

# **AGENDA**

## **KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING**

Thursday, February 16, 2023 – 09:35 a.m. OR at the end of the Public Hearing

City Hall Annex & Virtually via Zoom Conferencing

<https://us02web.zoom.us/j/83991329182> - Meeting ID: 839 9132 9182

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

### ***2. Agenda Additions, Changes & Deletions***

### ***3. Special Request***

- a. St. Patrick's Day Parade – Jack Crowley*

### ***4. Citizen Comments and Correspondence***

*(Members of the public may speak for three minutes and may only speak once unless waived by a majority vote of the commission)*

### ***5. Approval of Minutes***

- a. 01-18-2023 Regular Meeting & Public Hearing Minutes – Pgs. 1-14*

### ***6. Committee and Department Reports***

- a. Marathon Fire/EMS – Marathon Fire Chief*
- 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 Report – Sandy Bachman*
- h. Code Enforcement Board – no report*
- i. Planning & Zoning Board – George Lancaster*
- j. Recreation – no report*
- k. Utility Board Report – no report*

### ***7. Items for Discussion/Approval***

- a. Discussion/Approval on Recommendation by the Utility Board to approve the Raftelis Wastewater Rate Study in the amount of \$29,445.00.*
  - i. Agreement – Pgs. 15-27*
  - ii. Utility Board Meeting Minutes January 17<sup>th</sup>, 2023 – Pgs. 28-31*
- b. Cure prior Motion on Approval of a 60,000 lb. Boat Lift Installation at 1 Sadowski Causeway*
  - i. Permit application & supporting documents – Pgs. 32-50*
  - ii. Explanation of weight capacity disparities – Pg. 51*

- c. *Discussion on open Board/Committee Positions and implementation of new Advisory Board & Committee Application*
  - i. *Current City Officials List – Pg. 52*
  - ii. *Draft Advisory Board & Volunteer Committee Application – Pgs. 53-61*
- d. *Discussion/Approval of Appointment of current alternate member Jo Corso as a full member to the Beautification Committee (2-year term)*
- e. *Discussion/Approval of Appointment of current alternate member Doug Cuje as a full member to the Code Enforcement Board (3-year term)*
- f. *Discussion/Approval of Appointment of current alternate member Pete Diez as a full member to the Code Enforcement Board (3-year term)*
- g. *Discussion/Approval of Re-Appointment of Greg Burke as a full member to the Beautification Committee (2-year term)*
- h. *Discussion/Approval of Re-Appointment of George Lancaster as a full member to the Planning & Zoning Board (2-year term)*
- i. *Discussion/Approval of Re-Appointment of Tom DiFransico as a full member to the Planning & Zoning Board (2-year term)*
- j. *Discussion/Approval of Re-Appointment of Kimmeron Lisle as a full member to the Code Enforcement Board (3-year term)*
- k. *Discussion/Approval of Recommendation by the Planning & Zoning Board for pool side setback requirements changes in the R2B zone.*
  - i. *Letter of Recommendation by the Planning & Zoning Board – Pg. 62*
  - ii. *Current zoning setbacks – Pgs. 63-72*
- l. *Discussion/Approval of artwork for the purchase of banners by the Beautification Committee. - Pg. 73*
- m. *Discussion/Approval of Project Manager for current 10<sup>th</sup> Street Stormwater Project*
- n. *Discussion on Sunset of Ordinance No. 2022-479: An Ordinance of the City of Key Colony Beach, Florida, amending Chapter 2, Article VII, Sections 2-86-2-88, and 2-93 of the Code of Ordinances of the City of Key Colony Beach related to meetings of the City Commission, providing for the repeal of all ordinances or parts thereof found to be in conflict, providing for severability, repeal, and codification, providing for inclusion in the code of ordinances and providing for an effective date. – Pgs. 74-77*

## **8. City Administrator Items for Discussion**

- a. *City Hall Update*

- i. LiVS Update
- ii. Post Office Update
- iii. Key Colony Inn Update
- vi. Question on flood insurance on vacant building
- b. Stormwater Project Update
  - i. Update by Jason Shepler – **Pg. 78**
- c. 2023 Personnel Manual & Policies – **Pgs. 79-118**
- d. Sunset Park Trimming Update
- e. Approval of Annual 7-meter KCB Bridge Run
- f. Introduction to the Smart City Concept – Fiber Optic Services for Key Colony Beach

## **9. Secretary-Treasurer's Report**

- a. January Financial Report – **Pgs. 119-121**
- b. Discussion/Approval of Warrant No. 0123 in the amount of \$663,571.66 – **Pg. 122**

## **10. City Attorney's Report**

- a. Upcoming required Advisory Board & Volunteer Committee Training set tentatively for March 13<sup>th</sup>, 10:00 am – 2:00 pm.
- b. Key Colony Beach Review & Update on Sec.17-1 Traffic Regulations
  - i. Current regulations – **Pg. 123**
  - ii. Proposed updated regulations – **Pgs. 124-125**
  - iii. Proposed HB-597 to take effect July 1, 2023. – **Pgs. 126-129**

## **11. Ordinances & Resolutions**

### **a. First Reading of Ordinance No. 2023-481:**

*Ordinance No. 2023-481: An Ordinance of the City of Key Colony Beach, Florida, amending Chapter2, Article VII, Sections 2-86, 2-88, and 2-93, of the Code of Ordinances of the City of Key Colony Beach related to meetings of the City Commission; providing for the repeal of all ordinances or parts thereof found to be in conflict; providing for inclusion in the Code of Ordinances and providing for an effective date. – **Pgs. 130-133***

## **12. Commissioner's Reports & Comments**

- a. Mayor Trefry: Update on City Commission Conference Travels – **Pg. 134**

## **13. Adjournment**

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The City of Key Colony Beach is inviting you to a scheduled Zoom meeting.  
This meeting will be held in person at City Hall Annex, 600 W. Ocean Dr., Key Colony Beach, and via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/83991329182>

Meeting ID: 839 9132 9182

One tap mobile

+13052241968,,83991329182# US

+16469313860,,83991329182# US

Find your local number: <https://us02web.zoom.us/j/83991329182>

# **MINUTES**

## **KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING**

Thursday, January 19, 2023 – 09:30 a.m.

City Hall Annex & Virtually via Zoom Conferencing

**1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** Mayor Trefry called the Regular City Commission Meeting of Key Colony Beach to order at 9:30 am. **Present:** Vice-Mayor Ramsay-Vickrey, Commissioner Harding, Commissioner Foster, Commissioner Raspe, Mayor Trefry. **Also Present:** City Administrator Dave Turner, City Clerk Silvia Gransee, Building Official Lenny Leggett, Police Chief Kris DiGiovanni, City Attorney Dirk Smits, Code Enforcement Officer Barry Goldman, Public Works Department Head Mike Guarino, Police Officer John Buckwalter, Fire Deputy Mike Card, Building Assistant Trish McLeod.  
**Public Attendance: 34**  
**Zoom Attendance: 24**

**2. Agenda Additions, Changes & Deletions:** None

**3. Special Request:** None.

**4. Citizen Comments and Correspondence:** Mayor Trefry asked for citizen comments from the audience. The following residents gave comments:

Constance Foster 54 7<sup>th</sup> Street - comments regarding building heights

Sandy Bachman 171 8<sup>th</sup> Street – comments regarding Marble Hall, City Hall, and Advisory Board Resolution

Tom DiFransico 171 8<sup>th</sup> Street – comments regarding meeting times, City Hall, inspection fees

Shawn Malinowski 43 Sadowski – comments regarding building heights

Judi Virost 7<sup>th</sup> street – comments regarding building heights

Joanne Stewart KCB Point No. 1 and 36 7<sup>th</sup> Street – comments regarding Sunset Park Maintenance and Trimming

Mayor Trefry asked the City Attorney and City Administrator to review the issue regarding Sunset Park Maintenance. Commissioner Harding gave his thoughts on the matter and suggested to hire an arborist for direction. Brief conversation followed on endangered species at Sunset Park and the possible need for an environmentalist. Commissioner Harding further talked on the expectations from the arborist to which Joanne Stewart agreed.

Citizen comments continued.

Andrea Felton 36 7<sup>th</sup> Street – comments regarding building heights

Tim Husel 680 9<sup>th</sup> Street – comments regarding building heights

*Marilyn Avery 79 7<sup>th</sup> street – comments regarding building heights  
Kirk Field 171 10<sup>th</sup> Street – comments regarding the 10<sup>th</sup> Street Stormwater Project  
Susan Antonio 491 10<sup>th</sup> Street – comments regarding the 10<sup>th</sup> Street Stormwater Project  
Bill Fahs 521 10<sup>th</sup> Street – comments regarding the 10<sup>th</sup> Street Stormwater Project*

*Mayor Trefry asked to continue with resident's comments and to come back to the Stormwater Project after citizen comments concluded. The Commission agreed.*

*Gail (no last name) 411 10<sup>th</sup> Street – comments regarding the Stormwater Project  
Janie Byland 72 7<sup>th</sup> Street – comments regarding stormwater drainage on 7<sup>th</sup> Street  
Ron Foster 54 7<sup>th</sup> Street – comments regarding building heights*

### **Zoom Public Comments**

*Linda Perez 28 Sadowski Causeway – comments regarding building heights  
Kristin Livingood 14 Sadowski Causeway – comments regarding building heights  
Paul Savage – Representative of 711 W. Ocean drive – comments regarding building heights*

*There were no further citizen comments. Mayor Trefry thanked everyone for their comments.*

*The Commission agreed upon discussing the 10<sup>th</sup> Street Stormwater Project.*

*Commissioner Harding asked Building Official Leggett for details on the 10<sup>th</sup> Street Project on specifics of drainage pipes and the need for replacement. Building Official Leggett gave information on previous Building Officials decisions, pipe materials, and elevations for sloping of pipes. Further discussion followed on prior decisions, usage of pipes and the right pitch. Commissioner Foster informed of talking to the engineer and gave his knowledge on the issue. Commissioner Harding suggested for review of specific addresses with Jason Shepler of Mittauer Engineering. City Administrator Turner agreed.*

*The Commission agreed to move item 12 a. for discussion now.*

*Commissioner Raspe gave his thoughts on honoring previous agreements with residents and to stand behind former employee's decisions.*

*Commissioner Harding suggested waiting on feedback from Jason Shepler and gave his opinions on reimbursements.*

*Vice-Mayor Ramsay-Vickrey agreed with Commissioner Harding and gave her thoughts on the topic.*

*Commissioner Foster stated his thoughts on engaging the engineer to solve issues concern engineering questions.*

*Mayor Trefry asked City Administrator Turner for a list of property addresses in question and asked if a meeting was necessary with Jason Shepler. Commissioner Harding suggested to wait for a status update from Jason Shepler.*

*City Clerk Gransee reported on citizen correspondence received. The Commission had no questions.*

## **5. Approval of Minutes**

*Mayor Trefry accepted the minutes from the December 1<sup>st</sup> Organizational, Public, and Regular Meetings, as well as the December 12, 2022, and January 9<sup>th</sup>, 2023, Townhall Meetings.*

**6. Committee and Department Reports:** *Mayor Trefry asked the Commission for questions on staff reports.*

- a. Marathon Fire/EMS – Marathon Fire Chief*
- 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 Report – submitted.*
- h. Code Enforcement Board – none.*
- i. Planning & Zoning Board – none.*
- j. Recreation – none.*
- k. Utility Board Report – none.*

*Mayor Trefry thanked the Chief for his report and asked him on the issue of incidents at Sunset Park. Chief DiGiovanni explained the ongoing situation and stated that his officers are aware of the situation.*

*Commissioner Harding complimented on the police presence at Sunset Park. Commissioner Raspe agreed.*

*Chief DiGiovanni commented on the survey in the back of the report and gave updates on the accreditation and Lexipol.*

*Commissioner Harding stated support for travel for certification and commented on the importance of recruiting.*

*Commissioner Foster thanked Chief DiGiovanni for the report and Mayor Trefry for supporting it. Commissioner Foster further asked Chief DiGiovanni for any additional needs. The Chief explained that he will discuss needs with the Administrator but will let the Commissioner know if any. Commissioner Harding suggested to put it in next month's report.*

*Mayor Trefry asked for any additional questions for staff.*

*Mayor Trefry recalled prior experiences on providing needed materials for the Police Department.*

*Commissioner Harding thanked Building Official Leggett for his report and asked about the number of building permits issued and amount of workload. Commissioner Harding asked if there is a need for online training for Citizenserve for citizens or contractors. Building Official Leggett stated good progress.*

*Commissioner Harding asked for special focus on open commercial licenses and asked for a summary for the following month. Code Enforcement Officer Goldman explained the current status on inspections. Administrative Assistant McLeod explained the process and current standing. Commissioner Harding asked for a list of open licenses for the next meeting.*

*Commissioner Foster commented on the sewer inspections that are due this year and asked for a prod for owners to be reminded. City Administrator Turner stated that Utility Clerk has sent reminders and communications but stated that an additional reminder can be sent. Commissioner Harding stated a reminder is good for residents. Discussion followed on difficulties obtaining plumbers to complete sewer inspections.*

*City Administrator Turner stated another communication will be sent out.*

*Vice-Mayor Ramsay-Vickrey thanked Chief DiGiovanni for his report and his attention to detail.*

*Mayor Trefry stated she likes the format of staff reports and asked fellow Commissioners on opinions.*

*Vice-Mayor Ramsay-Vickrey stated she likes current format. Commissioner Foster and Raspe agreed.*

*Fire Chief Mike Card gave the report for Marathon Fire EMS. The Chief reported 5 fire incidences, 3 hazardous conditions, 15 service calls, 14 good intents, 81 EMS calls, 61 inter-facility transports for a total of 201 calls for the last month. Chief Card gave further updates on prior year's numbers. The Fire Chief reported on the Wounded Warrior Program with 75 participants and stated it was an amazing event. The Commission had no questions and thanked the Chief for his report.*

## ***7. Items for Discussion/Approval***

### ***a. Discussion/Approval: Appointment of Cindy Catto to the Recreation Committee as an Alternate Member***

*Mayor Trefry asked for a motion to appoint Cindy Catto as an alternate member to the Recreation Committee.*

***MOTION:*** *Motion made by Vice-Mayor Ramsay-Vickrey, seconded by Commissioner Foster, to appoint Cindy Catto to the Recreation Committee as an alternate member.*

***DISCUSSION:*** *None*

***ON THE MOTION:*** *Rollcall vote. Unanimous approval.*

***b. Discussion/Approval: Appointment of Jo Corso to the Beautification Board as an Alternate Member***

*Mayor Trefry asked for a motion to appoint Jo Corso as an alternate member to the Beautification Committee.*

***MOTION:*** *Motion made by Vice-Mayor Ramsay-Vickrey, seconded by Commissioner Raspe, to appoint Jo Corso to the Beautification Committee as an alternate member.*

***DISCUSSION:*** *None*

***ON THE MOTION:*** *Rollcall vote. Unanimous approval.*

***c. Discussion/Approval: Appointment of Pedro Diez to the Code Enforcement Board as an Alternate Member***

*Mayor Trefry asked for a motion to appoint Pedro Diez as an alternate member to the Code Enforcement Board.*

***MOTION:*** *Motion made by Vice-Mayor Ramsay-Vickrey, seconded by Commissioner Foster, to appoint Pedro Diez as an alternate member to the Code Enforcement Board.*

***DISCUSSION:*** *Commissioner Foster asked if the appointee lives in the city which was confirmed. There was no further discussion.*

***ON THE MOTION:*** *Rollcall vote. Unanimous approval.*

***d. Discussion/Approval: Appointment of Douglas Cuje to the Code Enforcement Board as an Alternate Member.***

*Mr. Douglas Cuje addressed the City Commission and gave history on residence and work experience.*

*Mayor Trefry asked for a motion for Douglas Cuje's appointment.*

***MOTION:*** *Motion made by Vice-Mayor Ramsay-Vickrey, seconded by Commissioner Foster, to appoint Douglas Cuje as an alternate member to the Code Enforcement Board.*

***DISCUSSION:*** *None*

***ON THE MOTION:*** *Rollcall vote. Unanimous approval.*

***e. Discussion/Approval of a 30,000 lb. Boat Lift Installation at 1 Sadowski Causeway***

*Building Official Leggett addressed the Commission and reported on the request for a 30,000-pound boat lift approval. The Building Official reported that the permit has not been issued and is pending Commission approval.*



*Mayor Trefry asked for a motion to approve or deny the 60,000-pound boat lift.*

**MOTION:** *Motion made by Commissioner Foster, seconded by Commissioner Raspe, to approve the boat lift.*

**DISCUSSION:** *Discussion followed on the actual weight of the boatlift.*

*Commissioner Harding commented on current ordinances on boat lifts and associated costs for variances. Commissioner Harding recommended updating the ordinance and lift limit to 41,000 pounds and below. Mayor Trefry stated inclination with Commissioner Harding. Commissioner Raspe stated his belief that the current threshold was just increased and also that boat lifts do not go through the Planning & Zoning Board. Commissioner Foster agreed. Mayor Trefry stated inclination to a 30,000-pound boat lift. Commissioner Harding suggested raising the limit to over 30,000 pounds from history of boat lift approvals. City Administrator Turner stated this will be addressed further under his report.*

**ON THE MOTION:** *Rollcall vote. Unanimous approval.*

***f. Discussion/Approval of Static Screen Replacement Quote by Reynolds Construction:***

*City Administrator Turner reported on the proposal and recommended approval by the City Commission.*

*Mayor Trefry asked for a motion.*

**MOTION:** *Motion made by Commissioner Harding, seconded by Commissioner Foster, to approve the quote by Reynolds Construction in the amount of \$141,950.00.*

**DISCUSSION:** *Commissioner Foster asked who the company is who will do the pick plan for the crane which City Administrator stated his belief to be Mittauer. City Administrator Turner stated he will ask if they will be on site or remote. Commissioner Foster asked for the marine certifications and pick plan to be verified and current. The City Administrator agreed. Commissioner Harding asked for the engineering drawings for the plant to be updated for documentation and commented on receiving only one bid for the project. City Administrator Turner further explained the bidding process through Demand Star. Commissioner Raspe asked about maintenance on the screen which was answered that it will be done by US Water.*

**ON THE MOTION:** *Rollcall vote. Unanimous approval.*

***g. Discussion on Travel to the 'Florida Keys Days' February 22, 2023, and 'Legislative Action Days' April 3-5, 2023, both to be held in Tallahassee.***

*Mayor Trefry reported on the agenda item and stated estimated costs for Commissioners to attend the meetings. The Commission discussed which Commissioners are interested in attending the upcoming events. Commissioner Harding suggested for financial prudence that the Florida League of Cities in September is a good event but suggested fewer Commission members in attendance. Commissioner Harding gave further thoughts on attendance and*

comparisons to Monroe County and the City of Marathon. Mayor Trefry agreed and gave further thoughts. The Commission further discussed Commissioner attendance of different conferences. Vice-Mayor Ramsay-Vickrey gave her thoughts on the purpose of each conference and which ones are most beneficial to attend. Mayor Trefry gave further input on the Legislative Action Days conference. Commissioner Foster stated his interest of attending conferences when available. Mayor Trefry suggested for all Commissioners to indicate via email what conferences they would like to attend and recalled previous year's experiences compared to this year. City Attorney Smits recommended posting to the website which Commissioners will be attending the conferences. Brief discussion followed on the dates of the Florida League of Cities conference. The Commission agreed for the City Clerk to send out a spreadsheet with dates to all Commissioners to indicate which conference each would like to attend.

City Administrator Turner gave further insight on Florida Keys Days and differences on conferences.

Mayor Trefry asked if more information was available on the Florida Keys Days. City Administrator Turner stated that not a lot of details are available yet and explained the process of the event.

#### ***h. Discussion/Approval on the hiring of Project Managers for current and future City projects***

City Administrator Turner explained the reasoning behind his request for a project manager. Commissioner Raspe stated understanding the City Administrator and the hiring of a project manager to be a good idea.

Vice-Mayor Ramsay-Vickrey agreed with Commissioner Raspe and stated that many projects are coming and asked which projects the manager would be responsible for. City Administrator Turner gave his thoughts on different projects. Vice-Mayor Ramsay-Vickrey stated the Commission's responsibility on creating policy and law and for the City Administrator to implement. Vice-Mayor Ramsay-Vickrey expressed her support to hire an outside project manager.

Commissioner Harding recalled bringing up the topic a year ago and voiced support for hiring a project manager. Commissioner Harding further explained differences between minor and major projects and the need for a manager. Discussion followed on the need for a quote or RFQ and having an engineering firm under contract. Commissioner Harding asked for City Administrator Turner to reach out to the engineering group and to see what help is needed.

Commissioner Foster agreed with Commissioner Harding on the City Hall project and gave his thoughts on smaller jobs and skill requirements to be handled in house. Commissioner Foster stated his willingness to help with the project like prior Commissioner Sutton. Commissioner Foster gave further thoughts on the need to be able to make decisions and asked for the current job on 10<sup>th</sup> Street to be finished, and then 11<sup>th</sup> Street can be revisited. Commissioner Foster continued saying that a project manager is needed for City Hall and the importance of making decisions with a contractor. Mayor Trefry agreed with the need for a Project Manager for City Hall and hopes to have issues settled with 10<sup>th</sup> Street. Mayor

*Trefry gave her thoughts on Commissioner Sutton's prior involvement and stated that the Commission sets policy and does not implement it. Brief discussion followed on the K2M engineering firm.*

*Mayor Trefry stated that the Utility Board recommended unanimously to hire a Project manager for 10<sup>th</sup> Street and asked about funding for the manager. City Administrator Turner stated that this will have to be researched. Further discussion followed on the need for first knowing funding, responsibilities, purchasing authorities, and K2M approved spending limits.*

*Mayor Trefry asked if a resolution can be made on ongoing issues on 10<sup>th</sup> Street. City Administrator Turner explained the current difficulties with the project.*

*Commissioner Foster offered his assistance to complete the current project and that the idea of a project manager for 11<sup>th</sup> Street can be re-visited after. City Attorney Smits advised caution for spending money on private property and asked for plans to be reviewed by legal first. A brief discussion followed.*

*Commissioner Raspe expressed safety concerns on 10<sup>th</sup> street due to open trenches and unpaved roads. Vice-Mayor Ramsay-Vickrey raised the question on liability concerns on Commissioners taking on roles as project managers. Mayor Trefry asked Building Official Leggett on his ability to dedicate hours to the project. Building Official Leggett stated he is able to spend about 1 to 1.5 hours a day on the project.*

*Mayor Trefry asked for a motion to approve or deny a project manager for the 10<sup>th</sup> Street project. City Attorney Smits stated that the topic can also be postponed. The Commission agreed to postpone to the next regular meeting.*

*Commissioner Harding asked for City Hall staff to start working with the Engineering Firm K2M on work assignments they can assist with. City Administrator Turner agreed.*

## **8. City Administrator Items for Discussion**

### **a. City Hall Update**

*City Administrator Turner reported that drawings were approved and are ready for bid. City Administrator Turner asked for directions on moving forward. Commissioner Harding stated City Hall to be a major project and supported using LIVS to go forward. City Administrator Turner stated that this would need direction as the City is already under contract with them.*

*City Administrator Turner continued by answering previous residents' questions on the footprint of the City Hall building and moving the building back due to flood zones. City Administrator Turner gave further updates on the Post Office and stated an anticipated update next week. City Administrator Turner continued talking on building changes of the tower due to staying within the building code and insurance requirements.*

*The City Administrator explained what changes were made within the building and that no changes were made to Marble Hall. City Administrator Turner explained changes made to the outside of the building and the possibility of venue space. City Administrator Turner*

*confirmed that the kitchen size was not changed. Mayor Trefry recalled being on the original workshops for the design of Marble Hall and explained that no design changes were made since the final vote on the design.*

*City Administrator Turner gave further insight on the design of the building as did Mayor Trefry. A brief discussion followed on the size of the original Marble Hall compared to the new design. Commissioner Harding suggested to ask Tony Rosabul of LIVS for the fire allowance for Marble Hall for comparison. The Commission briefly discussed the topic on fire allowances.*

*City Administrator Turner reported that the playground equipment for 7<sup>th</sup> Street arrived and is waiting on install date. City Administrator Turner continued saying that Public Works Department Head Guarino is certified on playgrounds and will be refurbishing the swing set. The City Administrator gave further details on upgrades to the playground as well updates on the bathroom refurbishing, bocce court, horseshoe, and basketball courts. The City Administrator further reported that the new playground will be ADA compliant.*

*Commissioner Harding asked on the 1<sup>st</sup> Street playground shade which City Administrator Turner explained that a grant was submitted and it will be known in April if awarded. City Administrator Turner gave further insight on possible shade structures.*

*City Administrator Turner reported on the need for the City Charter and Code of Ordinances to be updated and reported the Vice-Mayor stating interests to start working with legal on an update. Commissioner Harding asked for an estimate from legal prior to starting. City Administrator Turner agreed.*

*City Administrator Turner further reported on the upcoming meeting in Tallahassee and it was clarified that the meeting does not interfere with the next Commission meeting.*

*City Administrator Turner reported on switching the Dental insurance for staff to FMIT.*

*City Administrator Turner reported on increased Law Enforcement activity and reported on approving the City's facilities for use. City Administrator Turner updated on increased activity in the future in the Keys. City Administrator Turner clarified the use of the docking facility, use of water hose, use of bathroom in the City Hall Annex, and purpose of their presence. The City Administrator confirmed base camp behind Marathon City Hall and specific use of the City's facilities.*

***b. Report on Pickleball Court Sharing Guidelines:*** *City Administrator Turner reported on the new guidelines for Pickleball court sharing from the Recreation Committee.*

*Commissioner Foster asked when the package will be sent out to bid by LIVS. City Administrator Turner confirmed the head nod from the Commission to go forward.*

## **9. Secretary-Treasurer's Report**

**a. Financial update:** Secretary-Treasurer Harding gave the financial update for November and December of 2022. Secretary-Treasurer Harding reported on Property Taxes, general cash accounts, restricted cash, Infrastructure, capitol projects and the upcoming Sadowski Bridge repair, City Hall demolition and construction, Gazebo Park building repair, playground equipment, and the completion of the 10<sup>th</sup> Street project, rollover amounts, Stormwater and Wastewater, and current running balance.

