - Continue Stormwater plans, with focus on consistent problem areas. Continue to find and request grant funding.
 - Vacuum truck usage as needed? Proactive Plan.
- Continue communication to residents for expected King Tide events, and prediction from the National Weather Service on rain accumulation from significant rain events. Provide risk warnings of flooding events.
- Continue to support SFWMD regular meetings for awareness and lessons learned from other cities, Tom Harding to attend.
- Coordinate communication with our emergency partners, Monroe County Emergency Management, Marathon Fire, Monroe County Sheriff office, etc. Proactive planning.



West Ocean Drive 15No23



7th Street 16No23



Key Colony Beach 10th Street Stormwater work from 2022 as an example of proactive measures.

Copied from SFWMD Flood Control Webpage for Reference:

Resiliency Coordination Forum

The South Florida [Resiliency Coordination Forum](#) is a fact-finding forum to promote collaboration between the South Florida Water Management District, local, state, federal and tribal partners on water management initiatives related to resiliency; and engage partners on assessing the impacts of changing climate conditions and water management implications.

Preparing Year-Round

If you haven't lived in Florida for long, you may not know that our climate has two seasons: wet and dry. Flood and drought are frequent visitors, the result of too much or too little rain. In any year, drought can happen during the wet season, and flooding can occur when we least expect a downpour. Weather in South Florida has a way of ignoring the calendar and expectations of "normal."

A Shared Responsibility

The South Florida Water Management District operates and maintains the regional water management system known as the Central and Southern Florida Project, which was authorized by Congress more than 60 years ago to protect residents and businesses from floods and droughts. This primary system of canals and natural waterways connects to community drainage districts and hundreds of smaller neighborhood systems to effectively manage floodwaters during heavy rain.

As a result of this interconnected drainage system, flood control in South Florida is a shared responsibility between the District, county and city governments, local drainage districts, homeowners' associations, and residents.

Significant amount of shared information on the Flood Control webpage, SFWMD:

<https://www.sfwmd.gov/our-work/flood-control>

Proposed Revisions to
Resolution No. 2023-01: Rules of Procedures for Volunteer/Advisory Boards

1. Section 2. Para A. Sixth sentence. Change to read:
 - a. "Workshops shall be held as deemed appropriate by the Board."
2. Section 2. Para H. Last sentence. Change to read:
 - a. "Board members may participate via virtual attendance."
3. Section 2. Para J. Change first sentence to read:
 - a. "Individuals may serve on no more than two Boards."
 - b. Delete the last sentence.
4. Section 2. Para K. Change to read:
 - a. "Board members are required to be trained in accordance with Florida Statutes."
5. Section 2 Para L. Second sentence. Change to read:
 - a. "The Chair must enforce the rules of procedure."
 - b. Delete the third sentence.
6. Section 2. Para N. Delete the second, third, fourth and fifth sentences.
7. Section 2 Para O. First sentence:
 - a. Change "Boards" to "Board Chairs"
 - b. Last sentence':
 - c. Change to read:
 - d. " Chairs may make an in-person report to the City Commission."
8. Section 2 Para P. Add:
 - a. "Annually, at the time of preparation of the city budget, the Board shall present to the city commission its proposed annual income and expenses. Approved budgeted expenses may be spent without additional city commission approval. Any expenditure to be made, not included in the budget, shall be submitted in advance to the city commission for its approval."
9. Section 2 Para Q. Change to read:
 - a. "Purchasing shall be in accordance with City Code."

RESOLUTION NO. 2023-01

**A RESOLUTION BY THE CITY OF KEY COLONY BEACH,
FLORIDA, ADOPTING RULES OF PROCEDURE FOR VOLUNTEER
ADVISORY BOARDS AND COMMITTEES.**

WHEREAS, the City of Key Colony Beach, Florida (hereinafter "City") desires uniform procedures to provide guidance and structure to City volunteer/advisory boards (hereinafter "Boards"); and

WHEREAS, the City Commission of the City of Key Colony Beach (the "City Commission") finds rules of procedure promotes efficiency with regard to conducting official business of the City; and

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

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

Section 1. The above recitations are hereby adopted and incorporated herein.

Section 2. This Resolution creates new Rules of Procedure to provide as follows:

- A. **Meetings:** All meetings of the Boards shall be held in accordance with the provisions of Florida Statutes. The public shall at all times be afforded access to all meetings. All business of the Boards shall take place at noticed Board meetings. Board meeting dates for the following year shall be placed on the agenda at the next scheduled meeting immediately following the City Commission organizational meeting (or the following meeting if said meeting is cancelled). Board meeting schedule may only be modified by a majority vote of the Board. Workshops, and special meetings, are not available to Boards unless required by law or approved by the City Commission. If considered urgent and necessitates immediate action, a special meeting requested by a Board may be approved by the Mayor and the notice and Board minutes shall reflect the reason for the special meeting. For purposes of this section, meetings shall be defined as a formal meeting at which official acts are to be taken; workshops shall be defined as an informal meeting with no formal action taken; special meetings shall be defined as a meeting that is urgent and demands immediate action to protect the community, residents, or property.
- B. **Notice:** Except in the case of special meetings, the City Clerk shall provide notice of meetings, hearings, and workshops no less than seven (7) days before the event. Notice for special meetings shall be given at least 24 hours before the meeting. Notice shall include a statement of the general subject matter to be considered.
- C. **Commencement of Board Meetings:** Meetings of the Boards shall commence as noticed by the city clerk pursuant to the schedule submitted by each Board, except if a meeting date shall fall on a legal holiday or during a state of emergency, then the meeting date shall be canceled.

- D. **Attendance:** Pursuant to City Code, as may be amended from time to time, if any member fails to attend two (2) of three (3) successive meetings without cause and without prior approval of the chairman, the board shall declare the member's office vacant, and the city commission shall promptly fill such vacancy. In the event of a vacancy created other than by the expiration of a term, the city commission shall appoint a person to serve for the remainder of the unexpired term.
- E. **Agenda Item Submission and Deadline:** The City Clerk or designee, with the advice of the Chair, shall prepare an agenda of subjects to be discussed for each meeting. Agenda items must be submitted at least seven (7) business days prior to publication date. Agenda items may also be added to the agenda by majority vote of the Board during a public meeting.
- F. **Preparation and Approval of Minutes:** Minutes shall be taken at all meetings. Minutes must be approved before they can be considered as an official record of the City. A copy of the minutes from the previous meeting shall be distributed to the board members at least one (1) business day before the following meeting. The minutes of the previous meeting shall be corrected and approved by the board members at the beginning of each meeting. A majority vote is required for approval. Conflicts regarding the content of the minutes shall be decided by majority vote.
- G. **Quorum:** A quorum must be present for conducting Board meetings. Unless otherwise required by Code, a quorum is a majority of the board members. It is the duty of the Chair to enforce this rule. If, during the course of a meeting, a board member leaves and a quorum no longer exists, the meeting cannot continue.
- H. **Voting (Majority):** Passage of a motion shall require the affirmative vote of a majority of board members present and voting at a meeting at which a quorum is present. Board members attending virtually may participate in discussion but shall not vote.
- I. **Abstentions:** A board member shall vote on all motions unless there exists a conflict of interest which would prevent that board member from making a decision in a fair and legal manner in accordance with applicable law. If a conflict of interest does exist, the board member shall explain for the record the decision to abstain on any vote and file a statement with the City Clerk per Florida Statutes.
- J. **Board Members:** Individual Board members can apply and serve on one (1) Advisory Board (Code Enforcement, Planning and Zoning, Utility) and may be an alternate on (1) Community Board (Beautification and Recreation). In the application process, applicants shall advise the City Commission of their preference by selecting their preferred Board in ranking order (i.e., 1, 2, and 3). Board members currently serving on multiple Boards shall advise the City Clerk of his or her Board preference to be considered by the City Commission for reappointment at the next available City Commission meeting.
- K. **Board Member Training:** Appointed Board members are required to annually take an in person up to 4-hour training course related to Florida Statutes and the Chair is required to take an additional in person up to 1-hour training related to Chair duties.
- L. **Chair:** The Chair is responsible for the orderly conduct of the meeting. To fulfill this duty, the Chair must enforce the rules of procedure that are adopted by the City Commission. The Chair shall be impartial and conduct the meetings in a fair manner. The chair may introduce motions and second any motion.
- M. **Vice-Chair:** The Vice-Chair shall fulfill the duties of the Chair if the chair is not in attendance.
- N. **Decorum:** All board members must conduct themselves in a professional and respectful manner. All remarks should be directed to the chair and not to individual board members, staff, or citizens in attendance. Personal remarks are inappropriate. A board member is not allowed to speak at a meeting until being recognized by the chair. All comments made by a chair shall address the agenda item that is being discussed. The Chair shall enforce these rules of decorum. If a board member