Secretary-Treasurer Harding continued reporting on Wastewater and that electricity costs have come up and to ask the Utility Board to look up cost saving options. Secretary-Treasurer continued reporting on wastewater rollover funds, debts and loans.

**b. Draft New City Hall Financing Plan:** Secretary-Treasurer Harding gave insights on funding, expected expenses, anticipated loan amount, and payback periods. The Secretary-Treasurer gave further details and estimates on a loan application and anticipated costs. Secretary-Treasurer Harding reported that a proposal has been brought up to the Governor for 4 million dollars in a Florida State Grant which will not be awarded until July. Mayor Trefry stated great report and thanked the Secretary-Treasurer for his report. Mayor Trefry asked on a P3 loan option to which Secretary-Treasurer Harding had no information but gave further details on bank loans.

**c. Discussion/Approval of Warrant No. 11-12.2022 in the amount of \$916,101.07.**

Secretary-Treasurer made a Motion to approve the Warrant 11-12-2022 in the amount of \$916,101.07. Mayor Trefry asked if there is a motion to approve the Warrant.

**MOTION:** Motion made by Vice-Mayor Ramsay-Vickrey, seconded by Commissioner Foster, to approve Warrant No. 11-12.2022 in the amount of \$916,101.07.

**DISCUSSION:** Commissioner Foster commented on a lot of line items being overbudget for the Utility Board.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**10. City Attorney's Report:** City Attorney Smits reported on meetings attended and having a busy January. The Commission had no additional questions.

## **11. Ordinances & Resolutions:**

- a. Resolution No. 2023-01:** A Resolution by the City of Key Colony Beach, Florida, adopting 'Rules Of Procedure for Volunteer/Advisory Boards'.

City Attorney Janette Smith addressed the Commission and a minor change that was made regarding the Utility Clerk. Discussion followed on training requirements to be virtual or in

person, change of title for the Resolution, mandatory in-house ethics and Sunshine Law training.

Further discussion followed on time requirements for training for boards and committees. Commissioner Raspe stated that he was not able to put in his changes but that all meeting dates should be known. Commissioner Raspe gave further thoughts on the ability to serve on more than one board and the sense of pride it gives residents to be part of the process.

Vice-Mayor Ramsay-Vickrey stated her thoughts on the naming of the boards and committees and the difference between advisory boards and volunteer committees.

Commissioner Harding stated his thoughts on the ability to serve on more than one board and stated that there should be a limit.

Commissioner Foster voiced his concern for members serving on more than one board.

Mayor Trefry agreed with Commissioner Harding and Foster and gave her thoughts on the topic.

City Attorney Smith gave her thoughts on new members being appointed to the boards and working with the City Clerk to work on an application process. Mayor Trefry agreed with the City Attorney and gave further thoughts.

Vice-Mayor Ramsay-Vickrey suggested that Board members can serve on one board and as an alternate on a Committee. Further discussion followed on finding new members and the ability to attend meetings virtual.

City Attorney Smith clarified required notice times for meetings. Commissioner Foster asked on the quorum requirements for the Code Board and clarified the quorum as four members for the Code Board. Commissioner Foster gave his thoughts on communication between board chairs, members, and the audience. City Attorney Smith gave his thoughts and explained the procedure follows Roberts Rules of Order. Commissioner Foster asked if all Commissioners were satisfied with the section of purchasing requirements which City Attorney Smith explained was changed to include Commissioner Harding's suggestion regarding purchases with one vendor. Commissioner Foster asked for clarification that all purchases are made by the City and not by volunteer committees which was confirmed.

There were no further comments from the Commission.

Mayor Trefry stated that the Commission can vote upon the Resolution with the changes and asked to go through the edits.

Edit 1: Under K - in person up to a 4-hour training course and for the chair up to an additional hour.

Edit 2: Under E. City clerk or designated.

Edit 3: The Commission discussed the correct wording. After discussion the Commission decided on: Individual Board Members can serve on one Advisory Board (Planning & Zoning, Code, or Utility) as a member and may be an alternate member on one of the Community Committees (Recreation, Beautification).

City Attorney Smith summarized the changes for the Commission one more time. Commissioner Foster asked to identify the quorum requirements for the Code Enforcement Board. City Attorney Smith confirmed.

*Mayor Trefry asked for a motion to approve with changes.*

**MOTION:** *Motion made by Commissioner Foster, seconded by Vice-Mayor Ramsay-Vickrey, to approve the Resolution with stated changes.*

**DISCUSSION:** *None.*

**ON THE MOTION:** *Rollcall vote. Unanimous approval.*

*Mayor Trefry asked for a five-minute recess.*

***b. SECOND/FINAL READING: Ordinance No. 2021-469.*** *An Ordinance of the City Of Key Colony Beach Florida, amending the City of Key Colony Beach Land Development Regulations, Article III – District Regulations, repealing conflicting ordinances, providing for severability, and providing for an effective date.*

***i. Proof of Publication:*** *The proof of publications were accepted as legally sufficient.*

***ii. & iii.: Ordinance 2021-469: KCB Land Development Regulations Amendments & Attachment A***

*City Attorney Smits confirmed for the Commission to take one vote on the issue and for citizens to be able to make additional comments if desired. Mayor Trefry asked for additional comments before the final vote. There were no additional comments from the audience or online.*

*Mayor Trefry asked for a motion to approve the final reading for Ordinance No. 2021-469.*

**MOTION:** *Motion made by Commissioner Harding, seconded by Vice-Mayor Ramsay-Vickrey, to approve Ordinance No. 2021-469.*

**DISCUSSION:** *Commissioner Raspe explained his understanding on residents' oppositions. Mayor Trefry gave her thoughts on residents' views, vacation rentals, and home rule. Commissioner Raspe gave additional thoughts on residents' view. Mayor Trefry asked if an architectural review should be in place for future developments and recalled prior experiences. Commissioner Foster gave his thoughts on the impending vote and his conflicting thoughts on the issue. Commissioner Raspe voiced his concern of possible developers taking advantage of the change in ordinance. Vice-Mayor Ramsay-Vickrey acknowledged this was a hard issue and said to be careful on unlawful zoning changes, occupancy, and voting upon the advice of council. Commissioner Harding thanked residents for their comments and gave his thoughts on the proposed height changes, property rights, and possible minor changes to the Code or Ordinances. Mayor Trefry agreed with Commissioner Harding and stated that property rights have to be protected equally on the island.*

**ON THE MOTION:** Rollcall vote. Raspe – no, Ramsay-Vickrey – yes, Harding – yes, Foster – yes, Trefry – yes. The motion passed.

## **12. Commissioner's Reports & Comments**

**a. Commissioner Raspe:** ~~Discussion on funding for homeowners on 10<sup>th</sup> Street for driveway repairs.~~ Discussed after Item 4. Citizen Comments

**Commissioner Foster:** Commissioner Foster reported on attending the Townhall, Code Enforcement Board, Planning & Zoning Board, Utility Board, and Beautification meetings. Commissioner Foster further reported on attending the Marathon Council meeting and touring the City of Marathon and attending the upcoming Coconut Crawl.

**Commissioner Harding:** Commissioner Harding reported on the review of documentation for smoke sensor locations and reported giving feedback to staff for improvement of communication. Commissioner Harding further reported on attending a two-day SFWM webinar and reported on Miami-Dade's presentation and base ground-level building changes that were approved. The Commissioner continued talking on attending a two-day FEMA Flood Insurance class as a private citizen, attending both Townhall meetings, a local mitigation strategy meeting, future plannings on coordinated training classes, review of potential grants, the FDOT bicycle grant for 2024, and attended the PPI meeting for CRS with Building Official Leggett.

**Commissioner Raspe** reported on being a judge for the KCB Boat Parade and being on the front cover of Keys Weekly, attending the Code Enforcement Board Hearing, two Townhall meetings, and the Planning & Zoning meeting. The Commissioner further talked on the city having a policy on motorized scooters and bicycles. A brief discussion followed on the use of motorized bicycles, electric scooters and skateboards, and pedestrian walkways.

Further communication followed on the need to have the City Code updated and on security cameras on the Public Works building. Discussion followed on helmet rules for skateboards, bike path lanes, solutions, the use of radar laser, and recommendations for an ordinance to address bike speed. Commissioner Harding reported that Miami and Key West updated their procedures. Mayor Trefry asked Chief DiGiovanni to bring a recommendation to City Administrator Turner. City Administrator Turner stated that staff will be directed to patrol the areas in question more during the season.

**Vice-Mayor Ramsay-Vickrey** reported attending the Recreation Committee meeting, the Zonta winter fundraiser, the BPW December event, having a holiday luncheon with City Hall staff, attending the REC/GOP Christmas luncheon, attending the City Christmas Boat Parade, the December Townhall meeting, the Beautification Award for December, and the two-day Sanctuary Advisory Council meeting. Vice-Mayor Ramsay-Vickrey gave further details on the SAC meeting and Marathon City Council meeting and topics of discussion. The Vice-Mayor also reported on attending the Chamber of Commerce after-hours event alongside Mayor Trefry, the Utility Board meeting, the January Townhall meeting and County Library Advisory Board meeting. Vice-Mayor Ramsay-Vickrey closed by stating to hope to see everyone at the upcoming KBCA Pub Crawl.



*Mayor Trefry reported attending the Chamber of Commerce events and attending volunteer committee meetings primarily via zoom. Mayor Trefry closed by stating appreciation for everyone's attendance during the long meeting.*

*Utility Board Chair Toni Appell wished Mayor Trefry an early happy birthday.*

***13. Adjournment:** The meeting adjourned at 1:12 pm.*

*Respectfully Submitted,*

***Silvia Gransee***

*City Clerk*



September 1, 2022

Dave Turner  
City Administrator  
City of Key Colony Beach  
600 W. Ocean Dr  
Key Colony Beach, FL 33051

**Subject: Letter Agreement to Provide a Wastewater Rate Study**

Dear Mr. Turner:

As requested, Raftelis Financial Consultants, Inc. (Raftelis) is pleased to submit this proposal to the City of Key Colony Beach, Florida (City) to provide rate and financial consulting services on behalf of the City's wastewater utility system. With respect to this proposal, the primary responsibilities of Raftelis will be to assist the City with the development of a financial forecast to review the sufficiency of the existing wastewater quarterly service rates through Fiscal Year 2028. In addition, Raftelis will assist with development of alternative wastewater rate structures and policies to target higher users that are causing additional stress on the collection and treatment systems. We submit this proposal for your consideration, which includes a detailed discussion of the proposed Scope of Services as shown in Exhibit A.

#### **GENERAL CONTRACT TERMS**

The contract terms regarding the project budget and scope, hourly rates for billing purposes, and other contract terms and conditions will be based on Raftelis' standard contract terms and hourly rates as set forth in the attached exhibits. Exhibit B provides the standard hourly rates and Exhibit D provides the standard contract terms.

#### **PROJECT TEAM AND BILLING RATES**

With respect to the performance of this engagement, Tony Hairston will be the project director and Joe Williams will be the project manager and primary contact with City staff. Other analysts and administrative personnel will be utilized during the course of the engagement as needed. Exhibit B summarizes the direct labor hourly billing rates relative to this engagement which is made part of this proposal.

#### **SCOPE OF SERVICES**

The scope of services to be performed by Raftelis is included on Exhibit A.

## COMPENSATION AND BILLING

Based on the Scope of Services as summarized in Exhibit A and the direct labor billing rates as identified on Exhibit B, we propose to establish a maximum not-to-exceed contract for the project in the amount of \$29,445. The proposed budget is summarized in Exhibit C, which includes the direct cost of personnel anticipated to be assigned to conduct the various tasks of the project by Raftelis as well as an allowance for other direct expenses such as travel, telephone, and delivery charges. The costs incurred by Raftelis for such other direct costs, if any, would be billed to the City based on the standard rate for the recovery of such costs as identified in Exhibit B. It is proposed that Raftelis would bill monthly for services relative to this engagement based on the sum of: i) the hourly amount of time spent by the project team members; and, ii) the other direct costs incurred to provide the financial consulting service per Exhibit C. It is not anticipated that any subconsultants would be required to assist Raftelis in the completion of the project.

During the course of the study, the City may request additional services from Raftelis. No additional services are contemplated at this time and such services will not be conducted until authorized by the City and as mutually agreed upon between the City and Raftelis. Examples of additional services beyond what is contemplated in the Scope of Services would include, but are not limited to, the following:

- Additional meetings above and beyond on-site meetings identified in the Scope of Services.
- Providing financial feasibility services relating to the issuance of new debt, or completion of any loan application forms.
- Meeting with third parties regarding the derivation of the rates and fees, or providing litigation support services in the event of a challenge of the rates or fees.
- Requests for updated financial, cost or rate analyses or scenarios after substantial completion of the initial work, and other related issues not contemplated in the Scope of Services.

## MUNICIPAL ADVISOR DISCLOSURE

As a registered Municipal Advisor under the Dodd-Frank Act, Raftelis is required to inform our clients of any existing or potential conflicts of interest that may be relevant to any proposed scope of services that may include providing "advice" as that term is defined in the Dodd-Frank Act. As of the date of this engagement letter, no conflicts of interest are known to exist.

Under the Dodd-Frank Act the definition of "advice" includes providing any opinion, information or assumptions related to the size, timing and terms of possible future debt issues or borrowing. This type of information may be integrated into the capital and financial planning components of a rate model update. This definition is applicable regardless of whether this information is developed and used solely for planning and decision-making purposes. For the services addressed in the scope of work identified for this engagement, any

information that is developed by Raftelis that falls under this definition of municipal advice is not intended to represent a recommendation that the City should issue debt based on the terms and assumptions used to develop the financial plan or forecast, or that the City will, in fact, be able to issue debt under the exact terms and conditions assumed and used to develop the financial plan or forecast. The information developed as part of this rate model update, including any related municipal advice, is intended only to provide information useful in evaluating the potential impact on the utility and future rate adjustments of one potential course of action for the City. If the City decides at some future date to issue debt, then at that time the City will need to engage an independent, registered Financial Advisor to assist in evaluating the availability of different types of debt, and the specific terms and conditions for issuing debt, which will be affected by market conditions and the City's credit rating at the time of issuance. At that time, as a registered Municipal Advisor, Raftelis can also provide additional assistance related to a specific bond or debt issue, such as preparing a bond feasibility report or financial forecast for inclusion in bond documents, without requiring additional oversight or supervision by the Financial Advisor.

By signing this engagement letter indicating its approval and acceptance of the proposed scope of work and fees, the City is also explicitly acknowledging that Raftelis has provided the necessary disclosures addressing conflicts of interest and any limitations on the scope of Municipal Advisory services to be provided by Raftelis as part of this engagement.

The Municipal Securities Rulemaking Board (MSRB) provides significant protections for municipal entities and obligated persons that are clients of a municipal advisor. To understand the protections provided and how to file a complaint with an appropriate regulatory authority, visit the MSRB web site at [www.msrb.org](http://www.msrb.org).

## **PROJECT SCHEDULE**

Upon notification to proceed as provided by the City, Raftelis will complete study within 120 days. The completion of the study within the project schedule is subject to the availability of information provided to Raftelis from the City that would be necessary to conduct the evaluations, and City staffs' availability to conduct meetings to review and update study results.

## **TERMS AND CONDITIONS**

Standard terms and conditions, that are made part of this agreement, are outlined in Exhibit D.

-Remainder of this page intentionally left blank-

Very truly yours,  
**Raftelis Financial Consultants, Inc.**

**ACCEPTED BY:**  
**City of Key Colony Beach, Florida**

  
\_\_\_\_\_  
Tony Hairston  
Vice President

\_\_\_\_\_  
Name

Attachments

\_\_\_\_\_  
Title Date

## **EXHIBIT A**

### **CITY OF KEY COLONY BEACH, FLORIDA WASTEWATER RATE STUDY**

#### **SCOPE OF SERVICES**

The following sections outline the scope of service to be performed by Raftelis Financial Consultants, Inc. (Raftelis) as it relates to the preparation of a wastewater rate study (Rate Study) for the City of Key Colony Beach (City). The primary responsibilities of Raftelis will be to assist the City with the development of a financial forecast to review the sufficiency of the existing wastewater quarterly service rates through Fiscal Year 2028. In addition, Raftelis will assist with development of alternative wastewater rate structures and policies to target higher users that are causing additional stress on the collection and treatment systems, while keeping in consideration the City's current billing procedure and any practical limitations that may exist for alternatives developed. The activities associated with the project are summarized below by major task:

1. **Data Request and Data Gathering** – Raftelis will prepare a written data request for the collection of financial, customer billing, operating, engineering, and planning data necessary to conduct the revenue sufficiency analysis and rate study. Information requested will include, but is not limited to, financial statements, existing rate schedules, operating budgets and capital improvement plans, existing debt service schedules, detailed accounting records, cost estimates and customer billing data. Once the data collection process begins, a web-based project meeting will be scheduled to review and discuss the information provided by the City, confirm study goals and objectives, establish a project schedule, and identify any new data requirements. Finally, Raftelis will develop a matrix of potential rate structure alternatives for review and discussion to gain a more thorough understanding of the City's goals and the considerations that need to be made to establish the appropriate wastewater billing procedures.
2. **Identification of Fiscal Policies and Objectives** – This task will include the review of existing City Ordinances, financial policy and loan agreements associated with any outstanding obligations. Based on this review, Raftelis will identify goals related to financial performance indicators, capital funding practices and reserve fund policies to provide financial guidelines and support for the rate setting process.
3. **Customer, Sales and Revenue Forecast** – Raftelis will prepare an initial projection of system revenues under existing rates based on summary billing statistics and other financial reports provided by the City. This task will include a review of the most recent historical customer and revenue statistics and the development of a forecast of any new customers or potential re-development based on the best available information about future growth.

This task also includes preparing a profile of billing determinants for the historical sampling period under evaluation and the projected period included in the financial

forecast. The profile of billing statistics will consider existing customer classes and rate schedules and reflect appropriate rate structure criteria. The task will involve the development of bill frequency reports based on detailed billing records that will be obtained from FKAA. These bill frequency reports will provide the basis for alternative wastewater rate structures.

4. **Review of Capital Improvements Program** – This task will involve the development of a capital finance plan to fund the City's wastewater system capital improvements program (the "CIP"). In addition to reviewing the City's current CIP, this activity will also include identification of available funding sources and fund balances and development of a capital funding strategy for the capital projects based on project timing and the analysis of alternative funding sources, if any. These capital funding sources typically include the potential issuance of debt, grants, and funds generated internally from rates. Alternative capital funding strategies will be developed to ensure that the capital finance plan supports the City's overall cost recovery strategy.
5. **Development of Projected Revenue Requirements** – Raftelis will prepare a five-year financial forecast and revenue requirement analysis based on the City's wastewater operating budget and CIP that will estimate the expenditure requirements through September 30, 2028. This task will include analysis of operations and maintenance expenses, capital expenditures and funding criteria, and other non-operating costs such as debt service payments, renewal and replacement funding requirements and general fund transfers (if any). The final step in this task will be to compare the projected revenues under existing rates with the projected revenue requirements in order to estimate the adequacy of the current quarterly service rates.
6. **Design of Service Rates (Uniform Approach)** – Based on the results of Task 5, Raftelis will evaluate the adequacy of the City's existing service rates, which are currently billed at a flat rate per connection on a quarterly basis. Raftelis will recommend any overall rate adjustment necessary for each year of the study period. The adjustments, if any, will be applied uniformly to the quarterly service rates. A detailed rate comparison will be developed to evaluate the impact of the proposed rates on existing residential customers and to assess the competitiveness of the City's rates with other utility systems in the area.
7. **Alternative Wastewater Rates** – In conjunction with Task 3, Raftelis will evaluate customer demand statistics (generally based on monthly water consumption information and any other data that may be available) to determine if certain rate structure modifications may be warranted. These rate structure alternatives will be based on discussions with staff regarding the appropriate policies and industry trends and may include development of an Equivalent Residential Unit (ERU) approach and/or consumption based rates. Additionally, Raftelis will review with staff and design the fees to be based on the City's ability to implement and manage the fees on an ongoing basis. The rates identified will be designed to recover the same overall revenue amounts as identified in Task 6, but will have different impacts to different customers.

8. **Present Rate Study Results** – Raftelis will attend two (2) public meetings, by a web-based platform (will not be onsite) before the City Council to present the results of the study to the City Council, which may include a workshop and public hearing. Additional meetings will be held with the City staff, by web-based platforms, throughout the course of the study including a kick-off meeting, and subsequent staff meetings as necessary to review preliminary study results and finalize rate and fee alternatives. This task will also include preparation of a briefing document and report to summarize the study results.

## **LIST OF DELIVERABLES**

The deliverables to be provided in this engagement include the following items:

- **Data Request**
- **Five Year Financial Forecast**
- **Proposed Wastewater Service Rates**
- **Residential Rate Comparison with Other Jurisdictions**
- **Briefing Document to Summarize Study Recommendations**
- **Letter Report**

## **ADDITIONAL SERVICES**

During the course of the study, the City may request additional services from Raftelis. No additional services are contemplated at this time and such services will not be conducted until authorized by the City and as mutually agreed upon between the City and Raftelis. Examples of additional services would include, but are not limited to, the following:

- **On-site meetings as opposed to web-based meetings for reviews with staff and/or presentations to City Council.**
- **Providing financial feasibility services relating to the issuance of new debt, or completion of any loan application forms.**
- **Meeting with third parties regarding the derivation of the rates and fees, or providing litigation support services in the event of a challenge of the rates or fees.**
- **Requests for updated financial, cost or rate analyses or scenarios after substantial completion of the initial work, and other related issues not contemplated in the above scope of services.**

**-Remainder of this page intentionally left blank-**



## Exhibit B

### SCHEDULE OF DIRECT LABOR HOURLY RATES AND STANDARD COST RATES

#### DIRECT LABOR HOURLY RATES

Project Team Title	Direct Labor Hourly Rates [1]
Executive Vice President	\$280.00
Vice President	\$265.00
Senior Manager	\$230.00
Manager	\$215.00
Senior Consultant	\$175.00
Consultant	\$150.00
Associate	\$120.00
Administrative	\$ 85.00

[1] Direct labor hourly rates effective twelve months after the date of execution of the Agreement; rates will be adjusted by not more than the net percentage change (but not less than 0%) in the Consumer Price Index - Urban Consumers per annum (rounded to the nearest dollar) or as mutually agreed between parties for invoices rendered after each anniversary date of each year thereafter until project completion or termination of the Agreement between the parties.

#### STANDARD COST RATES

Expense Description	Standard Rates [1]
Mileage Allowance - Personal Car Use Only	IRS Standard Mileage Rate
Reproduction (Black and White) (In-House)	\$0.05 per Page
Reproduction (Color) (In-House)	\$0.25 per Page
Reproduction (Contracted)	Actual Cost
Computer Time	\$0.00 per Hour
Telephone Charges	Actual Cost
Delivery Charges	Actual Cost
Lodging/Other Travel Costs	Actual Cost
Meals	Not-to-Exceed per Employee: \$8.00 - Breakfast \$12.00 - Lunch \$25.00 - Dinner
Subconsultant Services	Actual Cost plus 5.0%
Other Costs for Services Rendered	Actual Cost

[1] Standard cost rates effective twelve months after the date of execution of the Agreement; where applicable, rates will be adjusted by not more than the net percentage change (but not less than 0%) in the Consumer Price Index - Urban Consumers per annum (rounded to the nearest dollar) or as mutually agreed between parties for invoices rendered after each anniversary date of each year thereafter until project completion or termination of the Agreement between the parties. Any Standard Rate adopted by policy by Client will be substituted for the rates shown above.

**Exhibit C: Cost Estimate**  
**Key Colony Beach 2022 Wastewater Rate Study**

Tasks	Hours				Total	Total Fees & Expenses
	TH	JW	SC	Admin		
1. Data Request and Data Gathering	2	4	8		14	\$2,590
2. Identification of Fiscal Policies and Objectives	1	2	4		7	\$1,295
3. Customer, Sales and Revenue Forecast	1	8	16		25	\$4,385
4. Review of Capital Improvements Program	2	6	10		18	\$3,320
5. Development of Projected Revenue Requirements	4	8	16		28	\$5,180
6. Design of Service Rates (Uniform Approach)	1	2	4		7	\$1,295
7. Alternative Wastewater Rates	6	8	14		28	\$5,410
8. Present Rate Study Results	6	12	12		30	\$5,970
<b>Total Estimated Meetings / Hours</b>	<b>23</b>	<b>50</b>	<b>84</b>	<b>0</b>	<b>157</b>	
<b>Hourly Billing Rate</b>	<b>\$265</b>	<b>\$215</b>	<b>\$150</b>	<b>\$85</b>		
<b>Total Professional Fees</b>	<b>\$6,095</b>	<b>\$10,750</b>	<b>\$12,600</b>	<b>\$0</b>	<b>\$29,445</b>	
						<b>Total Fees</b> <b>\$29,445</b>
						<b>Total Expenses</b> <b>\$0</b>
						<b>Total Fees &amp; Expenses</b> <b>\$29,445</b>

*TH - Tony Heirston, Vice President*  
*JW - Joe Williams, Manager*  
*SC - Steff Consultant*  
*Admin - Administrative Staff*

**I. SCOPE**

Raftelis Financial Consultants, Inc. (Raftelis) agrees to perform the professional consulting services described in the agreement (Work) that incorporates these standard terms and conditions. Unless modified in writing by the parties hereto, the duties of Raftelis shall not be construed to exceed those services specifically set forth in the agreement. These terms and conditions and the agreement, when executed by the Client, shall constitute a binding agreement on both parties (hereinafter the "Agreement").

**II. COMPENSATION**

The Client, as defined in the agreement, agrees to pay for the services as billed within 30 days of receiving the invoice. Amounts paid after 30 days may be subject to interest charges, not to exceed a monthly compound rate of one percent (1.0%) applied to the delinquent unpaid balance.

Time-related charges will be made in accordance with the billing rate referenced in the agreement. Other indirect expenses and subcontractor services, if any, will be billed in accordance with the standard unit cost rates as referenced in the agreement or, if no reference is provided, at the actual cost as incurred by Raftelis.

**III. RESPONSIBILITY**

Raftelis is employed to render a professional service only, and any payments made by Client are compensation solely for such services rendered and recommendations made in carrying out the Work. Raftelis shall perform analyses, provide opinions, make factual presentations, and provide professional advice and recommendations. Raftelis does not expressly warrant or guarantee its services.

**IV. RELIANCE UPON INFORMATION PROVIDED BY OTHERS**

If Raftelis' performance of services hereunder requires Raftelis to rely on information provided by other parties (excepting Raftelis' subcontractors), Raftelis shall not independently verify the validity, completeness or accuracy of such information unless otherwise expressly engaged to do so in writing by Client.

**V. INDEMNIFICATION**

Raftelis agrees to indemnify, defend, and hold Client harmless from and against any liability arising out of the negligent errors or negligent omissions of Raftelis, its agents, employees, or representatives, in the performance of duties set forth in Article I. Regardless of any other term of this Agreement, in no event shall Raftelis be responsible or liable to Client for any incidental, consequential, or other indirect damages.

Client agrees to indemnify, defend, and hold Raftelis harmless from and against any liability arising out of the negligent errors or negligent omissions of Client, its agents, employees, or representatives, in the performance of duties set forth in Article I.

**VI. INSURANCE**

Raftelis shall maintain during the life of the agreement the following minimum insurance:

1. Commercial general liability insurance, including hired and non-owned automobiles, with the following limits:

Each Occurrence	\$1,000,000
Damage to Rented Premises (Each Occurrence)	\$500,000
Medical Expense (Any One Person)	\$15,000
Personal and Advertising Injury	\$1,000,000
General Aggregate	\$2,000,000
Products - Completed/Operation General Aggregate	\$2,000,000

2. Statutory worker's compensation and employers' liability insurance as required by state law.
3. Professional liability insurance at a limit of liability of not less than \$5,000,000 aggregate.

**VII. SUBCONTRACTS**

Unless specifically specified in the Agreement, Raftelis shall be entitled, to the extent determined to be appropriate by Raftelis, to subcontract any portion of the Work to be performed under this Agreement.

**VIII. ASSIGNMENT**

These terms and conditions and the agreement to which they are attached are binding on the heirs, successors, and assigns of the parties hereto. This agreement may not be assigned by Client or Raftelis without prior, written consent of the other.

**IX. INTEGRATION**

These terms and conditions and the agreement to which they are attached represent the entire understanding of Client and Raftelis as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The agreement may not be modified or altered except in writing signed by both parties.

**X. JURISDICTION**

This agreement shall be administered and interpreted under the laws of the State of Florida. Jurisdiction of litigation arising from the agreement shall be in that state.

**XI. SEVERABILITY**

If any part of the Agreement is found unenforceable under applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said laws, but the remainder of the Agreement shall be in full force and effect.

**XII. FORCE MAJEURE**

Raftelis shall not be responsible for delays in performing the scope of services that may result from causes beyond the reasonable control or contemplation of Raftelis. Raftelis will take reasonable steps to mitigate the impact of any force majeure.

**XIII. NO BENEFIT FOR THIRD PARTIES**

The services to be performed by Raftelis hereunder are intended solely for the benefit of Client, and neither right nor benefit is conferred on, nor any contractual relationship intended or established with any person or entity not a party to this Agreement. No such person or entity shall be entitled to rely on Raftelis' performance of its services hereunder.

**XIV. WORK PRODUCT**

Raftelis and Client recognize that Raftelis' Work product submitted in performance of this Agreement is intended only for the Client's benefit and use. Change, alteration, or reuse on another project by Client shall be at Client's sole risk, and Client shall hold harmless and indemnify Raftelis against all losses, damages, costs, and expenses, including attorneys' fees, arising out of or related to any such unauthorized change, alteration, or reuse.

**XV. SUSPENSION OF WORK**

Client may suspend, in writing, all or a portion of the Work under the agreement in the event unforeseen circumstances beyond Client's control make normal progress of the Work impossible. Raftelis may request that the Work be suspended by notifying Client, in writing, of circumstances that are interfering with the normal progress of Work. Raftelis may suspend Work on the project in the event Client does not pay invoices when due. Raftelis shall be compensated for its reasonable expenses resulting from such suspension including mobilization and de-mobilization. The time for completion of the Work shall be extended by the number of days Work is suspended. In the event that the period of suspension exceeds 90 days, the terms of the agreement are subject to renegotiation and both parties are granted the option to terminate Work on the suspended portion of the project.

**XVI. TERMINATION OF WORK**

Client may terminate all or a portion of the Work covered by the agreement for its convenience. Either party may terminate Work if the other party fails to perform in accordance with the provisions of the agreement. Termination of the agreement is accomplished by 15 days prior written notice from the party initiating termination to the other. Notice of termination shall be delivered by certified mail with receipt for delivery returned to the sender.

This agreement may be terminated by Raftelis: a) for cause, if Client breaches this Agreement through no fault of Raftelis and Client neither cures such material breach nor makes reasonable progress toward cure within 15 days after Raftelis has given written notice of the alleged breach to Client; or b) upon five days' notice if Work under this Agreement has been suspended by either Client or Raftelis in the aggregate for more than 90 days.

In the event of termination, Raftelis shall perform such additional Work as is necessary for the orderly filing of documents and closing of the project. The time spent on such additional Work shall not exceed five percent (5%) of the time expended on the terminated portion of the project prior to the effective date of termination. Raftelis shall be compensated by the client for Work actually performed prior to the effective date of termination plus the Work required for filing and closing as described in this Article.

#### **XVII. ARBITRATION**

All claims, disputes and other matters in question between the parties to this agreement arising out of or relating to this agreement or the breach thereof, which are not disposed by mutual agreement of the parties, shall be decided by arbitration in accordance with the Florida Arbitration Code. No arbitration arising out of or relating to this agreement shall include any person not a party to this agreement except by written consent containing a specific reference to this agreement and signed by the parties hereto and persons to be joined.

This agreement to arbitrate shall be specifically enforceable under prevailing arbitration law.

Notice of demand for arbitration shall be filed in writing with the other parties to this agreement. The demand shall be made within a reasonable time after the claim, dispute, or other matter in question has arisen, but in no event after the date when the institution of legal or equitable proceedings would be barred by the applicable statute of limitations. The award rendered by the arbitrators shall be final and judgment may be entered in accordance with applicable law in any court having jurisdiction.

#### **XVIII. E-VERIFY REQUIRED**

Raftelis and its subcontractors warrant compliance with all federal immigration laws and regulations that relate to their employees. Raftelis agrees and acknowledges that the Client is a public employer that is subject to the E-Verify requirements as set forth in Section 448.095, Florida Statutes, and that the provisions thereof apply to this Agreement. Raftelis by entering into this Agreement with the Client, certifies: (i) it is registered with and uses the E-Verify system operated by the U.S. Department of Homeland Security to verify the work authorization status of all newly hired employees; (ii) during the year prior to

making its submission or entering into this Agreement, no contract of Raftelis was terminated by a public employer in compliance with Section 448.095, Florida Statutes; and (iii) Raftelis is and shall remain in compliance with Sections 448.09 and 448.095, Florida Statutes, including securing and maintaining subcontractor affidavits as required by Section 448.095(2)(b), Florida Statutes. Additionally, Raftelis shall require all subcontractors performing work under this Agreement to use the E-Verify system for any employees hired on and after January 1, 2021. Contractor must provide evidence to the Authority of compliance with Section 448.095, Florida Statutes, prior to entering into the Agreement and then annually on each anniversary of the Agreement's Effective Date. The Client's receipt of proof that Raftelis and each subcontractor performing through Raftelis are E-Verify system participants is a condition precedent to entering this Agreement. The submission of an executed affidavit, similar to the affidavit in Exhibit A, from the Raftelis and any subcontractor stating it is in compliance with Section 448.095, Florida Statutes, and all employees hired on and after January 1, 2021, have had their work authorization status verified through the E-Verify system shall satisfy this requirement.

Notwithstanding any other provision herein, if the Client has a good faith belief that Raftelis or its subcontractors have knowingly hired, recruited, or referred an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States for employment under this Agreement, the Client shall terminate this Agreement. Raftelis shall be liable for any additional costs incurred by the Client as a result of the termination of this Agreement based on the failure of Raftelis or its subcontractors to comply with the E-Verify requirements referenced herein.

#### **XIX. NOTICES**

All notices required under this Agreement shall be by personal delivery, facsimile or mail to the Raftelis Project Manager and to the person signing the Agreement on behalf of the Client and shall be effective upon delivery to the address stated in the Agreement.

#### **XIXI. PUBLIC RECORDS**

Pursuant to applicable Florida law, Raftelis' records associated with this Agreement may be subject to

**RAFTELIS FINANCIAL CONSULTANTS, INC.  
STANDARD TERMS AND CONDITIONS**

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**EXHIBIT D**

Florida's public records laws, Florida Statutes 119.01, et seq., as amended from time to time. Raftelis shall comply with all public records obligations set for in such laws, including those obligations to keep, maintain, provide access to, and maintain any applicable exemptions to public records, and transfer all such public records to the Client at the conclusion of this Agreement, as provided for in Florida Statutes 119.0701 (2013).

**CITY OF KEY COLONY BEACH UTILITY BOARD  
REGULAR MEETING  
MINUTES**

**Tuesday, January 17, 2023 – 9:30a.m.  
City Hall Annex**

**Call to Order, Roll Call:**

The regular meeting of the Utility Board was called to order at 9:30 a.m.

*Answering to roll call were* Bud Fernandes, Toni Appell, Bill Fahs, and Dan Gleason

*Excused:* Greg Burke

Also Present: City Administrator Dave Turner, Utility Clerk Pat Hyland, Public Works Supervisor Mike Guarino, Plant Operator Dave Evans, and City Attorney Dirk Smits. Public – 8 in person Virtual - 3

**Oath of Office** – Mr. Burke will be sworn in at the next meeting.

**Next Meeting Discussion** – the next Utility Board Meeting is scheduled for Tuesday, February 21, 2023 at 9:30am.

**Approval of the Minutes:** Regular Meeting Minutes December 20, 2022

**Motion** – Moved by Bud Fernandes and seconded by Bill Fahs to approve the Minutes of December 20, 2022.

**On the Motion:** Roll Call Vote. Unanimous Approval.

**10<sup>th</sup> Street Stormwater Project Update** – Dave Turner provided an update of the 10<sup>th</sup> Street Stormwater work. The contractor has completed the east side stormwater work on 10<sup>th</sup> Street. Work will start this week on the west portion of the street. This project has grant funding. The Utility Clerk stated a grant reimbursement request will be sent to the State on both the Stewardship Grant for the injection well and also the SWAG grant for the swale work completed thus far.

Board member Bill Fahs stated his concerns with the current work, and also upcoming swale work on 10<sup>th</sup> Street, specifically those residents including himself, with paver driveways who initially had a pipe installed beneath the pavers. Mr. Fahs stated there was an 8" PVC culvert installed under the existing brick pavers therefore owners should not have to pay to have their driveway dug up. He stated 4 properties in the current area of work had existing culverts so those pavers should not have been dug up. He stated there are 3 known culverts in the upcoming work area. Mr. Fahs questioned engineer Jason Shepler about the pipes under the driveways. Mr. Fahs stated driveways with pavers should be inspected prior to anything happening, and test holes put in on each side of the paver driveway to confirm and verify the pipe is the correct size. Mr. Shepler stated he would have to see the information to determine if those driveways should have been opened up. Mr. Shepler will have to meet with Haack Excavating to discuss this issue and ask the contractor to provide information for driveways with culverts, so adequate connections can be made, rather than opening the driveways. Bud Fernandes questioned Mr. Shepler regarding the grade level of the piping for the gravity-fed system. Residents who addressed the board with similar concerns about their driveways included Susan Antonio of 491 10<sup>th</sup> Street, Dan Schott of 800 11<sup>th</sup> Street and Kirk Diehl of 171 10<sup>th</sup>. Residents also stated someone from the city should provide more site supervision of the work being performed. Mr. Turner stated the contractor will be going back to the one resident's property to make the area even. Mr. Turner stated during his visits to the project area, the contractor's supervisor told him two of the existing culverts were full of dirt, and the other two culverts were not the correct material, so new piping was used. At the beginning of this stormwater project Mr. Turner offered his services to oversee the project at no cost to the city, in an effort to keep costs down and save money. Mr. Turner stated he is the City Administrator and is licensed as a contractor, project manager, building official, building inspector, fire official and fire inspector. He stated his position calls for him to handle much more than others in his position. Mr. Turner believes at this point the city should hire a project manager, as he does not have the time to take on this extra responsibility. Mr. Turner suggested the board may want to discuss hiring a project manager for the Stormwater work.

Mr. Turner stated this will be discussed at the upcoming Commission meeting.

**Motion** – Moved by Bud Fernandes and seconded by Bill Fahs to recommend to the City Commission to hire a project manager for the current and future stormwater project(s).

**On the Motion:** Roll Call Vote. Unanimous Approval

**Raftelis Presentation for Wastewater Rate Study Consideration** – Tony Hairston, Vice President of Raftelis addressed the board members and gave a brief presentation of the services his company offers. His company has worked with the Florida Keys Aqueduct, City of Marathon, Key West and Ocean Reef. His company would review the list of capital projects for the sewer plant and how to fund those capital expenses. The sewer rate structure would be examined to see if rates would have to be increased, whether a different rate structure would be implemented, etc.

Mr. Hairston was questioned if this rate study would help with obtaining grant funding. Mr. Hairston stated his company would help with asset management, provide a financial plan, provide a framework which would give rate information to cover upcoming work based on a 3-to-4-year plan. Mr. Fernandes and Mr. Fahs had questions for Mr. Hairston. Discussion ensued regarding increased expenses, current rate fee structure, revising rate structure, the last time rates were increased and not having a previous rate study completed in the past. Once all answers were provided, Mr. Turner suggested the board should use the services offered by this company. Mr. Fernandes asked Mr. Turner to read off the list of capital improvements, which the board had discussed and prioritized at a previous meeting.

Mr. Fernandes stated the board should follow the City Administrator's recommendation to move this forward.

**Motion** – Moved by Bud Fernandes and seconded by Bill Fahs to recommend to the City Commission to approve the Raftelis Study be done in the amount of \$29,445.00 to provide rate and financial consulting services for the wastewater utility.

**On the Motion:** Roll Call Vote. Chairperson Toni Appell recused herself. Bud Fernandes: yes Bill Fahs: yes Dan Gleason: yes

Motion Approved

#### **Utility Clerk Report –**

Five property transfers were completed with \$800.00 collected in transfer fees. Six property inquiries resulted in income received of \$90.00. The October quarterly billing is 98% collected. All delinquent accounts have been assessed a late fee. The January quarterly billing was generated and sent out to all residents. A Stormwater Workshop notice for January 5th was sent out to 10<sup>th</sup> Street residents located in Phase 2B section of 320 through 551 10<sup>th</sup> Street. Mr. Turner stated there was a good turnout of between 10 to 15 residents at the 10<sup>th</sup> Street Phase 2B Stormwater Workshop. He said most of the residents were supportive of the project after he explained what would be done in front of their properties.

**Operator's Report:** Included as part of the Minutes.

Mr. Evans provided his monthly update on the plant, RO system and collection system.

Mr. Evans confirmed the 10<sup>th</sup> Street manhole leak had been taken care of by 3<sup>rd</sup> Generation Plumbing.

#### **Treasurer's Report:**

Mr. Fernandes presented the Treasurer's report for the month of December. Mr. Fernandes pointed out some of the monthly expenses were higher than budgeted.

**Financial Reports:** The December Financial Reports for the Utilities are ready and available.

**Wastewater/Sewer Warrant #1122:** was approved in the amount of \$72,871.13.

**Stormwater Warrant: #1122:** was approved in the amount of \$20,000.00

**Other Business:** Mr. Fahs asked to change his vote on the project manager recommendation.

**Motion-** Moved to reconsider the motion to recommend hiring a project manager to the Commission. There was not a second, the motion failed.

**The meeting adjourned at 10:40 a.m.**

**The next meeting will be on Tuesday, February 21, 2023 at 9:30 a.m..**

Respectfully Submitted by:

*Pat Hyland*

Pat Hyland, Utility Clerk

\*\*\* Note: A mechanical recording has been made of the meeting of which these minutes are a part, and a copy is on file in the office of the Utility Clerk, as a public record. \*\*\*



# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>APPELL, ANTOINETTE "TONI" MARIE</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Utility Board</b>
MAILING ADDRESS <b>P.O. Box 510826</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <b>KEY COLONY BEACH</b>	NAME OF POLITICAL SUBDIVISION: 
COUNTY <b>MONROE</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED <b>1-17-2023</b>	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, ANTINETTE "TONI" APPELL, hereby disclose that on January 17, 2023:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*There was an item on today's agenda in which an action was to be made by the UTILITY BOARD members.*

*I had to recuse myself from any action because I serve on the Florida Keys Aqueduct Authority as a Board Member and we have or will continue to retain the services of our Consultants.*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed \_\_\_\_\_

Antoinette "Toni" Appell  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

S

**APPLICATION FOR BUILDING PERMIT  
CITY OF KEY COLONY BEACH  
P.O. BOX 510141 - KEY COLONY BEACH, FL 33051-0141  
PHONE 305-289-1212 FAX 305-289-1767**

DATE FILED \_\_\_\_\_ DATE GRANTED \_\_\_\_\_ PERMIT \_\_\_\_\_

NOTE: THIS PERMIT IS VALID FOR A ONE YEAR PERIOD MAXIMUM FROM DATE GRANTED.

PROPERTY OWNER James Figuerado PHONE (239) 707-4687  
ADDRESS OF RECORD (MAIL) 489 Madison Court  
CITY, STATE, ZIP Fort Myers Beach, FL 33931

**Property Description:**  
LOT 24 BLOCK \_\_\_\_\_ SUBD Marina No2 ZONING DISTRICT \_\_\_\_\_ TAX FOLIO# 00079680-000000  
STREET ADDRESS: 1 Sadowski Causeway, KCB FL 33051  
ST STREET \_\_\_\_\_ FLOOD ZONE & ELEVATION \_\_\_\_\_

**PROPOSED CONSTRUCTION: (Specify, alteration, seawall, etc.)**

Installation of a 30,000# capacity vertical boat lift. Wood structural piles by Others. No electric on this permit. A licensed electrician is to apply for a separate electrical permit if needed on this project

Check applicable line for roofing permit: New Roof ☐ Re-Roof ☐ Re-Cover ☐ Project Cost: \$ 26,735.50

CONTRACTOR Lifetime Dock & Lumber, Inc. - Douglas Scheele LICENSE SCC131151403  
BUSINESS ADDRESS 24538 Overseas Hwy, Summerland FL 33042 PHONE 305-745-2840  
BONDING COMPANY NAME/ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
ARCHITECT/ ENGINEER NAME/ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
MORTGAGE LENDER NAME/ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
**LIST ALL SUBCONTRACTORS, COUNTY & STATE LICENSE NUMBER AND COST: NO SUBCONTRACTORS!!**

ELECTRICAL	<u>NA</u>	LICENSE # _____	COST _____
PLUMBING	<u>NA</u>	LICENSE # _____	COST _____
MECHANICAL	<u>NA</u>	LICENSE # _____	COST _____
CONCRETE/MASONRY	<u>NA</u>	LICENSE # _____	COST _____
CARPENTRY	<u>NA</u>	LICENSE # _____	COST _____
ROOFING	<u>NA</u>	LICENSE # _____	COST _____

In consideration of the granting of the above requested permit, you do hereby agree that you will in all respects construct the work in accordance with the above description and any plans and specifications herewith submitted and filed in the office of the Building Official in compliance with all laws and ordinances of the City of Key Colony Beach, Florida.

"Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of Monroe County, and there may be additional permits required from other governmental entities such as state agencies or federal agencies."

**OWNER'S AFFIDAVIT:**

I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

Signature/Print Owner Agent (Including Contractor) Date Signed

Signature of NOTARY as to Owner

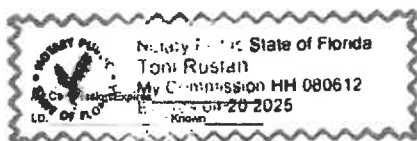
Douglas Scheele

Signature of Contractor (printed name) Date Signed

Signature of NOTARY as to Contractor

Notary Public  
State of Florida  
Comm# HH118545  
Expires 4/18/2025

My Commission Expires 4-18-25  
LD. \_\_\_\_\_ Known X



**BUILDING PERMIT FEES:**

Costs up to \$2000.00 Flat Fee \$100.00

Costs greater than \$2000.00 \$40.00 per \$1000.00 or any part of Surcharge

Other \_\_\_\_\_

Fire Safety \_\_\_\_\_

Clean-Up Bond \_\_\_\_\_

**FINAL INSPECTION FEE: (separate check)  
(REFUNDABLE UP TO 1 YEAR AFTER PERMIT IS ISSUED)**

DATE PAID \_\_\_\_\_

PAID CHECK # \_\_\_\_\_

Signature of Building Official

Date Issued \_\_\_\_\_

bldg 1 rev.06-18-06

Surcharge

**PROJECT LOCATION**

RE: 00079680-000000

LOT 24, MARINA SUB. NO. 2

P.B. 4, PG. 53

SEC. 5, TWP. 66S, RGE. 33E

LAT.: 24.725945° N LONG.: 81.018535° W

**DIRECTIONS:**

U.S. HIGHWAY NO. 1 NORTH TO MM 54±.

RIGHT ● KEY COLONY BEACH CAUSEWAY.

PROJECT SITE: 1 SADOWSKI CAUSEWAY

**ADJOINING OWNERS:**

BARBARA J. RODGERS

P.O. BOX 510578

KEY COLONY BEACH, FL 33051

GARRISON BIGHT MARINA INC

711 EISENHOWER DR

KEY WEST FL 33040



Sean P. Kirwan, State of Florida, Professional Engineer, License No. 57506.

This item has been digitally signed and sealed by Sean P. Kirwan on the date indicated here. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Sean  
Kirwan

Digitally signed  
by Sean Kirwan  
Date: 2022.10.24  
08:37:39 -04'00'

REVISIONS:

LOCATION & VICINITY MAP  
SCALE: AS SHOWN

BOAT LIFT FOR JAMES & DEBORAH FIGUERADO  
1 SADOWSKI CAUSEWAY  
KEY COLONY BEACH, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061  
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050  
Telephone (305) 743-0121 Fax (305) 743-0187

DATE: 09/20/22

1

SHEET 1 OF 3





Sean  
Kirwan

Digitally signed  
by Sean Kirwan  
Date: 2022.10.24  
08:37:54 -04'00'

**SITE PLAN**   
SCALE: 1" = 30'

REVISIONS:

Printed copies of this document are not  
considered signed and sealed and the signature  
must be verified on any electronic copies.

CERTIFIED BY:  
SEAN KIRWAN, P.E. #57506

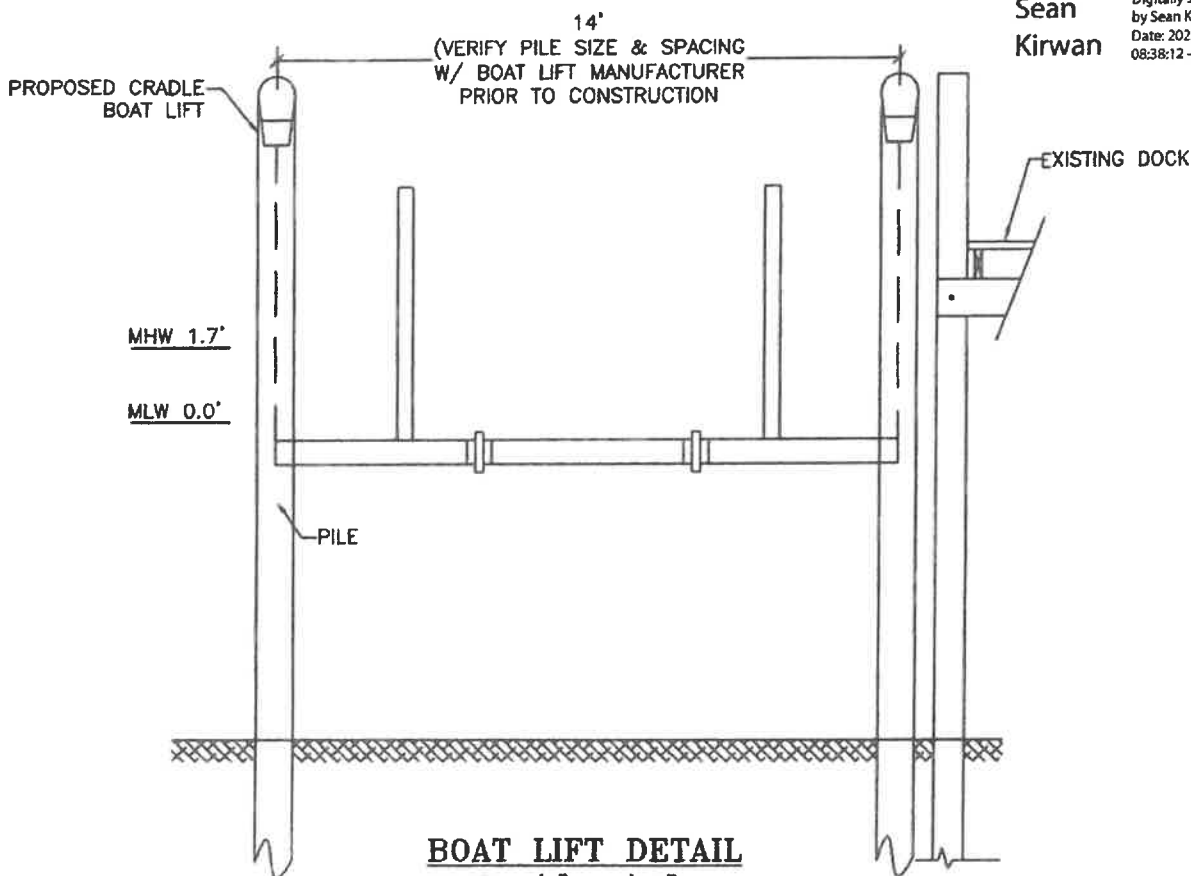
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KEY COLONY BEACH, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061  
5900 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33660  
Telephone (352) 743-6121 Fax (352) 743-6157

DATE: 09/20/22

2

SHEET 2 OF 3



### BOAT LIFT DETAIL

SCALE: 1/4" = 1'-0"

#### CONSTRUCTION NOTES:

1. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS PRIOR TO COMMENCING WORK. THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS & LOCAL REGULATIONS SHALL GOVERN ALL WORK.
2. WORK SHOWN ON DRAWINGS IS DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2020. FOLLOW ALL APPLICABLE PROVISIONS FOR ALL PHASES OF CONSTRUCTION. THE PROPOSED STRUCTURE(S) IS DESIGNED FOR A MINIMUM LIVE LOAD OF 120 PSF/DEAD LOAD 10 PSF, 180 MPH (3 SECOND GUST), EXPOSURE D, RISK CATEGORY 1, ASCE 7-16.
3. CONTRACTOR SHALL ADHERE TO THE STANDARD MANATEE CONSTRUCTION CONDITIONS (LATEST EDITION). IF NEEDED, THE CONTRACTOR CAN CONTACT THE ARMY CORPS OF ENGINEERS OR THIS OFFICE TO OBTAIN A COPY OF THE STANDARD MANATEE CONSTRUCTION CONDITIONS.
4. BEST MANAGEMENT PRACTICES, INCLUDING THE USE OF TURBIDITY SCREENS, ARE REQUIRED TO ISOLATE THE CONSTRUCTION AREA FROM THE ADJACENT WATERS. CONTRACTOR SHALL INSTALL TURBIDITY SCREENS AROUND THE IMMEDIATE PROJECT AREA PRIOR TO CONSTRUCTION. THE TURBIDITY SCREENS REMAIN IN PLACE UNTIL WATER QUALITY CONDITIONS RETURN TO PRECONSTRUCTION CONDITIONS. WATER QUALITY MONITORING SHALL ADHERE TO STATE REGULATIONS.
5. ELECTRIC & WATER (DESIGN PROVIDED BY OTHERS) SHALL BE PROVIDED AS DIRECTED BY OWNER. CONTRACTOR SHALL COORDINATE FINAL LOCATION OF ALL PROPOSED UTILITIES WITH OWNER PRIOR TO CONSTRUCTION.
6. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS & WATER DEPTHS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.
7. THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS ON INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
8. EXERCISE EXTREME CARE AND CAUTION WHEN EXCAVATING AND FILLING ADJACENT TO EXISTING STRUCTURES. UNDER NO CIRCUMSTANCES SHALL THE STRUCTURAL INTEGRITY OF THE EXISTING STRUCTURES BE IMPAIRED IN ANY WAY BY CONSTRUCTION OPERATIONS AND PROCEDURES. DO NOT EXCAVATE OR DISTURB SOIL ADJACENT TO OR BENEATH EXISTING FOOTINGS.
9. CONTRACTOR SHALL COORDINATE INSTALLATION OF CLEATS, LADDERS, PILE CAPS, AND OTHER DOCK ACCESSORIES WITH OWNER PRIOR TO CONSTRUCTION. ALL DOCK ACCESSORIES SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. STAINLESS STEEL HARDWARE SHALL BE USED FOR ALL CONNECTIONS TO DOCK.
10. FOR OPEN WATER DOCKS PROVIDE REFLECTORS ON EACH SIDE OF WALKWAY EVERY 50' AND ON EACH END OF THE TERMINAL PLATFORM.

#### TIMBER PILES:

PILES SHALL BE ROUND SOUTHERN PINE AND SHALL CONFORM TO ASTM D 25, UNUSED, CLEAN PEELED, UNIFORMLY TAPERED, ONE PIECE FROM BUTT TO TIP. PILES SHALL BE PRESSURE TREATED IN CONFORMANCE WITH AWPA C3 AND C18 FOR MARINE PILES. THE MINIMUM BUTT DIAMETER SHALL BE 12 INCHES, MEASURED AT A SECTION 3 FEET FROM THE END. FOR PILES UP TO 50 FEET IN LENGTH THE MINIMUM TIP DIAMETER SHALL BE 9 INCHES.

A STRAIGHT LINE DRAWN FROM THE CENTER OF THE BUTT TO THE CENTER OF THE TIP SHALL NOT, AT ANY POINT, FALL FURTHER AWAY FROM THE CENTER OF THE PILE THAN A DISTANCE EQUAL TO 1% OF THE LENGTH OF THE PILE.

PILES SHALL BE SET IN PREDRILLED OR PREPUNCHED HOLES AND DRIVEN TO PENETRATE FIRM ROCK 7" MIN.

PILES SHALL BE SPACED @ MAXIMUM OF 10' O.C. UNLESS OTHERWISE SHOWN.

DO NOT DRIVE PILES WITHIN 20 FEET OF CONCRETE LESS THAN SEVEN DAYS OLD.

CONTRACTOR SHALL INVESTIGATE ANY SUDDEN DECREASE IN DRIVING RESISTANCE FOR POSSIBLE BREAKAGE OF THE PILE. IF SUDDEN DECREASE IN DRIVING RESISTANCE CANNOT BE CORRELATED TO BORING DATA OR SOME INCIDENT IN THE DRIVING, AND IF THE PILE CANNOT BE INSPECTED, SUCH DECREASE IN DRIVING RESISTANCE MAY BE CAUSE FOR REJECTION OF THE PILE.

RE-DRIVE ANY PILE WHICH IS RAISED DURING DRIVING OF ADJACENT PILES, TO THE ORIGINAL TIP ELEVATION.

HEIGHT OF PILES SHALL BE FIELD DETERMINED BY OWNER. CUT OFF PILES AT TOP ELEVATION DIRECTED BY THE OWNER. REPLACE OR REPAIR PILES WHICH ARE DAMAGED WHEN CUT OFF.

PILES SHALL DEVIATE FROM PLUMB AND ANGLE OF BATTER NO MORE THAN 1/4 INCH PER FOOT OF PILE LENGTH, BUT NOT MORE THAN 6 INCHES OVERALL. PILES SHALL NOT DEVIATE FROM LOCATION OF PILE TOP MORE THAN 6 INCHES.

PILES NOT MEETING ASTM D25 REQUIREMENTS WILL BE REJECTED. REMOVE SUCH PILES FROM THE SITE AND REPLACE WITH SOUND PILES. PILES BROKEN UNDER DRIVING STRESSES MAY BE CUT OFF AND LEFT IN PLACE IF APPROVED BY THE DESIGN ENGINEER FOR THE LOCATION. OTHERWISE THEY SHALL BE EXTRACTED AND REMOVED FROM THE SITE.

Sean  
Kirwan

Digitally signed  
by Sean Kirwan  
Date: 2022.10.24  
08:38:12 -04'00'

REVISIONS:

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

CERTIFIED BY:  
SEAN KIRWAN, P.E. #57606

BOAT LIFT FOR JAMES & DEBORAH FIGUEROA  
1 SADOWSKI CAUSEWAY  
KEY COLONY BEACH, MONROE COUNTY, FL

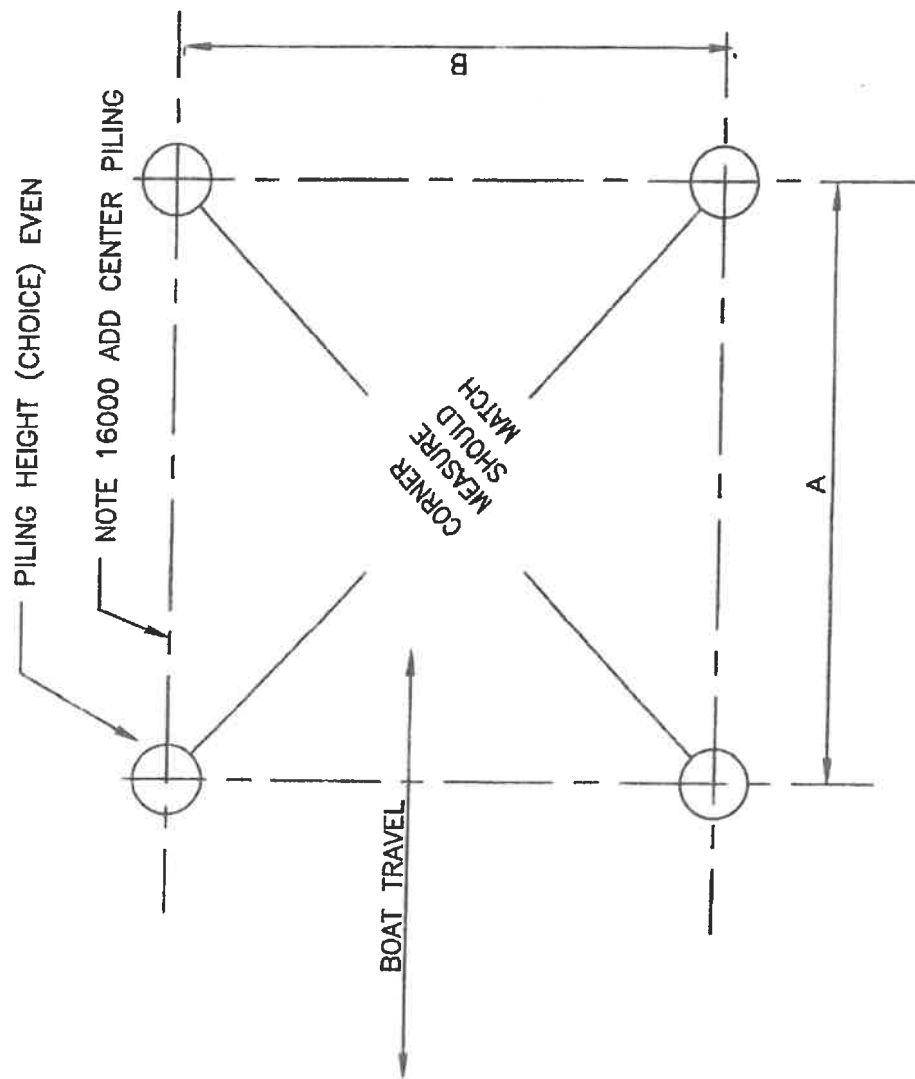
GLEN BOE AND ASSOCIATES, INC. # 4061  
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33060  
Telephone (305) 743-9121 Fax (305) 743-9197

DATE: 06/20/22

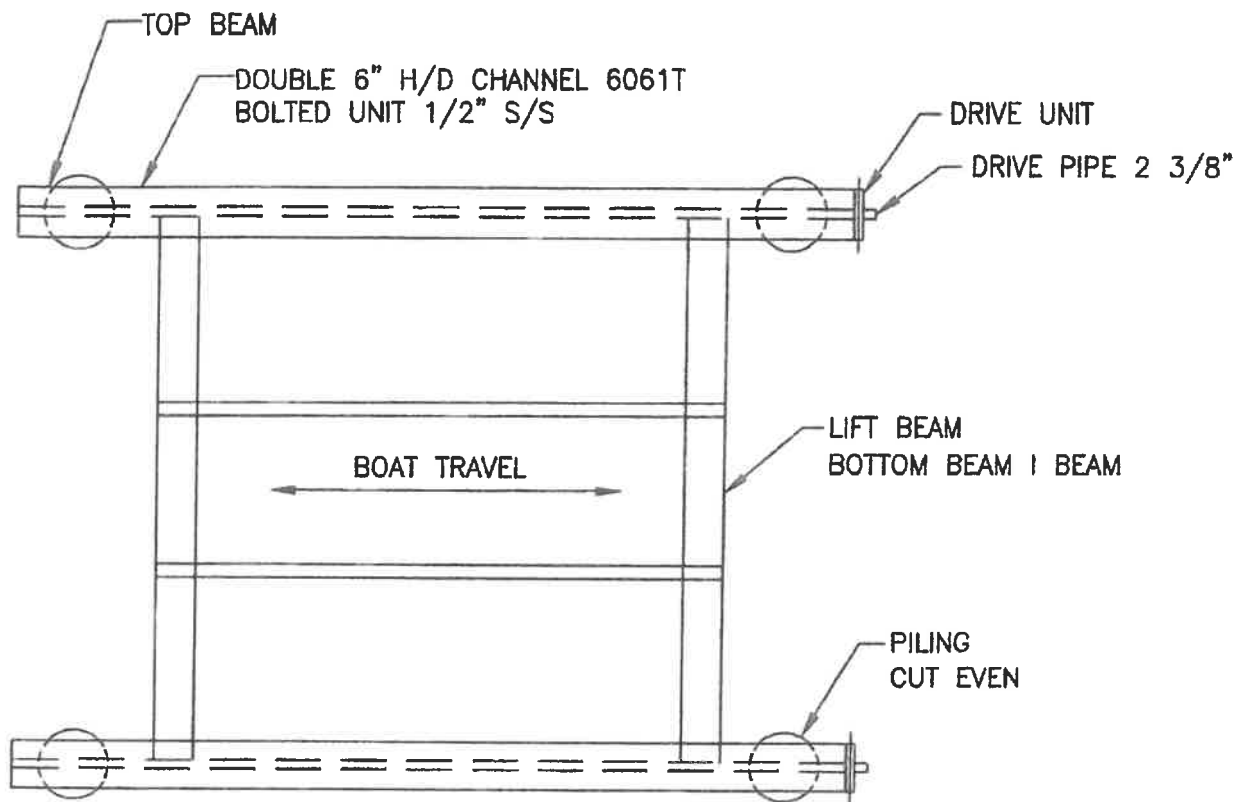
3

SHEET 3 OF 3

MODELS 4500, 7000, 10,000, 13000, 16000



PILING PLACEMENT FOR  
4 POST BOAT LIFT (PLAN VIEW)