believes that a rule has been broken, a point of order can be raised. A second is not required. The chair can rule on the question or allow the board members to debate the issue and decide the issue by a majority vote.

- O. **Reports to the City Commission:** Boards may submit reports to the city clerk for inclusion on the City Commission agenda. Reports shall be submitted at least seven (7) business days prior to the City Commission meeting. All reports to be submitted to the City Commission shall be approved by a majority vote of the board members prior to submission.
- P. **Budget:** Boards provided with a budget by the City shall submit their budget, including backup information and material, to the City Administrator by June 1st each year.
- Q. **Purchasing:** Boards, provided with a budget, shall discuss required items during the organizational meeting and provide the City Administrator with a list of items requested for purchase. In accordance with City Code, purchasing items in the amount of \$500.00 - \$5,000 requires three (3) quotes, unless reviewed and approved by City Attorney to determine if less than three (3) quotes are legally sufficient, to be submitted to the City Administrator for review and approval determination. Purchasing items under \$500.00 are to be submitted to the City Administrator for review and approval determination. For purchasing items over \$5,000, City Commission approval is required.
- R. **Rules of Procedure:** This Rules of Procedure for Voluntary/Advisory Boards Resolution shall supersede Robert' s Rules of Order on any subject specifically addressed herein; however, on any matters not specifically addressed by this Resolution, Robert' s Rules of Order shall prevail to the extent possible.

Section 3. The City Clerk is authorized to record this Resolution in the appropriate record book upon its adoption.

Section 4. If any clause, section, or other part of this Resolution shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

Section 5. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This Resolution shall become effective immediately upon adoption.

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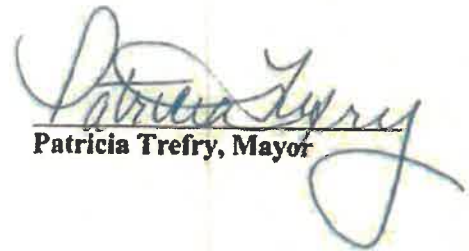
PASSED AND ADOPTED by the Key Colony Beach City Commission, at its regular meeting of the City held on January 19th, 2023.

AYES: Ramsay-Vickrey, Harding, Foster, Raspe, Trefry.

NOES: None.

ABSENT: None.


ABSTAIN: None.


Patricia Trefry, Mayor


Silvia Gransee, City Clerk



Approved as to form and legal sufficiency:


Dirk Smits, City Attorney

Proposed Commission Meeting Changes

- 1. Include a citizen comment period at the beginning and at the end of each meeting to allow citizens to react to what they heard during the meeting. Allow responses from Commissioners and/or staff if appropriate.**
- 2. Have the Mayor allow comments of more than three minutes without having to obtain Commission approval.**
- 3. Allow Commissioner participation via Zoom (or an equivalent system)**
- 4. Have Department Heads appear in person and address:**
 - a. Accomplishments**
 - b. Challenges**
 - c. Opportunities**
- 5. Have Citizen Board and Committee Chairs (or representatives) appear in person to address:**
 - a. Accomplishments**
 - b. Challenges**
 - c. Opportunities**
- 6. During the winter season, November through April, have two meetings per month; one meeting per month May through October - or alternatively hold monthly City Commission Workshops to allow Commissioners discuss ongoing city business during a public meeting.**