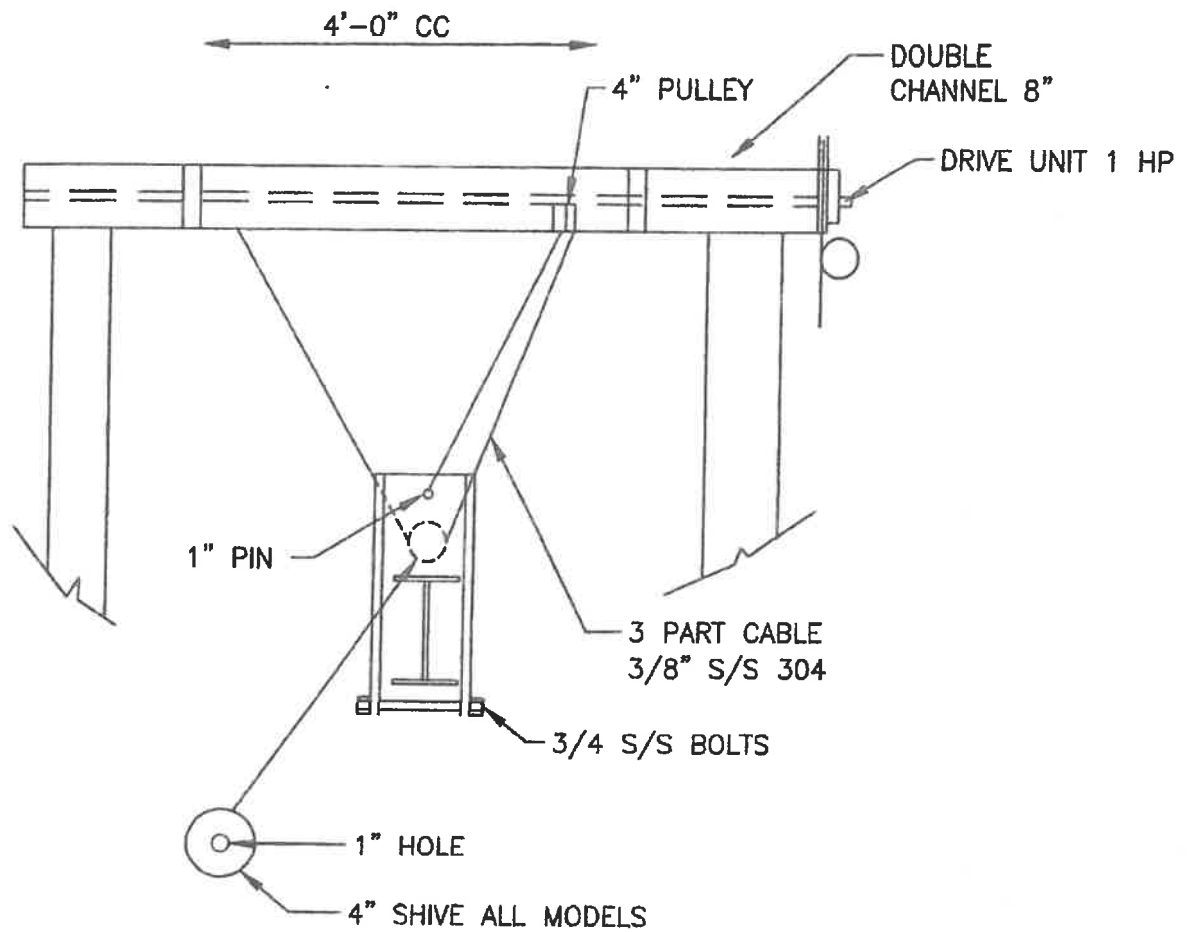
4 POST BOATLIFT FRAME

\* ALL MODELS 4500 TO 13000

NO SCALE

NO 6



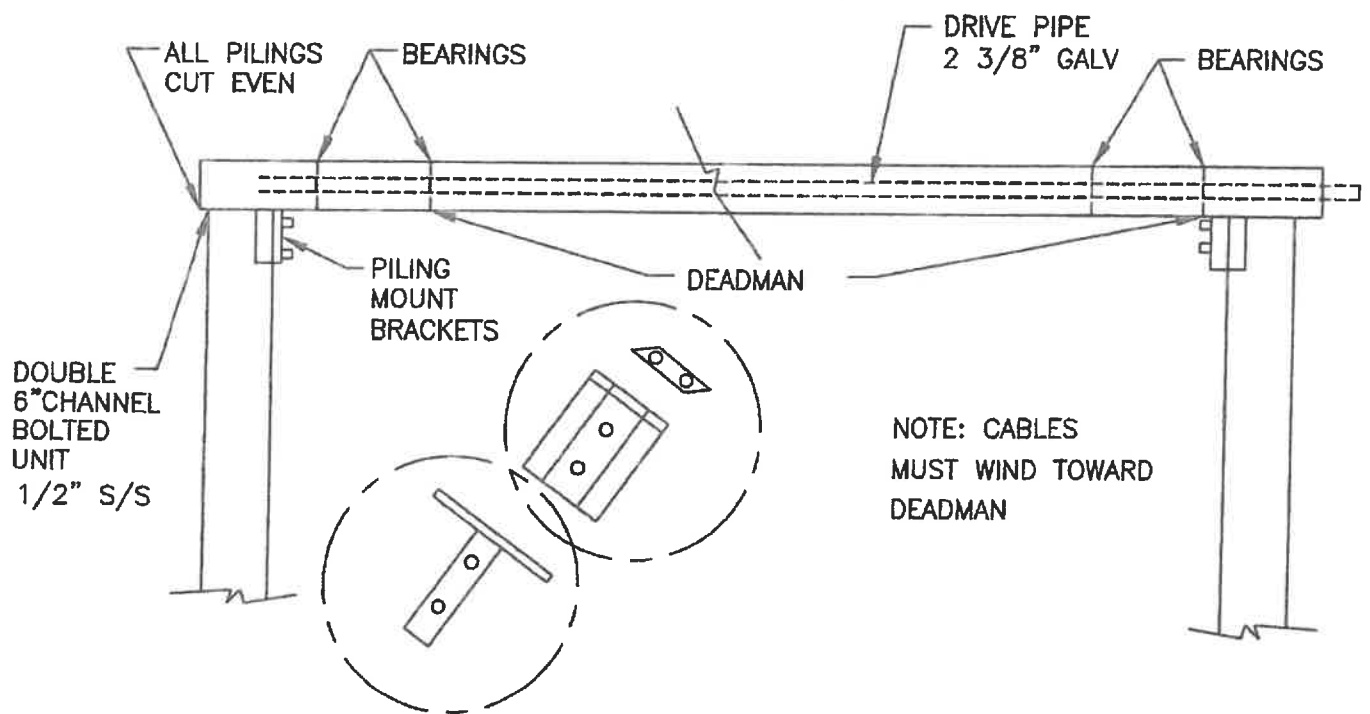


MODEL 24000, 32000

NO SCALE

LOWER BEAM ATTACHMENT

NO 9



4 POST BOATLIFT (ELEVATION VIEW)  
MODELS 4500, 7000, 10000, 13000

NO

Prepared by and return to:

Wolfe Stevens PLLC  
6807 Overseas Highway  
Marathon, FL 33050  
305-743-9858  
File Number: 22-311  
Will Call No.:

Parcel Identification No. 00079680-000000

[Space Above This Line For Recording Data]

\$1,825,000.00

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

**This Indenture** made this 26th day of July, 2022 between Kevin Scott Munden and Jennifer Jean Munden, husband and wife, Individually and as Trustees of the Munden Family Trust dated November 8, 2007 whose post office address is 620 Sunnyside Ct, Fort Myers, FL 33919 of the County of Lee, State of Florida, grantor\*, and Deborah A. Figuerado and James Figuerado, wife and husband whose post office address is 489 Madison Ct, Fort Myers Beach, FL 33931 of the County of Lee, State of Florida, grantee\*,

**Witnesseth** that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lot 24, Marina Subdivision Plat No. 2, according to the map or plat thereof as recorded in Plat Book 4, Page 53, Public Records of Monroe County, Florida.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Alyssa M Perry  
Witness Name: Alyssa M Perry

Lisa Ziels  
Witness Name: Lisa Ziels

Kevin Scott Munden  
Kevin Scott Munden, Individually and as Trustee

Jennifer Jean Munden  
Jennifer Jean Munden, Individually and as Trustee

State of Florida  
County of Monroe

25<sup>th</sup> The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26th day of July, 2022 by Kevin Scott Munden and Jennifer Jean Munden, husband and wife, Individually and as Trustees of the Munden Family Trust dated November 8, 2007, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



Lisa Ziels  
Notary Public  
Printed Name: Lisa Ziels  
My Commission Expires: 10-14-2023

### Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

Parcel ID 00079680-000000  
Account# 1086827  
Property ID 1086827  
Millage Group 50KC  
Location 1 SADOWSKI Cswy, KEY COLONY BEACH  
Address  
Legal LOT 24 MARINA SUBD PLAT NO 2 SHELTER KEY PB4-53 & 3.45' GAP OR142-536  
Description OR143-391 OR321-142 OR362-572Q/C OR371-820 OR384-45 OR2087-1093D/C  
OR2087-1092D/C OR2076-105/106 OR2332-2002ORD OR2357-734/35 OR2456-  
1212/13 OR3173-275 OR3190-0083 OR3187-0994  
[Note: Not to be used on legal documents.]  
Neighborhood 5002  
Property SINGLE FAMILY RESID (0100)  
Class  
Subdivision MARINA SUBD NO 2  
Sec/Twp/Rng 05/66/33  
Affordable No  
Housing



### Owner

MUNDEN FAMILY TRUST 11/08/2007  
620 Sunnyside Ct  
Fort Myers FL 33919

### Valuation

	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
+ Market Improvement Value	\$263,480	\$211,093	\$208,690	\$213,328
+ Market Misc Value	\$138,868	\$92,900	\$91,620	\$91,042
+ Market Land Value	\$584,147	\$345,925	\$327,670	\$327,670
= Just Market Value	\$986,495	\$649,918	\$627,980	\$632,040
= Total Assessed Value	\$714,910	\$649,918	\$627,980	\$536,078
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$986,495	\$649,918	\$627,980	\$632,040

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RES WATERFRONT (010W)	6,568.00	Square Foot	0	110

### Buildings

Building ID	6479	Exterior Walls	CONC BLOCK
Style	GROUND LEVEL	Year Built	1964
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2011
Gross Sq Ft	2250	Foundation	CONCRETE SLAB
Finished Sq Ft	1763	Roof Type	GABLE/HIP
Stories	1 Floor	Roof Coverage	ASPHALT SHINGL
Condition	AVERAGE	Flooring Type	CONC ABOVE GRD
Perimeter	178	Heating Type	FCD/AIR DUCTED
Functional Obs	0	Bedrooms	4
Economic Obs	0	Full Bathrooms	2
Depreciation %	12	Half Bathrooms	1
Interior Walls	DRYWALL	Grade	500
		Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	28	0	22
FLA	FLOOR LIV AREA	1,763	1,763	254
PTX	PATIO CUSTOM	396	0	204
SPF	SC PRCH FIN LL	63	0	32
TOTAL		2,250	1,763	512

## Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
WOOD DOCKS	2011	2012	1	100 SF	3
TIKI	2012	2013	1	1 SF	5
BRICK PATIO	2011	2012	1	1439 SF	3
BRICK PATIO	2018	2019	1	1153 SF	3
WOOD DOCKS	2011	2012	1	640 SF	3
FENCES	2011	2012	1	580 SF	2
SEAWALL	1975	1976	1	200 SF	5
RES POOL	2018	2019	1	359 SF	5
BOAT LIFT	2016	2017	1	1 UT	5

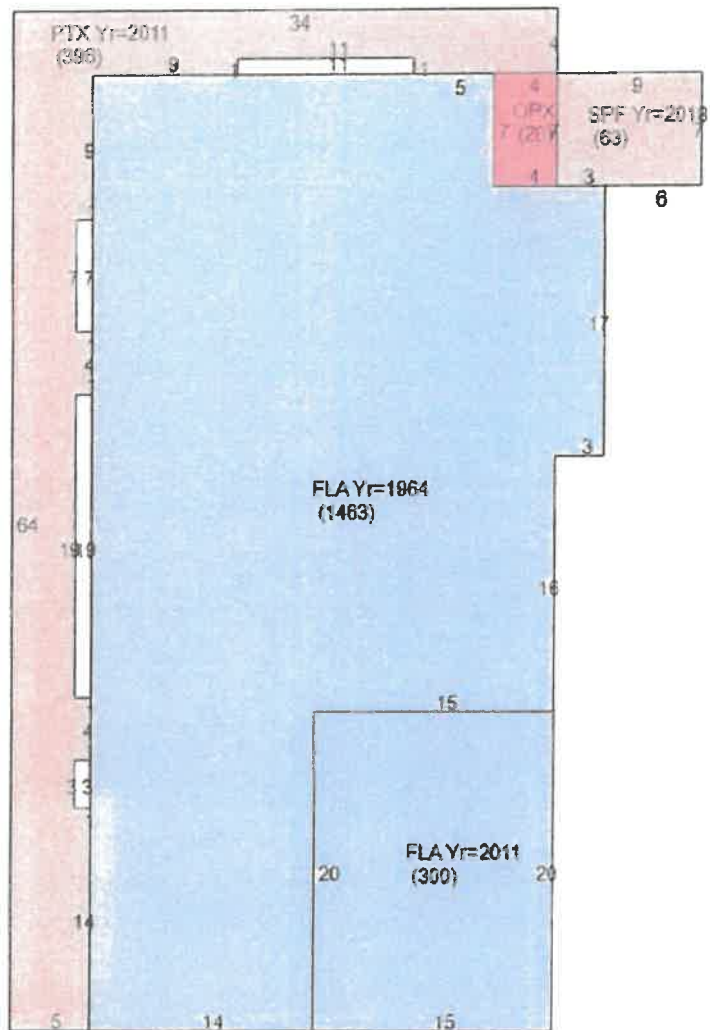
## Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
10451	3/23/2018	11/14/2018	\$40,000	Residential	NEW FIBERGLASS POOL & DECK
9273	6/27/2016	12/30/2016	\$20,000	Residential	INSTALL NEW 20,000 LB 4 POST BOAT LIFT
7827	8/7/2012	12/30/2012	\$1,800	Residential	TIKE HUT
7150	9/1/2010	10/4/2011	\$32,000	Residential	FIBERGLASS POOL AND DECKING AROUND POOL
7145	8/23/2010	10/4/2011	\$16,800	Residential	NEW WOOD DOCK
7130	8/11/2010	10/4/2011	\$8,000	Residential	RE-ROOF
6993	4/26/2010	10/4/2011	\$30,000	Residential	INTERIOR/EXTERIOR RENOVATIONS IMPACT WINDOWS/ DOORS A/C NEW KITCHEN/ BATH/ FLOORS
6629	1/8/2009	12/15/2009	\$50,000	Residential	INTERIOR/ EXTERIOR ALTERATIONS
6067	2/16/2007	2/28/2007	\$4,000	Residential	INTERIOR DEMOLITION
5371	3/22/2005	3/30/2005	\$4,000	Residential	REPLACE ELECTRIC SERVICE
2934	12/1/1995	7/1/1996	\$3,742	Residential	RE-ROOF

## View Tax Info

[View Taxes for this Parcel](#)

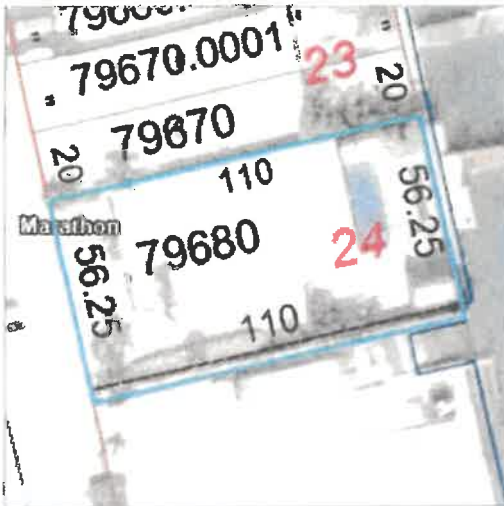
Sketches (click to enlarge)



## Photos



## Map



## TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

### 2022 Notices Only

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

Last Data Upload: 11/16/2022, 5:04:28 AM

Version 2.3.231

Developed by  
 Schneider  
GEOSPATIAL



**PROJECT LOCATION**

RE: 00079680-000000

LOT 24, MARINA SUB. NO. 2

P.B. 4, PG. 53

SEC. 5, TWP. 66S, RGE. 33E

LAT.: 24.725945° N LONG.: 81.018535° W

**DIRECTIONS:**

U.S. HIGHWAY NO. 1 NORTH TO MM 54±.

RIGHT ● KEY COLONY BEACH CAUSEWAY.

PROJECT SITE: 1 SADOWSKI CAUSEWAY

**ADJOINING OWNERS:**

BARBARA J. RODGERS

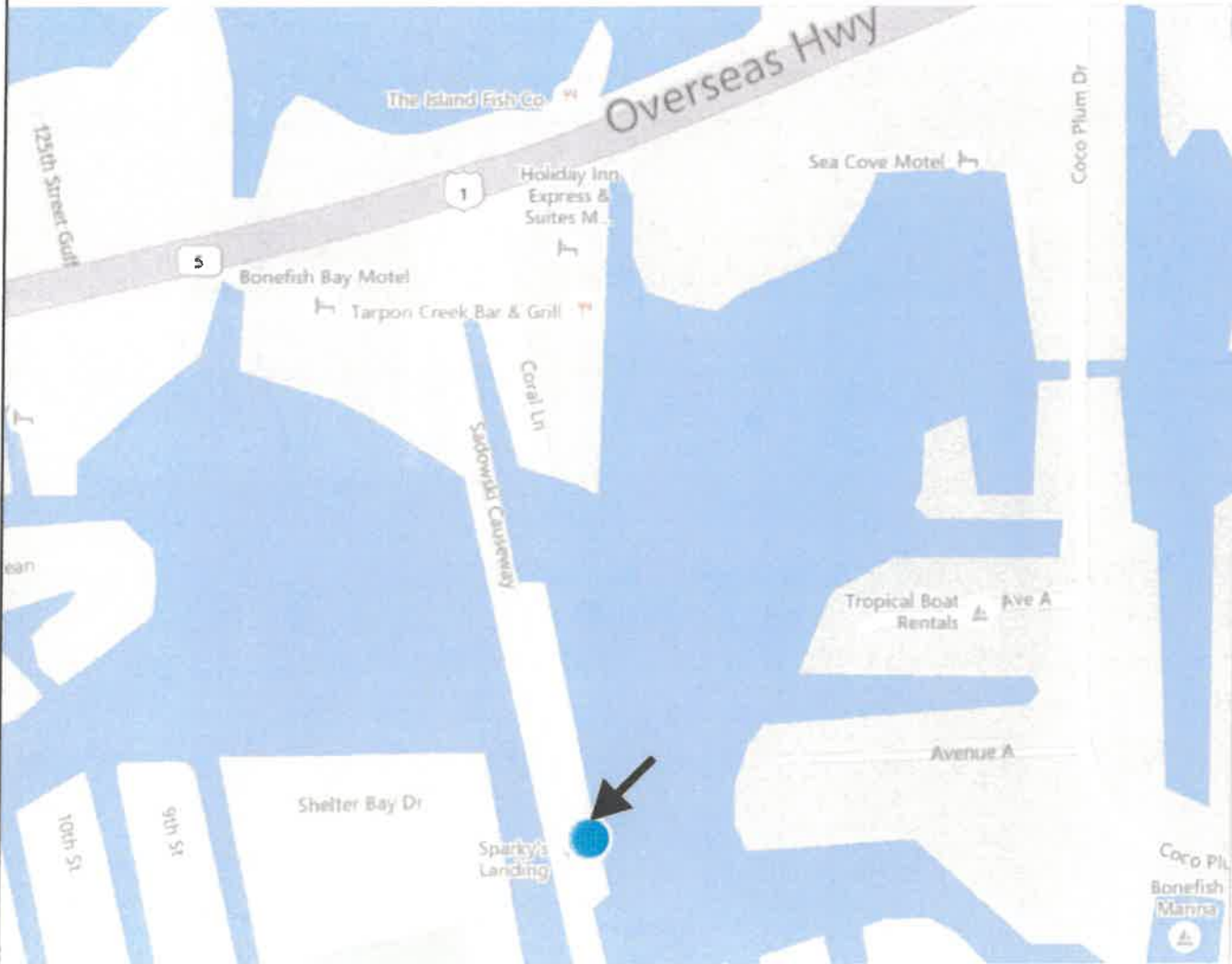
P.O. BOX 510578

KEY COLONY BEACH, FL 33051

GARRISON BIGHT MARINA INC

711 EISENHOWER DR

KEY WEST FL 33040



Sean P. Kirwan, State of Florida, Professional Engineer, License No. 57506.

This item has been digitally signed and sealed by Sean P. Kirwan on the date indicated here. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Sean  
Kirwan

Digitally signed  
by Sean Kirwan  
Date: 2022.10.24  
08:37:39 -04'00'

REVISIONS:

LOCATION & VICINITY MAP  
SCALE: AS SHOWN

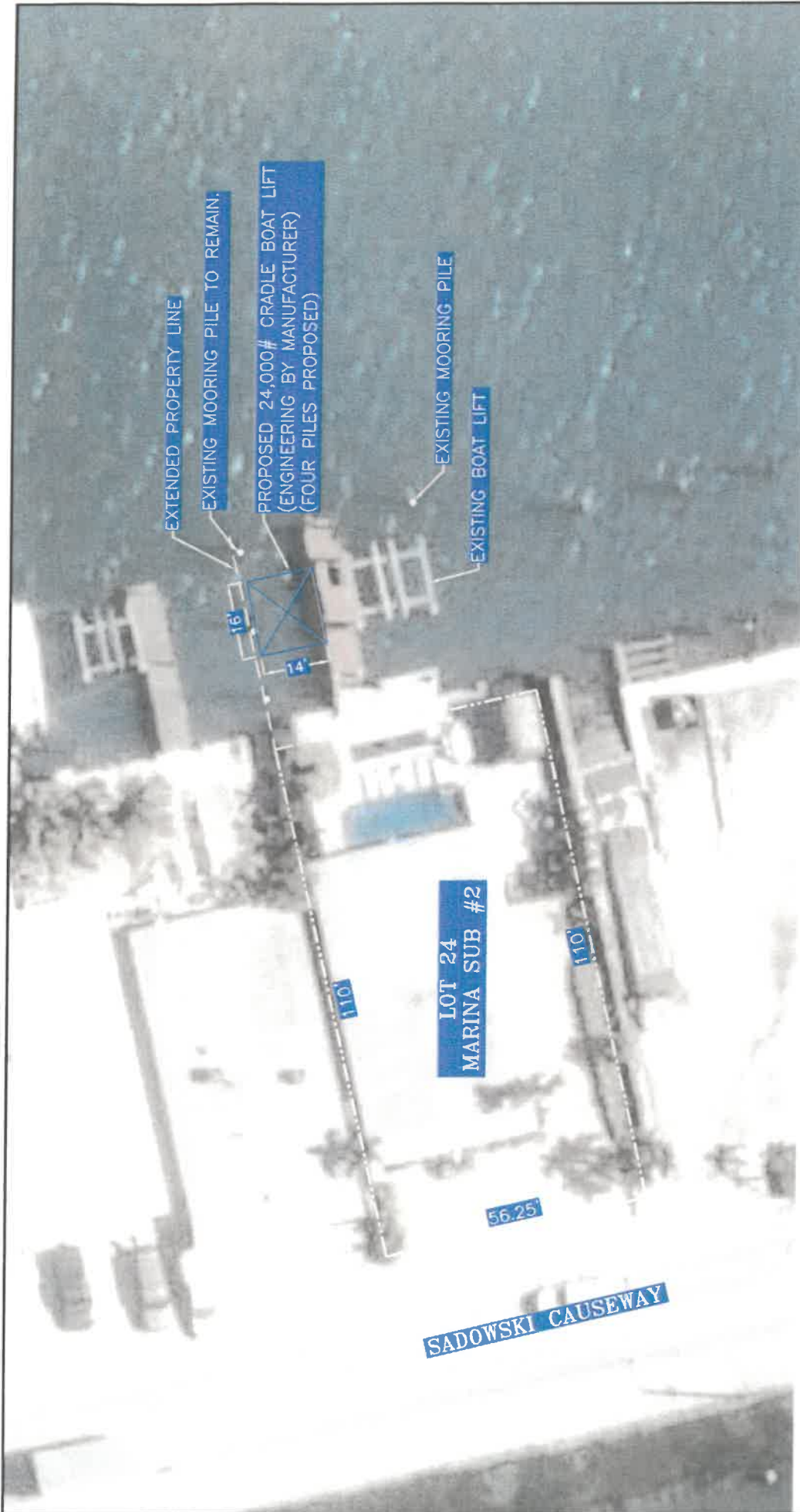
BOAT LIFT FOR JAMES & DEBORAH FIGUERADO  
1 SADOWSKI CAUSEWAY  
KEY COLONY BEACH, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061  
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050  
Telephone (305) 743-9121 Fax (305) 743-9187

DATE: 08/30/22

1

SHEET 1 OF 3



Sean  
Kirwan

Digitally signed  
by Sean Kirwan  
Date: 2022.10.24  
08:37:54 -04'00'

**SITE PLAN**  
SCALE: 1" = 30'

BOAT LIFT FOR JAMES & DEBORAH FIGUEROA  
1 SADOWSKI CAUSEWAY  
KEY COLONY BEACH, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061  
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050  
Telephone (305) 743-8121 Fax (305) 743-9197

DATE: 09/20/22

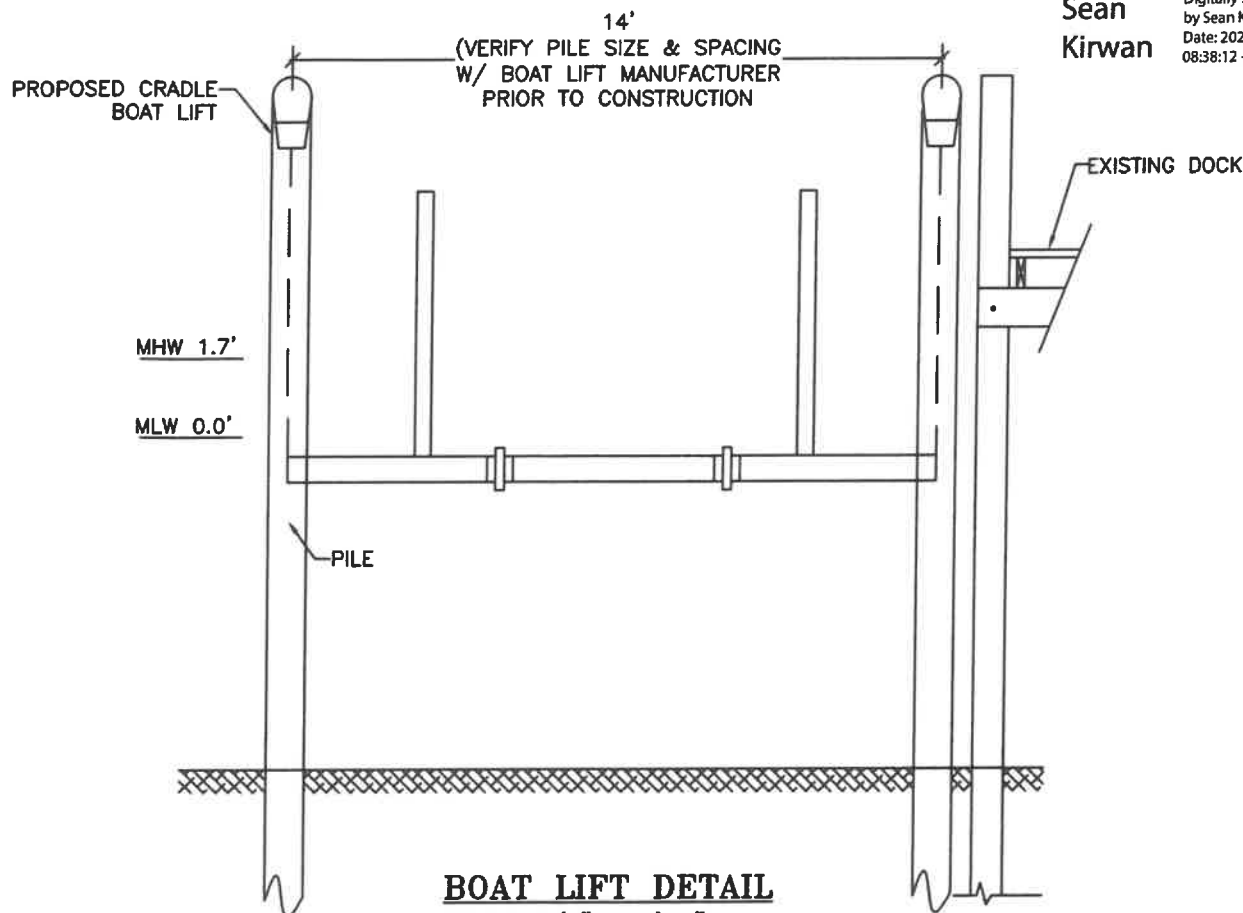
2

SHEET 2 OF 3

Printed copies of this document are not  
considered signed and sealed and the signature  
must be verified on any electronic copies.

CERTIFIED BY:  
SEAN KIRWAN, P.E. #57506

REVISIONS:



### BOAT LIFT DETAIL

SCALE: 1/4" = 1'-0"

Sean  
Kirwan

Digitally signed  
by Sean Kirwan  
Date: 2022.10.24  
08:38:12 -04'00'

#### CONSTRUCTION NOTES:

1. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS PRIOR TO COMMENCING WORK. THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS & LOCAL REGULATIONS SHALL GOVERN ALL WORK.
2. WORK SHOWN ON DRAWINGS IS DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2020. FOLLOW ALL APPLICABLE PROVISIONS FOR ALL PHASES OF CONSTRUCTION. THE PROPOSED STRUCTURE(S) IS DESIGNED FOR A MINIMUM LIVE LOAD OF 120 PSF/DEAD LOAD 10 PSF, 180 MPH (3 SECOND GUST), EXPOSURE D, RISK CATEGORY 1, ASCE 7-16.
3. CONTRACTOR SHALL ADHERE TO THE STANDARD MANATEE CONSTRUCTION CONDITIONS (LATEST EDITION). IF NEEDED, THE CONTRACTOR CAN CONTACT THE ARMY CORPS OF ENGINEERS OR THIS OFFICE TO OBTAIN A COPY OF THE STANDARD MANATEE CONSTRUCTION CONDITIONS.
4. BEST MANAGEMENT PRACTICES, INCLUDING THE USE OF TURBIDITY SCREENS, ARE REQUIRED TO ISOLATE THE CONSTRUCTION AREA FROM THE ADJACENT WATERS. CONTRACTOR SHALL INSTALL TURBIDITY SCREENS AROUND THE IMMEDIATE PROJECT AREA PRIOR TO CONSTRUCTION. THE TURBIDITY SCREENS REMAIN IN PLACE UNTIL WATER QUALITY CONDITIONS RETURN TO PRECONSTRUCTION CONDITIONS. WATER QUALITY MONITORING SHALL ADHERE TO STATE REGULATIONS.
5. ELECTRIC & WATER (DESIGN PROVIDED BY OTHERS) SHALL BE PROVIDED AS DIRECTED BY OWNER. CONTRACTOR SHALL COORDINATE FINAL LOCATION OF ALL PROPOSED UTILITIES WITH OWNER PRIOR TO CONSTRUCTION.
6. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS & WATER DEPTHS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.
7. THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS ON INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
8. EXERCISE EXTREME CARE AND CAUTION WHEN EXCAVATING AND FILLING ADJACENT TO EXISTING STRUCTURES. UNDER NO CIRCUMSTANCES SHALL THE STRUCTURAL INTEGRITY OF THE EXISTING STRUCTURES BE IMPAIRED IN ANY WAY BY CONSTRUCTION OPERATIONS AND PROCEDURES. DO NOT EXCAVATE OR DISTURB SOIL ADJACENT TO OR BENEATH EXISTING FOOTINGS.
9. CONTRACTOR SHALL COORDINATE INSTALLATION OF CLEATS, LADDERS, PILE CAPS, AND OTHER DOCK ACCESSORIES WITH OWNER PRIOR TO CONSTRUCTION. ALL DOCK ACCESSORIES SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. STAINLESS STEEL HARDWARE SHALL BE USED FOR ALL CONNECTIONS TO DOCK.
10. FOR OPEN WATER DOCKS PROVIDE REFLECTORS ON EACH SIDE OF WALKWAY EVERY 50' AND ON EACH END OF THE TERMINAL PLATFORM.

#### TIMBER PILES:

PILES SHALL BE ROUND SOUTHERN PINE AND SHALL CONFORM TO ASTM D 25, UNUSED, CLEAN PEELED, UNIFORMLY TAPERED, ONE PIECE FROM BUTT TO TIP. PILES SHALL BE PRESSURE TREATED IN CONFORMANCE WITH AWPAC C3 AND C18 FOR MARINE PILES. THE MINIMUM BUTT DIAMETER SHALL BE 12 INCHES, MEASURED AT A SECTION 3 FEET FROM THE END. FOR PILES UP TO 50 FEET IN LENGTH THE MINIMUM TIP DIAMETER SHALL BE 9 INCHES.

A STRAIGHT LINE DRAWN FROM THE CENTER OF THE BUTT TO THE CENTER OF THE TIP SHALL NOT, AT ANY POINT, FALL FURTHER AWAY FROM THE CENTER OF THE PILE THAN A DISTANCE EQUAL TO 1% OF THE LENGTH OF THE PILE.

PILES SHALL BE SET IN PREDRILLED OR PREPUNCHED HOLES AND DRIVEN TO PENETRATE FIRM ROCK 7' MIN.

PILES SHALL BE SPACED @ MAXIMUM OF 10' O.C. UNLESS OTHERWISE SHOWN.

DO NOT DRIVE PILES WITHIN 20 FEET OF CONCRETE LESS THAN SEVEN DAYS OLD.

CONTRACTOR SHALL INVESTIGATE ANY SUDDEN DECREASE IN DRIVING RESISTANCE FOR POSSIBLE BREAKAGE OF THE PILE. IF SUDDEN DECREASE IN DRIVING RESISTANCE CANNOT BE CORRELATED TO BORING DATA OR SOME INCIDENT IN THE DRIVING, AND IF THE PILE CANNOT BE INSPECTED, SUCH DECREASE IN DRIVING RESISTANCE MAY BE CAUSE FOR REJECTION OF THE PILE.

RE-DRIVE ANY PILE WHICH IS RAISED DURING DRIVING OF ADJACENT PILES, TO THE ORIGINAL TIP ELEVATION.

HEIGHT OF PILES SHALL BE FIELD DETERMINED BY OWNER. CUT OFF PILES AT TOP ELEVATION DIRECTED BY THE OWNER. REPLACE OR REPAIR PILES WHICH ARE DAMAGED WHEN CUT OFF.

PILES SHALL DEVIATE FROM PLUMB AND ANGLE OF BATTER NO MORE THAN 1/4 INCH PER FOOT OF PILE LENGTH, BUT NOT MORE THAN 6 INCHES OVERALL. PILES SHALL NOT DEVIATE FROM LOCATION OF PILE TOP MORE THAN 6 INCHES.

PILES NOT MEETING ASTM D25 REQUIREMENTS WILL BE REJECTED. REMOVE SUCH PILES FROM THE SITE AND REPLACE WITH SOUND PILES. PILES BROKEN UNDER DRIVING STRESSES MAY BE CUT OFF AND LEFT IN PLACE IF APPROVED BY THE DESIGN ENGINEER FOR THE LOCATION. OTHERWISE THEY SHALL BE EXTRACTED AND REMOVED FROM THE SITE.

REVISIONS:

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

CERTIFIED BY:  
SEAN KIRWAN, P.E. #67508

BOAT LIFT FOR JAMES & DEBORAH FIGUEROA  
1 SADOWSKI CAUSEWAY  
KEY COLONY BEACH, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061

5900 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33950  
Telephone (305) 743-9121 Fax (305) 743-9197

DATE: 08/20/22

3

SHEET 3 OF 5

48

# Lifetime Dock & Lumber, Inc.

24536 Overseas Highway · P. O. Box 420794 · Summerland Key, FL 33042

Phone: 305-745-2840

Fax: 305-745-9111

www.lifetimeboatlifts.com

Nick@LifetimeBoatLifts.com

## LETTER OF CONSENT

To:

GARRISON BIGHT MARINA INC  
711 Eisenhower Dr  
Key West, FL 33040

From:

Lifetime Dock & Lumber, Inc.  
24536 Overseas Hwy  
Summerland Key, FL 33042

RE: Section 5-43 – Elevator lifts, Key Colony Beach Administrative Code:

Salutations,


A Neighbor Consent Letter has been requested by the City of Key Colony Beach for our applicant at address (1 Sadowski Causeway) who is wishing to submit a Boat Lift application that is over 20,000 Lbs.


We are writing you to request consent to build this boat lift as required under Section 5-43 in the Key Colony Beach Building Code for both adjacent property owners.

We respectfully request your consent to move forward with our project.

I hereby state that I am the owner of the adjacent property located next to the activity proposed to be constructed. I understand that the subject project will be located entirely within the applicant's property, and I do not object to the proposed structure.

  
(Signature of Adjacent Owner)

  
(Date Signed)

  
(Printed Name of Adjacent Owner)

Cordially,

Nicholas Agrusa  
Lifetime Dock & Lumber, Inc.  
24536 Overseas Hwy  
Summerland Key, FL 33042



# **Lifetime Dock & Lumber, Inc.**

24536 Overseas Highway · P. O. Box 420794 · Summerland Key, FL 33042

Phone: 305-745-2840

Fax: 305-745-9111

[www.lifetimeboatlifts.com](http://www.lifetimeboatlifts.com)

[Nick@LifetimeBoatLifts.com](mailto:Nick@LifetimeBoatLifts.com)

## LETTER OF CONSENT

To:

RODGERS BARBARA J

PO Box 510578

Key Colony Beach, FL 33051

From:

Lifetime Dock & Lumber, Inc.

24536 Overseas Hwy

Summerland Key, FL 33042

RE: Section 5-43 – Elevator lifts, Key Colony Beach Administrative Code:

Salutations,

A Neighbor Consent Letter has been requested by the City of Key Colony Beach for our applicant at address (1 Sadowski Causeway) who is wishing to submit a Boat Lift application that is over 20,000 Lbs.

We are writing you to request consent to build this boat lift as required under Section 5-43 in the Key Colony Beach Building Code for both adjacent property owners.

We respectfully request your consent to move forward with our project.

I hereby state that I am the owner of the adjacent property located next to the activity proposed to be constructed. I understand that the subject project will be located entirely within the applicant's property, and I do not object to the proposed structure.



(Signature of Adjacent Owner)

**Barbara Rodgers**

(Printed Name of Adjacent Owner)

**12/19/22**

(Date Signed)

Cordially,

Nicholas Agrusa

Lifetime Dock & Lumber, Inc.

24536 Overseas Hwy

Summerland Key, FL 33042



## Silvia Gransee

---

**From:** Nick Agrusa <nick@lifetimeboatlifts.com>  
**Sent:** Tuesday, February 7, 2023 2:05 PM  
**To:** Silvia Gransee  
**Cc:** Lenny Leggett  
**Subject:** [External] Lifetime: Figuerado P# B22-000272 - KCB Application Drawings  
**Importance:** High

Good afternoon Sylvia,

I would like to address the question on the permit application B22-000272.

The reason it says 30,000# on the permit application is because the drawings provided covers a large range of boat lift weight capacities. Technically, this 4- post structure boat lift is being built with the same structural plans as a 30,000# boat lift. But, the lifting capacity of the lift will be 24,000# internally. Since we are permitting the boat lift that has many renditions – it will be submitted as a 30,000# lift since it is the same structure as a 24,000# lift.

Please note: that we will never submit a drawing that will be misleading; such as, installing a 24K lift but only submitting the application with 10K lift plans.

I hope this helps and if any changes need to be made please don't hesitate to let me know.

Thank you kindly for your time,

*Nick Agrusa*

**LIFETIME**  
Dock & Lumber, Inc.

*Serving the Florida Keys Since 1989*

Lifetime Dock & Lumber, Inc  
24536 Overseas Highway  
Summerland Key, FL 33042  
Office: (305) 745-2840  
[www.lifetimeboatlifts.com](http://www.lifetimeboatlifts.com)





## CITY OF KEY COLONY BEACH 2/6/2023

P.O. BOX 510141 – 600 W. Ocean Dr., Key Colony Beach, FL 33051-0141

WEBSITE: [www.keycolonybeach.net](http://www.keycolonybeach.net)

E-MAIL: [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net)

PHONE: 305-289-1212, ext. 2

FAX: 305-289-1767

<u>CITY COMMISSION</u>	<u>Phone</u>	<u>Home Address</u>	<u>Term Ending</u>
<b><u>PATRICIA TREFRY</u></b> Mayor	305-432-1438 (C)	P.O. BOX 511116 <a href="mailto:Mayor@KeyColonyBeach.net">Mayor@KeyColonyBeach.net</a>	2024
<b><u>BETH RAMSAY-VICKREY</u></b> Vice-Mayor	305-395-2755 (C)	P.O. BOX 510236 <a href="mailto:BethKCB2022@gmail.com">BethKCB2022@gmail.com</a>	2026
<b><u>TOM HARDING</u></b> Secretary/Treasurer	734-476-0531 (C)	P.O. BOX 510772 <a href="mailto:KCBTomHarding@gmail.com">KCBTomHarding@gmail.com</a>	2024
<b><u>FREDDIE FOSTER</u></b> Commissioner	786-229-4313 (C)	P.O. BOX 510934 <a href="mailto:KCBFFoster@gmail.com">KCBFFoster@gmail.com</a>	2026
<b><u>JOEY RASPE</u></b> Commissioner	305-393-7646 (C)	P.O. BOX 510526 <a href="mailto:KCBJRaspe@gmail.com">KCBJRaspe@gmail.com</a>	2024

<b>POLICE DEPARTMENT</b>	305-289-1212 ext.1	<b>EMERGENCY DISPATCH 911/ NON-EMERGENCY DISPATCH</b>	305-289-2351
<b>TRAILER PARKING CELL</b>			
<b>CITY ADMINISTRATOR</b>	<b>DAVE TURNER</b>	305-432-0086	
<b>CITY ATTORNEY</b>	<b>DIRK SMITS</b>	305-849-0273 (C)	<a href="mailto:cityadministrator@keycolonybeach.net">cityadministrator@keycolonybeach.net</a>
<b>CITY CLERK</b>	<b>SILVIA GRANSEE</b>	305-664-4675	<a href="mailto:dsmits@florida-law.com">dsmits@florida-law.com</a>
<b>BUILDING OFFICIAL</b>	<b>LENNY LEGGETT</b>	305-289-1212 ext. 2	<a href="mailto:cityclerk@keycolonybeach.net">cityclerk@keycolonybeach.net</a>
<b>PUBLIC WORKS</b>	<b>MIKE GUARINO</b>	305-289-1212 ext. 3	<a href="mailto:buildingofficial@keycolonybeach.net">buildingofficial@keycolonybeach.net</a>
<b>CHIEF OF POLICE</b>	<b>KRIS DIGIOVANNI</b>	305-680-9415	<a href="mailto:publicworks@keycolonybeach.net">publicworks@keycolonybeach.net</a>
<b>CITY AUDITOR</b>	<b>JULIO BUZZI</b>	305-289-1212 ext. 1	<a href="mailto:chief@keycolonybeach.net">chief@keycolonybeach.net</a>
<b>POST OFFICE</b>		305-598-6701	
<b>WASTEWATER TREATMENT PLANT</b>		305-743-2249	
Operator: U.S. Water – DAVID EVANS		305-289-0819	
<b>PAR 3 GOLF COURSE (DARYL RICE, MANAGER)</b>		305-522-6545	<a href="mailto:devans@uswatercorp.net">devans@uswatercorp.net</a>
		305-289-9859	

### BEAUTIFICATION COMMITTEE: 2-YEAR TERM

<a href="#">Greg Burke</a> , Vice-Chair	219-670-9760	2023
<a href="#">Sandy Bachman</a> , Secretary	215-962-3660	2024
<a href="#">David McKeehan</a>	713-417-3854	2023
<a href="#">Pam Geronomus</a>	561-212-5509	2023
Vacant		
<a href="#">Jo Corso</a> , 1 <sup>st</sup> Alt	757-333-1728	2024
2 <sup>nd</sup> Alt, Vacant		

### CODE ENFORCEMENT BOARD: 3-YEAR TERM

<a href="#">John Dalton</a> , Chair	305-743-0008	2023
<a href="#">Kimmeron Lisle</a>	917-523-0791	2024
<a href="#">Larry Mills</a>	843-847-1028	2025
Vacant		
Vacant		
<a href="#">Doug Cuje</a> , 1 <sup>st</sup> Alt.	732-539-4997	2025
<a href="#">Pete Diez</a> , 2 <sup>nd</sup> Alt.	305-804-4051	2025

### DISASTER PREPAREDNESS: 1-YEAR TERM

<a href="#">Lenny Leggett</a> , Chair	305-289-1212	2023
<a href="#">Chief Kris DiGiovanni</a> , Vice-Chair	305-289-1212	2023
<a href="#">Mike Guarino</a>	305-289-1212	2023
<a href="#">Dave Turner</a>	305-289-1212	2023
1 <sup>st</sup> Alt, Vacant		
2 <sup>nd</sup> Alt, Vacant		

### PLANNING AND ZONING: 2-YEAR TERM

<a href="#">George Lancaster</a> , Chair	305-731-4722	2023
<a href="#">Tom DiFranco</a> , Vice-Chair	305-509-7686	2023
<a href="#">Bob Glassman</a>	561-271-8194	2024
<a href="#">Lin Walsh</a>	912-658-7799	2024
<a href="#">Mike Yunker</a>	305-942-6248	2023
<a href="#">Steve DeCrow</a> , 1 <sup>st</sup> Alt.	518-859-5662	2023
<a href="#">Ron Anderson</a> , 2 <sup>nd</sup> Alt.	715-554-0470	2023

### RECREATION COMMITTEE: 2-YEAR TERM

<a href="#">Ted Fischer</a> , Chair	302-841-9812	2023
<a href="#">Barbara Tatarchuk</a> , Vice-Chair	231-878-6494	2024
<a href="#">Tom Alferes</a>	508-965-5303	2024
<a href="#">Anita Alferes</a>	508-965-4822	2023
<a href="#">Richard Pflueger</a>	256-810-3985	2023
<a href="#">Frank Tremblay</a> , 1 <sup>st</sup> Alt	607-732-2990	2023
<a href="#">Cindy Catto</a> , 2 <sup>nd</sup> Alt	802-224-6469	2024

### UTILITY BOARD: 1-YEAR TERM

<a href="#">Toni Appell</a> , Chair	305-849-2251	2023
<a href="#">Dan Gleason</a> , Vice-Chair	305-619-1975	2023
<a href="#">Anthony Fernandes</a> , Treasurer	305-912-7727	2023
Vacant		
Vacant		
<a href="#">Bill Fahs</a> , 1 <sup>st</sup> Alt.	631-553-4210	2023
2 <sup>nd</sup> Alt, Vacant		

ALL TERMS EXPIRE 2<sup>nd</sup> THURSDAY OF DECEMBER OF YEAR SHOWN.



# CITY OF KEY COLONY BEACH

## ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK  
PO Box 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [www.KeyColonyBeach.net](http://www.KeyColonyBeach.net)

☐ NEW APPLICATION ☐ RE-APPLICATION

- ☐ BEAUTIFICATION COMMITTEE (2-Year Terms; 5 Members – 2 Alternates,)
- ☐ CODE ENFORCEMENT BOARD (3-Year Terms; 5 Members, 2 Alternates)
- ☐ DISASTER PREPAREDNESS COMMITTEE (1-Year Term; 5 Members, 2 Alternates)
- ☐ PLANNING & ZONING BOARD (2-Year Term; 5 Members, 2 Alternates)
- ☐ RECREATION COMMITTEE (2-Year Term; 5 Members, 2 Alternates)
- ☐ UTILITY BOARD (1-Year Term; 5 Members, 2 Alternates)

Name: \_\_\_\_\_  
(Last) (First) (Middle)

Address: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Business Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

Home/Cell Ph.: \_\_\_\_\_ Work Ph.: \_\_\_\_\_

E-mail: \_\_\_\_\_



Do you reside within the City limits?

☐ Yes ☐ No

- If yes, how long have you resided in the City of Key Colony Beach? \_\_\_\_\_

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

☐ Yes ☐ No

Are you a Registered Voter in Monroe County?

☐ Yes ☐ No

- Voter ID #: \_\_\_\_\_

Please rank your board preference(s): 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity before? ☐ Yes ☐ No

If yes, please indicate name of board and dates of service. \_\_\_\_\_

\_\_\_\_\_

Why would you like to serve on this board? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What special skills would you bring to this position? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please list fields of work experience: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

Local References (Please list 3):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Would you have a problem with the meeting dates and times for the board/agency for which you are applying? ☐ Yes ☐ No

If yes, please explain: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

#### **SCHEDULE OF BOARD/COMMITTEE MEETINGS**

Beautification Committee	2 <sup>nd</sup> Tuesday of each month	10:00 am
Code Enforcement Board*	2 <sup>nd</sup> Wednesday of each month	9:30 am
Disaster Preparedness	As needed	TBD
Planning and Zoning Board*	3 <sup>rd</sup> Wednesday of each month	9:30 am
Recreation Committee	As needed	TBD
Utility Board	3 <sup>rd</sup> Tuesday of each month	9:30 am

\*These boards are subject to Financial Disclosure.

**Submit application to:**

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

**OR**

[Cityclerk@keycolonybeach.net](mailto:Cityclerk@keycolonybeach.net)

# CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION

## AUTHORIZATION FOR CRIMINAL BACKGROUND HISTORY INFORMATION & BACKGROUND/REFERENCE CHECK

### Acknowledgments:

1. Accuracy of Information. I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.
2. Information Release. I authorize the City of Key Colony Beach to contact any company, institution, or individual it deems appropriate to investigate my criminal background history, character, qualifications, or related information. I give my full consent for all contacted persons to provide the information concerning this application. Further, I waive my right to bring a claim against these individuals for any damages arising from furnishing the requested information to the City of Key Colony Beach. I also release the City of Key Colony Beach from all liability that might result from checking such references.

The following information is needed for the city to perform a criminal background history:

**Applicant:** \_\_\_\_\_  
Last First Middle

**Date of Birth:** \_\_\_\_\_ **\*SSN:** \_\_\_\_\_

**Race: (Circle One)** African American Alaskan Native American Indian  
Asian Caucasian Hispanic  
Unknown Other: \_\_\_\_\_

**Gender: (Circle One)** Female Male

**\*\*Are you disabled?:** Yes No

**\*Note:** *Per Florida Statutes, your SSN is exempt from Public Records and will be redacted from this form immediately following your background check. Further, this form will not be made public unless requested via a Public Records Request.*

**\*\*This does not affect whether you are appointed or not. We are required to submit to the State an annual report of appointed Minority & Disabled members of our boards. Not in name, just statistics.**

# GENERAL INFORMATION

## SUNSHINE AMENDMENT/CODE OF ETHICS:

All Volunteer Advisory Board/Committee Appointees are governed by and subject to the Florida Sunshine Law, which includes the Public Records Law and Code of Ethics.  
[Ref. Sec. 24, Art. I, F.C., Sec 286.011, F.S. Chap. 119, F.S. and Chap. 112 – Part III, F.S. respectively]

## CITY OF KEY COLONY BEACH RULES OF PROCEDURES FOR VOLUNTEER ADVISORY BOARDS AND COMMITTEES

All Volunteer Advisory Boards and Committees shall follow the Rules of Procedure of the City of Key Colony Beach as passed and adopted per Resolution 2023-01 on January 19<sup>th</sup>, 2023.

## FORM 1 – STATEMENT OF FINANCIAL INTERESTS:

Persons required to file FORM 1 include all local officers. A local officer is defined as any appointed member of a board, excluding any member of a solely advisory body. However, a governmental body with land-planning, zoning or natural resources responsibilities shall not be considered an advisory body and therefore would be required to file.

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

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

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

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

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

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

**RESOLUTION NO. 2023-01**

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

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**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 1<sup>st</sup> 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.

**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

**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.

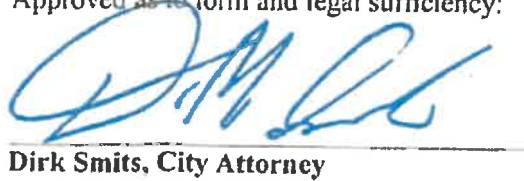


Patricia Trefry, Mayor



Silvia Gransee, City Clerk  
(City Seal)

Approved as to form and legal sufficiency:



Dirk Smits, City Attorney



# City of Key Colony Beach

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



January 18, 2023

To: The City of Key Colony Beach Board of Commissioners

From: The Key Colony Beach Planning & Zoning Board

Re: Recommendations to the City Commission on Pool Setback Changes for R2B Zones.

The Planning & Zoning Board reviewed the current and proposed pool side setback requirements for properties in the R2B Zone.

**MOTION:** Motion made by Mike Yunker, seconded by Tom DiFransico, to recommend the approval of the pool side setback changes to 5 feet in the R2B zone to the City Commission.

**DISCUSSION:** The Board discussed if only sides are being discussed or all direction setbacks. The City Administrator explained the main concern to be duplex homes on both sides to the fence in the center. Further discussion followed on which type of setback to approve.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**Final Recommendation:** The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners to change the pool side setback requirements from 10 feet to 5 feet in the R2B Zone.

  
George Lancaster, Chair

## ARTICLE III. - DISTRICT REGULATIONS

### ARTICLE III. DISTRICT REGULATIONS

#### Sec. 101-10. - R-1A One dwelling unit residence district.

- (1) *Intent.* This district is intended to accommodate one unit detached dwellings. It conforms with the single-family residential category of the comprehensive plan.
- (2) *Permitted uses.* One unit detached dwelling.
  - Dockside shelter and related uses.
  - Private boat dock or pier.
  - Private garage.
  - Swimming pool.
  - Tennis court.
  - Home occupation as defined in section 101-34.
  - Family day care home as defined in article II.
  - Utility use, minor.
  - Yard adornments.
- (4) *Lot area and width.*
  - Minimum lot area of 7,500 square feet.
  - Minimum lot width of 75 feet.
- (5) *Setbacks* (see also section 101-26).
  - Front yard minimum of 25 feet.
  - Side yard minimum of 8.5 feet on each side, except on a corner lot or a combined lot.
  - Rear yard minimum of 25 feet except a 50 foot minimum setback from mean high tide along Vaca Cut.
  - Corner lot minimum side yard of 25 feet on the street frontage and rear yard of 8.5 feet.
  - For combined lots, each side yard minimum shall be 10 per cent of total width.
- (6) *Floor area.* Minimum habitable building area of 1,200 square feet per dwelling unit.
- (7) *Pervious area.* Minimum of 15 per cent.
- (8) *Height.* Maximum of 30 feet or 2 stories, whichever is less.
- (9) *Special regulations.* See sections governing parking, landscaping and signs.

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98)

#### Sec. 101-11. - R-1B One dwelling unit residence district.

- (1) *Intent.* This district is intended to accommodate one unit detached dwellings. It conforms with the single-family residential category of the comprehensive plan.
- (2) *Permitted uses.* One unit detached dwelling.
- (3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

- (4) *Lot area and width.*

Minimum lot area of 6,000 square feet.

Minimum lot width of 60 feet.

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

Front yard minimum of 25 feet.

Side yard minimum of 7.5 feet on each side, except on a corner lot or a combined lot.

Rear yard minimum of 25 feet.

Corner lot minimum side yard of 25 feet on the street frontage and rear yard of 7.5 feet.

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

- (6) *Floor area.* Minimum habitable building area of 1,000 square feet per dwelling unit.
- (7) *Pervious area.* Minimum of 15 per cent.
- (8) *Height.* Maximum of 30 feet or 2 stories, whichever is less.
- (9) *Special regulations.* See sections governing parking, landscaping and signs.

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98)

Sec. 101-12. - R-2A Two dwelling unit residence district.

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

- (2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

- (3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

- (4) *Lot area and width.*

Minimum lot area of 6,000 square feet.

Minimum lot width of 60 feet.

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

Front yard minimum of 25 feet.

Side yard minimum of 7.5 feet on each side, except on 75 foot wide lots where the minimum shall be 8.5 feet, corner lots or on combined lots. In the case of attached two unit dwellings, one side setback shall be required for each dwelling.

Rear yard minimum of 20 feet.

Corner lots shall have minimum side yards of 25 feet on the street frontage and rear yards measuring the same distance as the required side yard.

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

- (6) *Floor area.* Minimum habitable building area of 800 square feet per dwelling unit.

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

- (8) *Height.* Maximum of 30 feet or 2 stories, whichever is less.

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

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98)

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

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

- (2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

- (3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

- (4) *Lot area and width.*

Minimum lot area of 5,500 square feet.

Minimum lot width of 40 feet.

See also section 101-192, nonconforming lots.

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

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

Side yard minimum of 5 feet on each side, except on corner lots or on combined lots. In the case of attached two unit dwellings, one side setback shall be required for each dwelling.

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

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

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

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

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

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

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

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98)

Sec. 101-14. - R-2C Two dwelling unit residence district.

- (1) *Intent.* This district is intended to accommodate single unit detached and two unit dwellings located on Lots 4-10, Marina Subdivision, and any platted resubdivision of the said lots. It conforms with the two-family residential category of the comprehensive plan.

- (2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

- (3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34.

Family day care home as defined in article II.

Utility use, minor.

Yard adornments.

- (4) *Lot area and width.*

Minimum lot area of 6,500 square feet.

Minimum lot width of 65 feet.

- (5) *Setbacks.* (See also section 101-26.)

Front yard minimum of 25 feet.

Side yard minimum of 8.5 feet. In the case of attached two unit dwellings, one side setback shall be required for each dwelling.

Rear yard minimum of 20 feet.

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

Commercial uses adjacent to the southerly boundary of Lot 10 would be 9 feet (see also B-1 regulations, section 101-17).

- (6) *Floor area.* Minimum habitable building area of 800 square feet per dwelling unit.

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

- (8) *Height.* Maximum of 30 feet or 2 stories, whichever is less.

- (9) *Special regulations.*

*Type of construction:* Ground floor structures which comply with federal flood elevation requirements shall be permitted, provided there is a two-car garage per dwelling unit and such garage may not thereafter be converted to any other use other than parking, and the lot is no less than 79 feet wide. Lots less than 79 feet in width must be stilt construction elevated 8 feet and provide for parking underneath the structure. The parking underneath the structure may not subsequently be converted to any other use.

*Parking:* No boat trailers, utility trailers, recreational vehicles, campers or other than private passenger vehicles shall be parked outside of the footprint of the house. No parking of any vehicles shall be permitted on the right-of-way.

*Landscaping:* A landscape buffer shall be maintained at a height no less than 6 feet along the northerly side of Lot 4 and the road adjoining said lot.

See sections governing parking [article V], landscaping [article VI], and signs [article X].

(Ord. No. 346-2002, 11-4-02)

Sec. 101-15. - R-3 Multiunit residence district.

(1) *Intent.* This district is intended to accommodate the full range of residential uses and related amenities. It conforms with the multifamily residential category of the comprehensive plan and therefore the density shall not exceed 8 units per acre.

(2) *Permitted uses.*

One unit detached dwelling.

Two unit dwelling.

Multiunit dwelling.

Beach club. (See definition of beach club for restrictions.)

Community residential home as defined in article II.

(3) *Accessory structures and uses.* See section 101-26 for detailed regulations.

Dockside shelter and related uses.

Private boat dock or pier.

Private garage.

Swimming pool.

Tennis court.

Home occupation as defined in section 101-34;

Family day care home as defined in article II;

Utility use, minor.

Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 20,000 square feet.

Minimum lot width of 75 feet.

(5) *Density.* Not more than 8 units per acre.

(6) *Setbacks.*

Front yard minimum of 50 feet, except tennis courts and swimming pools which may be set back 25 feet.

Side yard minimum of 15 feet on each side, except 25 feet from street line on corner lots, and at least 10 per cent of total width for combined lots, up to a maximum of 30 feet on each side; no

fence, gate, wall or hedge over 4 feet in height, or any accessory structure is permitted within the minimum required side yard.

Rear yard minimum of 20 feet.

Ocean: 100 feet from mean high water line.

- (7) *Floor area.* Minimum habitable building area of 900 square feet per dwelling unit.
- (8) *Building coverage.* Maximum of 33 per cent of lot area.
- (9) *Pervious area.* Minimum of 20 per cent.
- (10) *Height.* Maximum of 3 stories, but in no case more than 35 feet.
- (11) *Site plan.* A site plan is required for all development other than one or two family dwellings; see article XII.
- (12) *Special regulations.* See sections governing parking, landscaping and signs.

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98; Ord. No. 346-2002, 11-4-02)

Sec. 101-16. - RH Resort hotel district.

- (1) *Intent.* This district is intended to accommodate hotels, multiunit dwellings, beach clubs and restaurants with a waterfront, ocean resort orientation. The site plan review process shall further this goal. It conforms with the resort category of the comprehensive plan.
- (2) *Permitted uses.*
  - Multiunit dwelling.
  - Hotel.
  - Beach club. (See definition of beach club for restrictions.)
  - Private membership club.
  - Restaurants and bars. (See article IV, supplemental regulations, section 101-42, for requirements for restaurants and bars.)
- (3) *Accessory structures and uses.* See section 101-26 for additional regulations.
  - Club or bath house.
  - Dockside shelter and related uses.
  - Private boat dock or pier.
  - Private garage.
  - Utility shed.
  - Swimming pool.
  - Tennis court.
  - Home occupation as defined in section 101-34.
  - Utility use, minor.



Yard adornments.

(4) *Lot area and width.*

Minimum lot area of 20,000 square feet.

Minimum lot width of 75 feet.

(5) *Density.* Not more than 8 dwelling units per acre. In the case of a mixed-use project, this density shall be calculated by considering each hotel unit (suite or room) and each 1,200 square feet of business floor area as a dwelling unit.

(6) *Setbacks.*

Front yard minimum of 50 feet, except tennis courts and swimming pools which may be set back 25 feet.

Side yard minimum of 15 feet on each side, except 25 feet from street line on corner lots, and at least 10 per cent of total width for combined lots, up to a maximum of 30 feet on each side; no fence, gate, wall or hedge over 4 feet in height, or any accessory structure is permitted within the minimum required side yard.

Rear yard minimum of 20 feet.

Ocean: 100 feet from mean high water line.

(7) *Floor area.* Minimum habitable building area of 600 square feet per dwelling unit but not hotel units.

(8) *Building coverage.* Maximum of 33 per cent of lot area.

(9) *Open space.* A hotel project shall provide 1,000 square feet of recreational open space per hotel unit. The location, design and facilities shall be reviewed and approved as part of the site plan.

(10) *Pervious area.* Minimum of 20 per cent.

(11) *Height.* Maximum of 3 stories, but in no case more than 35 feet.

(12) *Site plan.* A site plan is required for all development; see article XII.

(13) *Special regulations.* See sections governing parking, landscaping and signs. See also section 101-35 relative to any resort dwelling units to be sold as time shares.

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98; Ord. No. 346-2002, 11-4-02)

Sec. 101-17. - B-1 Neighborhood business district.

(1) *Intent.* This district is intended to provide those retail, personal service and office uses needed to serve the city's residential neighborhoods plus marinas. This conforms with the commercial category of the comprehensive plan. The site plan review process shall further the goal of water-related uses and design in B-1 districts south of the bridge.

(2) *Permitted uses.* Convenience retail sales including groceries, hardware, variety, gift, florist, video, newspaper, jewelry, wearing apparel, fabrics, drugs, books, bakery goods, and similar retail uses.

Self-service laundry, dry cleaning and laundry pick-up, and similar service establishments.

Personal service shops such as barber, beauty parlor, shoe repair and tailor.

Offices.

Restaurants and bars. (See article IV, supplemental regulations, section 101-42, for requirements for restaurants and bars.)

Marina, to include boats for rent or hire carrying no more than 35 passengers except as expressly approved in advance by the city commission for special occasions, but not boat repair uses. (See section 101-51 for parking requirements.)

Live-aboard boats in conformance with chapter 5, article II and the densities in (6) below.

(3) *Conditional uses.*

Gasoline station: Conditioned on frontage along an arterial roadway (as so classified in the comprehensive plan).

(4) *Accessory structures and uses.* All customary accessory structures and uses.

(5) *Lot area and width.*

Minimum lot area of 10,000 square feet.

Minimum lot width of 90 feet.

(6) *Density.* Live-aboard boats tied up to docks located within the B-1 district shall not exceed a density of 8 dwelling units per net acre with each such boat considered a dwelling unit.

(7) *Setbacks.*

Sadowski Causeway: Minimum of 40 feet.

Other front yard: Minimum of 25 feet.

Other side yard: Minimum of 5 feet, except 25 feet on a corner lot or from a residentially zoned parcel and at least 10 per cent of total width for a combined lot, up to a maximum of 30 feet on each side.

Rear yard: Minimum of 15 feet.

(8) *Lot coverage.* Maximum of 45 per cent.

(9) *Pervious area.* Minimum of 20 per cent.

(10) *Height.* Maximum of 2 stories, but in no case more than 30 feet.

(11) *Site plan.* A site plan is required in accordance with article XII.

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

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98; Ord. No. 346-2002, 11-4-02)

Sec. 101-18. - PB Public buildings and grounds districts.

(1) *Intent.* This district is intended to accommodate city administrative or maintenance buildings, city wastewater treatment plant and other governmental uses. It conforms with the Public category of the comprehensive plan.

(2) *Permitted uses.*

Governmental administrative offices, including police station.

Governmental maintenance facilities.

Libraries.

Post offices.

Public parking including boat trailers.

Public parks.

Public restrooms.

Utility use, major.

(3) *Site design standards.*

Building setbacks:

Side setback: 20 feet, except on a combined lot where the side yard minimum shall be 10 per cent of total width, up to a maximum of 30 feet on each side.

Front setback: 25 feet.

Rear setback: 25 feet.

Pervious area minimum of 20 per cent.

Height maximum of 2 stories but in no case more than 30 feet.

(4) *Special regulations.* See sections on parking and landscaping.

(Ord. No. 299-1995, 12-28-95; Ord. No. 316-1998, 8-13-98; Ord. No. 346-2002, 11-4-02)

Sec. 101-19. - PR Public recreation district.

(1) *Intent.* This district is intended to accommodate the city's park, recreation and public golf course facilities. It conforms to the recreational category of the comprehensive plan.

(2) *Permitted uses.*

Public parks and related recreational facilities.

Public golf courses and related building facilities.

(3) *Site design standards.*

Building setback minimum of 25 feet.

Height maximum of 30 feet.

(Ord. No. 299-1995, 12-28-95; Ord. No. 346-2002, 11-4-02)

Sec. 101-20. - C Conservation district.

(1) *Intent.* This district is intended to preserve unique natural features, particularly wetlands, in their natural state. This conforms to the conservation category in the comprehensive plan.

(2) *Permitted uses.* Open space, including wetlands.

(3) *Accessory uses.* Environmentally sensitive walkways.

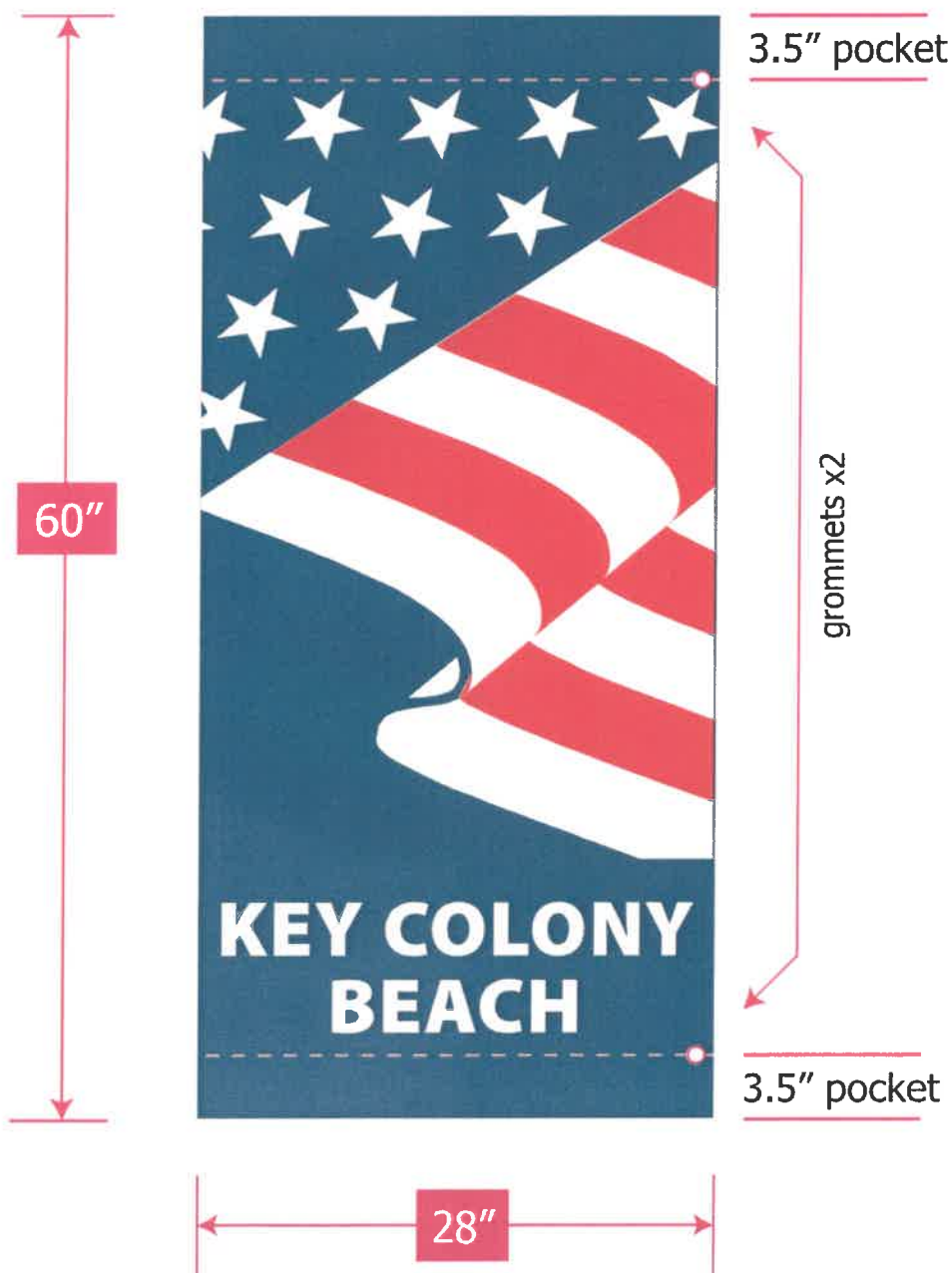
(Ord. No. 299-1995, 12-28-95; Ord. No. 346-2002, 11-4-02)

Secs. 101-21—101-24. - Reserved.

January 31, 2023

**7280 Brandano Displays, Inc.**

Qty: (15); Banner: 28x60: Sunbrella; Dye Dispersion Full Color Print (DRT); 1-Design; 2-Sided Print; 3.5" Pockets top & bottom; 2-Grommets

**Qty: 15****SAME FRONT/BACK**

Customer

Approval: \_\_\_\_\_

**IMPORTANT:**

1. Your signature means you are approving this document **AS IS**.
2. With your art approval, we will schedule the order into production, provided your deposit has been received.
3. Do NOT sign if there are any questions or changes needed. Please contact our Art Department with any questions.

**Colors Specified**

Colors specified by CMYK values

**PLEASE SPECIFY  
HARDWARE/BRACKET TYPE:**

- ☐ Adjustable hardware  
(most common)
- ☐ Fixed hardware  
(attached to light pole  
and cannot be adjusted)

**ORDINANCE NO. 2022 -479**

**AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII, SECTIONS 2-86, 2-88, AND 2-93 OF THE CODE OF ORDINANCES OF THE CITY OF KEY COLONY BEACH RELATED TO MEETINGS OF THE CITY COMMISSION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the City Commission of the City of Key Colony Beach (the "City Commission") wishes to amend Chapter 2, Article VII, Secs. 2-86; 2-88; and 2-93 of the City's Code of Ordinances (the "Code") of in order to promote efficiency and costs savings 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 Ordinance is appropriate, and in the public interest of this community.

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

~~Strikethrough~~ = deletion

**Bold underline** = addition

**Section 1: Recitals**

The above recitals are true and correct and are hereby incorporated by reference.

**Section 2: Effective Date**

This Ordinance shall become effective upon approval and adoption by the City Commission. This Ordinance shall sunset six (6) months after the effective date.

**Section 3: Amendment**

*Sections < Chapter 2, Article VII >* of the City of Key Colony Beach Code of Ordinances shall be amended to read as follows:

**Sec. 2-86. – Agenda.**

The ~~mayer~~ **Mayor** with the advice of the ~~city clerk~~ **City Clerk** and ~~commissioners~~ **Commissioners**, shall prepare an agenda of subjects to be acted on for each meeting. ~~The agenda shall be made available to the commissioners at least one (1) business day before every city commission hearing.~~ **The agenda shall be made available to the Commissioners by the Friday immediately prior to any regular commission meeting or four (4) days before any special or emergency meeting, time permitting.** The order of the agenda may be changed during a meeting by a majority vote of the ~~city commission~~ **City Commission**. A new subject that requires urgent attention may be added to the agenda during a meeting by a majority vote of the ~~city commission~~ **City Commission**.

(Ord. No. 353-2003, 2-13-03; Ord. No. 2022-\_\_\_\_, \_\_\_\_\_)

....

**Sec. 2-88. – Order of business.**

All regular meeting of the city commission should follow an established order of business. The order is as follows:

- (1) Call to order.
- (2) ~~Minutes.~~ **Correspondence and citizen comments.**
- (3) ~~Reports from committees and departments.~~ **Minutes.**
- (4) ~~Unfinished business.~~ **Reports from committees and departments.**
- (5) Items of discussion/approval.
- (6) City administrator items for discussion.
- (7) ~~Ordinance and resolutions.~~ **City Attorney's report.**
- (8) ~~Commissioners reports or comments.~~ **Ordinances and resolutions.**
- (9) ~~City attorney report.~~ **Commissioner's reports and comments.**
- (10) ~~Correspondence and citizen comments.~~ **Adjournment.**
- (11) ~~Adjournment.~~

(Ord. No. 353-2003, 2-13-03; Ord. No. 2022-\_\_\_\_, \_\_\_\_\_)

....

**-/Remainder of Page Left Intentionally Blank/-**

**Sec. 2-93. – Organizational and Regular meetings.**

**An organizational meeting of the City Commission will be held on the third Thursday of November of each year, unless the organizational meeting falls on a legal holiday, at which time the organizational meeting shall be rescheduled by either (1) a majority vote of the City Commission or (2) a showing of exceptional circumstances in a writing directed to the Mayor no less than three (3) business days before the organizational meeting of the City Commission is scheduled to take place. All organizational meetings of the City Commission shall be held in the City Hall of the City of Key Colony Beach or such other appropriate designated place.**

**Regular meetings of the city commission City Commission shall be held at 9:30 a.m. on the second and fourth Thursdays of each month unless rescheduled by vote of the city commission. All regular meetings shall be held in the City Hall of the City of Key Colony Beach on the third Thursday of each month unless the regular meeting falls on a legal holiday, at which time the regular meeting shall be rescheduled at the discretion of the City Commission. All regular meetings of the City Commission may be moved and rescheduled by either (1) a majority vote of the city commission or (b) a showing of exceptional circumstances in a writing directed to the Mayor no less than three (3) business days before the regular meeting of the City Commission is scheduled to take place. All regular meetings of the City Commission shall be held in the City Hall of the City of Key Colony Beach or such other appropriate designated place.**

(Ord. No. 353-2003, 2-13-03; Ord. No. 366-2003, 12-11-03; Ord. No. 2022-\_\_\_\_, \_\_\_\_\_)

**Section 4: Severability and Conflict**

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

**Section 5: Inclusion in the Code of Ordinances of Key Colony Beach, Florida**

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

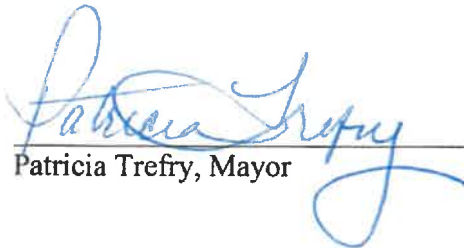
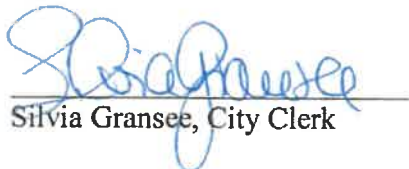
**FIRST READING** by the City of Key Colony Beach City Commission this 8<sup>th</sup> day of September, 2022.

Mayor Patricia Trefry	NO _____ YES <u>X</u> _____
Vice Mayor Tom Harding	NO _____ YES <u>X</u> _____
Commissioner John DeNeale	NO _____ YES <u>X</u> _____
Commissioner Ron Sutton	NO _____ YES <u>X</u> _____
Commissioner Beth Ramsay-Vickrey	NO _____ YES <u>X</u> _____

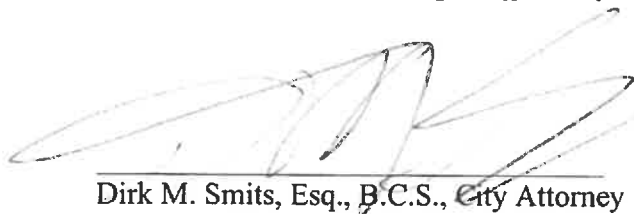
**SECOND READING AND DULY ADOPTED** by the City of Key Colony Beach City Commission on this 22<sup>nd</sup> day of September, 2022.

Mayor Patricia Trefry	NO _____ YES <u>X</u>
Vice-Mayor Tom Harding	NO _____ YES <u>X</u>
Commissioner John DeNeale	NO _____ YES <u>X</u>
Commissioner Ron Sutton	NO _____ YES <u>X</u>
Commissioner Beth Ramsay-Vickrey	NO _____ YES <u>X</u>

**DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA**, this 22<sup>nd</sup> day of September, 2022.

  
Patricia Trefry, Mayor  
Silvia Gransee, City Clerk

*Approved as to form and legal sufficiency:*

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



## Silvia Gransee

---

**From:** Jason Shepler <JShepler@mittauer.com>  
**Sent:** Wednesday, February 8, 2023 3:38 PM  
**To:** Silvia Gransee  
**Cc:** Pat Hyland; David Turner  
**Subject:** RE: [External] Update Report Requested by Commission 0604-17-1

### Sylvia -

Regarding 10<sup>th</sup> Street and future drainage improvements, here are some items:

- The current construction project is nearing completion. The contractor is working on driveways, final concrete work, and setting the Injection Well vault. My understanding is that they plan to be near completion, or complete, by the end of February.
- On 1/30/23, a walkthrough of 9<sup>th</sup> street, 10<sup>th</sup> street, 11<sup>th</sup> street, and 12<sup>th</sup> street was completed. The intent was to confirm survey information, review current construction, and update the City on findings. As a result of the field visit, the following items were noted:
  - The City is considering extending the current 10<sup>th</sup> Street project (Phase 2A) into Phase 2B with the current contractor. This would complete the improvements on 10<sup>th</sup> Street. We were able to update the pricing spreadsheet based on the current driveway materials and also noted those areas where owners have already removed their pavers in advance of any construction. We updated the estimating based on the Phase 2A pricing for use by the City.
    - The area does have at least 2 atypical driveways that will need to be reviewed.
  - The injection well location in Phase 2B was defined during the walk thru and updated in the drawings.
  - We are prepared to issue construction drawings to Haack, if the City desires, for final pricing when the resident selections for an open swale or closed drainage system are selected. As well as any driveway modifications.
  - We did note various areas where existing driveway piping was witnessed. We also had a few residents identify their infrastructure while performing the walk thru. We are incorporating those items into the design drawings for 9<sup>th</sup> Street, 11<sup>th</sup> Street, and 12<sup>th</sup> Street.
  - The City will need to consider the approach for use of any existing driveway pipes. We have discussed approaches with the contractor to connect to these units following a field review.
  - 11<sup>th</sup> Street has existing sidewalk and off-street parking lanes. We'll need to understand how the City wants to address these areas as they are not consistent through the right of way. We'll need direction on whether those areas are to remain, be replaced if disturbed during construction, or removed and replaced with the current gravel packed section of piping.
  - 12<sup>th</sup> Street also had some similar areas, but not to the extent witnessed on 11<sup>th</sup> Street.

Feel free to call me if you have any questions or need anything in addition.

Thanks – jason

# **City of Key Colony Beach**

## **Personnel Policy and Procedures**

**Effective October 2007 – Reprinted with Updates January 2023**

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# CHAPTER 1 Personnel Policies

## 1.1 PURPOSE

- a. It is the purpose of these rules and regulations to provide normal procedures, which will serve as a guide to administrative actions concerning the various personnel activities and transactions. They are intended to indicate the customary and most reasonable methods whereby the aims of the personnel program can be carried out. It is only a general description of policy that does not include every detail. It is understood they may not be applicable in every situation.
- b. These rules and regulations shall not be construed as a contract of employment, expressed or implied, and the City retains the right to revise, amend, or eliminate these rules and regulations at any time, with or without the approval of any employee. Only the City Commission is authorized to enter into any contract of employment with any employee, whether written, expressed or implied.
- c. Employees must comply with all rules, policies and directives as well as customary standards of behavior that a reasonable person would know are expected of employees, whether or not expressly stated in the work rules or in another policy.
- d. Police officers must also comply with the Police Policy Manual. If conflicts arise between this manual and the police manual, resolution of the conflict will be at the discretion of the Chief of Police and subject to the Employee Concern Resolution Procedure in Chapter 4 and approved by the City Administrator.

## 1.2 AUTHORITY AND RESPONSIBILITY

The general authority and responsibility for the administration of these rules and regulations rests with the City Administrator. City employees serve at the discretion of the City Administrator. The City Administrator shall have the final responsibility for hiring, promoting, adjusting compensation and termination of all City employees. The City Administrator may hire temporary employees when a need arises at an hourly rate appropriate for the position.

## 1.3 COMPENSATION

- a. The City Commission shall, from time to time, make or cause to have made comparative studies, as they deem necessary of the factors affecting the level of salaries prior to the preparation of the annual budget. On the basis of information derived from such studies, the Commission shall consider changes in salaries.

Probationary employees shall receive a pro-rated increase based on months of service at the time non-probationary employees are given an annual increase. (Calculation: months of service divided by twelve, multiplied by the percentage of annual increase given non-probationary employees). The remaining share of the increase shall be given to the probationary employee upon satisfactory completion of the probation period.

- b. Extra Compensation Program - The City Commission has adopted Resolution 2001-07 in compliance with Florida Statutes pursuant to a lump sum bonus payment program. This mechanism is intended to authorize the City of Key Colony Beach to reward outstanding employees who have performed services beyond what they are regularly compensated.

The City Administrator may recommend an amount to be paid to an employee upon identification of outstanding performance exceeding standards and thus deserving to be recognized by a bonus award above and beyond the payment of services performed and compensated. The recommendation must be approved by a majority of the City Commission at a regular or special meeting.

- c. Payday will be the Thursday after the Pay Period worked.

## **CHAPTER 2 Employee Benefits**

### **2.1 ELIGIBILITY**

All full-time employees are eligible for complete employee benefits including annual leave for vacation and sick leave, health insurance, and retirement benefits. Part time employees (except police officers) are entitled to annual vacation and sick leave benefits proportionate to the time worked as compared to the established full time rate of 40 hours per week, and retirement benefits based on the regulations of the Florida State Retirement System. All Part time employees are not eligible for health insurance. Temporary employees are not entitled to employee benefits. Entitlement to any benefit depends on the terms and conditions of the applicable law, policy, plan or other governing document.

### **2.2 RETIREMENT**

- a. All full time and part time employees' benefits upon retirement will be based upon the regulations of Florida Retirement System, Social Security Act and any other provisions which may be in effect at the time of retirement.
- b. All employees shall be eligible to participate in and make voluntary contributions to the 457 Deferred Compensation Plan pursuant to the terms and conditions of the contract.

### **2.3 HEALTH AND LIFE INSURANCE**

- a. All full-time employees are eligible for major medical, hospitalization, and dental insurance. Coverage shall begin on the first of the following month after insurance company approval or as permitted by the provider.
- b. The City shall pay the entire cost of major medical, hospitalization, and dental insurance for the employee. Dependent coverage is paid by the employee. Employees submitting proof of payment of the deductible expense for employee coverage may be reimbursed for the deductible based on the administrative policy established by the city commission as part of the annual budget.
- c. All employees are eligible for accidental death and dismemberment insurance while on the job. Police officers will be provided additional police coverages for "Fresh Pursuit" and "Unlawful or Intentional Death." The City shall pay the entire cost of this coverage.

### **2.4 WORKER'S COMPENSATION**

- a. As required by Florida Statutes, all City employees are covered under Florida's Workers Compensation laws.
- b. Employees sustaining work-related injuries shall notify the immediate supervisor as soon as possible after the injury and not later than the end of the workday. The supervisor shall notify the City Clerk as soon as possible after the accident or injury. The injured employee shall provide a progress report to their supervisor each week

thereafter until released by the doctor.

## **2.5 Police Incentive Pay**

Full-time Police Officers shall receive Incentive Pay as entitled under Florida Statutes Title XLVII Criminal Procedure and Corrections, Chapter 943 Department of Law Enforcement, Section 22 Salary incentive program for full-time officers.

## **2.6 Longevity Pay**

~~Employees completing 4 years of service shall receive Longevity Pay. Longevity Pay will be paid on the employee's 4 year anniversary in an amount equal to 5% (five percent) of the employee's base salary at the time of the payment. This payment will become part of the compensation package beginning October 1, 2009. Employees hired prior to October 1, 2005 will be given Longevity Pay on the first occurrence of their anniversary date following October 1, 2009. Employees hired on or after October 1, 2005 will be given Longevity Pay on their 4 year anniversary. Longevity Pay will be awarded thereafter in four year increments. Longevity Pay shall not be vested until the conclusion of the applicable 4 year period. Upon termination, Longevity Pay will not be pro-rated.~~

June 2014- Longevity Pay was removed by the City Commission

## CHAPTER 3 Attendance and Leave

### 3.1 HOURS OF WORK

- a. All full-time positions with the exception of police officers and department heads are paid at an hourly rate as provided by their job description. Police officers established work schedule is 84 hours in a 14 day period. Department heads are salaried, hours established by their job description.
- b. The normal business day for City Hall Office shall be 8:00 a.m. to 4:30 p.m. Employees shall work hours as stated in their job description. Flex hours outside of normal business hours must receive prior approval from either the City Clerk of the City Administrator. If the City Clerk requires flex hours, such must receive prior approval from the City Administrator.
- c. Employees shall report to work in sufficient time and be ready for work at the commencement of the work period. Unauthorized absences due to early departure or late arrival shall not be chargeable to the employee's Sick or Vacation Leave. Habitual tardiness will be subject to disciplinary action.
- d. Employees are not compensated for lunch breaks. Lunch breaks are 30 minutes and are scheduled by the employee's supervisor.

### 3.2 OVERTIME

- a. Overtime Pay shall be at 1 ½ times the hourly rate.

Department heads are salaried employees and therefore are not entitled to overtime.

- b. Part-time employees (less than 35 hours), except police officers, shall be considered as hourly employees and may work more hours than normally scheduled. Hours in excess of the normally scheduled up to and including 40 hours will be paid at the hourly rate. Approved hours worked in excess of 40 hours in any one pay period shall be referred to as overtime hours and will be compensated for at the rate of one-and-one-half hours pay for one hour of regular work. Overtime hours must be authorized by the employee's immediate supervisor.
- c. Part-time police officers shall be considered as hourly employees and may work more hours than normally scheduled. Approved hours worked in excess of 84 hours in any two week pay period shall be referred to as overtime hours and will be compensated for at the rate of one-and-one-half hours pay for one hour of regular work. Overtime hours must be authorized by the officer's immediate supervisor.
- d. Intermittent employees are employees hired on an "as needed" basis. An intermittent position is used from time to time to support and supplement the regularly scheduled work force. Scheduling of an intermittent employee is based upon the needs of the City. An intermittent employee is hired at a negotiated hourly rate. No benefits package is afforded the intermittent employee. The intermittent position is covered for workers compensation.



### 3.3 ABSENCES

- a. No employee shall be absent from his/her regularly scheduled duties except by authority of the City Administrator. Employees absent due to reasons beyond their control will be responsible for notifying the City Administrator no later than one (1) hour after the beginning of the scheduled workday, if possible, or within such period of time as required by the City Administrator.
- b. Absence of an employee from his/her regular assigned duties for a single day or part of the day, without prior authorization, shall be deemed Absence Without Leave. Any such absence shall be without pay and subject to disciplinary action. Any such absence for three (3) consecutive workdays shall be considered a voluntary resignation by the employee.
- c. A request for any type of Leave shall be made in writing.

### 3.4 HOLIDAY LEAVE

- a. City Hall offices will be closed for the following:

1. New Year's Day	January 1
2. Martin Luther King's Birthday	Third Monday of January
3. Presidents Day	Third Monday of February
4. Good Friday	Friday before Easter Sunday
5. Memorial Day	Last Monday of May
6. Juneteenth Day	June 19
7. Independence Day	July 4
8. Labor Day	First Monday of September
9. Columbus Day	Second Monday of October
10. Veterans Day	November 11
11. Thanksgiving	Fourth Thursday in November
12. Day after Thanksgiving	Friday after Thanksgiving Day
13. Christmas Day	December 25
- b. Unless otherwise specified by the City Commission, when a holiday falls on a Saturday or Sunday the City will conform to the Holiday observed by the county and other government agencies.
- c. Any special holiday not listed above may be granted at the discretion of the City Commission.
- d. Should work be required on any of the designated holidays, all employees shall be paid at the rate of two hours for each hour worked.

### 3.5 VACATION LEAVE

Each full-time employee will accrue Vacation Leave at the following rate, based on years of service:

1 <sup>st</sup> to 5 <sup>th</sup> year	80 hours
1 <sup>st</sup> to 5 <sup>th</sup> year – Police	84 hours (12 hour shifts)
5 <sup>th</sup> to 10 <sup>th</sup> year	120 hours
10 years and over	160 hours

Each part-time employee fulfilling established positions shall accrue Vacation Leave proportionate to the time worked as compared to the above.

Vacation Leave shall be calculated and accrued from the date of employment, but cannot be used prior to completion of one full year's employment. Vacation Leave that is accrued after the first year of employment may be used as it is accrued. Any splitting of vacation days must be approved by an employee's supervisor.

#### Charging Leave

- a. Vacation Leave will be charged in daily increments.
- b. If a holiday occurs during Vacation Leave, the Holiday shall be charged to Holiday Leave and not to Vacation Leave.
- c. Vacation Leave may be used to supplement Sick Leave due to sickness or injury only after Sick Leave has been fully exhausted.

#### Request For Leave

- a. An employee's request for Vacation Leave shall be submitted to his Department Head in electronic form.
- b. Leave may be taken only after approved by the Department Head. Every employee shall be encouraged to use time earned each calendar year.
- c. Leave may be used only as earned, and Vacation Leave with pay shall not be allowed in advance of being earned.
- d. An employee cannot be paid in lieu of taking his Vacation Leave, except upon separation and under the provisions outlined below:

Upon separation, employees with 12 months or more of satisfactory service shall be paid for accumulated Vacation Leave as follows:

1. Upon death or separation, the employee, or his designated beneficiary as indicated on the City life insurance policy, shall receive full payment for all accumulated Vacation Leave.
2. Payment of Vacation Leave benefits will be at the rate of pay at time of separation.

### Vacation Leave/Accumulation

Vacation Leave may be accumulated up to a maximum of 25 days for all employees except police officers. Any hours accumulated in excess of 200 hours must be used within the following twelve (12) month period.

If accumulated days exceed the 200 hour limit, the City Administrator will discuss with the employee a plan to use the excess days within the following twelve (12) month period.

Police officers - see Police Policy Manual. No vacation longer than 15 consecutive work days can be taken without the approval of the City Administrator.

## 3.6 SICK LEAVE

- a. **Earned** - Each full time employee shall accrue 3.69 hours of Sick Leave for each pay period. Sick Leave is earned from the date of employment as a full time employee. Each part time employee shall accrue sick leave proportionate to the time worked as compared to the established full time rate.
- b. Sick Leave shall not be granted in advance of actually being accrued unless approved by City Administrator.
- c. **Separation** - Upon separation, the employee or the designated beneficiary, as listed on the City life insurance policy, will be paid for accumulated Sick Leave at the employee's pay rate at the time of separation as follows:
  1. An employee who terminates with less than one year's service shall not be paid for any unused sick leave.
  2. Employees with 1 to 10 years' service shall upon separation in good standing receive 1/4 (one-fourth) of all accrued sick leave with a maximum of 320 hours.
  3. Employees with over ten years' service shall upon separation in good standing receive 1/2 (one-half) of all accrued sick leave with a maximum of 640 hours.
  4. There shall be no payment upon separation for sick leave for an employee who has been terminated.
- d. **Usage** - In order to be granted Sick Leave with pay, an employee must meet the following conditions:
  1. **In the event that an employee is aware in advance that Sick Leave benefits will be needed or due, it shall be the duty of the employee to notify, in writing, their Department Head as far in advance as possible, the anticipated time and duration of such Sick Leave, the reason for requesting such Sick Leave, and medical certification that the employee will be unable to perform his normal work functions.**
  2. **An employee on Sick Leave is required to notify their Department Head at**

**the earliest possible time of the anticipated date on which the employee will be absent and of the date the employee will be able to resume normal duties. Any employee obtaining Sick Leave benefits by fraud, deceit, or falsified statements shall be subject to disciplinary action, including, but not limited to suspension or dismissal.**

3. Employees who are absent for three (3) consecutive workdays will be required, if requested by their Department Head, to submit a medical certificate, signed by a Physician, stating the kind and nature of the sickness or injury, that the employee has been incapacitated for the period of absence, and that the employee is again physically able to perform their duties.
4. Evidence of abuse of Sick Leave shall constitute grounds for dismissal or disciplinary action as recommended by the Department Head and City Administrator.
- e. Doctor's Appointments - An employee who requires limited time off during a workday for medical, dental, or optical examination or treatment shall make arrangements in advance with their Department Head. Absence is to be limited to the actual time required up to three hours per month for full-time employees and shall not be charged against Sick Leave or Vacation Leave. Doctor's appointments in excess of three hours per month shall be charged to Sick Leave. Part-time employees doctor appointment time off will be pro-rated based on hours worked compared to full-time employees.

### **3.7 DEATH-IN-FAMILY LEAVE**

- a. Death-in-Family Leave shall be granted to an employee for the purpose of attending to the funeral arrangements or the funeral due to the death of an immediate family member. Said leave shall be for a period not to exceed three (3) days.
- b. "Immediate Family" consists of the following:
  - \* Employee's mother, father, child, sister, brother, grandparent, grandchild
  - Employee's spouse or life partner and their mother, father, child, sister, brother, grandparent, grandchild
- c. Death-in-Family Leave shall not be charged to Sick Leave or Vacation Leave.
- d. Any absence in excess of three (3) days shall be charged to Vacation Leave, or to Leave Without Pay if no Vacation Leave is available.

### **3.8 MILITARY LEAVE**

- a. Any employee who presents official orders requiring attendance for a period of training as a member of the United States Armed Forces or the State of Florida National Guard may be entitled to Military Leave for a period not to exceed seventeen (17) calendar days annually. An employee receiving training period pay shall receive regular pay for that period, less the amount received from the Federal or State Government.

- b. After seventeen (17) days of Military Leave have been used in a calendar year, any additional Military Leave will be on a Leave Without Pay basis.
- c. The individual U.S. Armed Forces or National Guard employee shall:
  - 1. Discuss with their Department Head their status and requirements. The employee will keep the Department Head informed of required training dates and will work with the supervisor to the extent possible to overcome any serious or unusual conflicts, which may occur.
  - 2. Immediately upon receiving firm training dates, the employee shall advise their Department Head of the dates and duration of each period without regard to whether the dates would conflict with the normal work schedule. This will insure that the Department Head has knowledge of all dates and will permit any necessary changes in work schedules or overtime work. Any changes in previously scheduled dates must be immediately called to the Department Head's attention.
- d. Any employee who presents official orders requiring active service duty as a member of the United States Armed Forces or the State of Florida National Guard for active duty may be entitled to Military Leave for up to twenty-five (25) months. These employees may receive full civilian pay in addition to their military pay for the first 30 days of their active duty, and thereafter receive the pay necessary to raise their military pay to the level of their civilian pay and continue their existing benefits.

### **3.9 JURY DUTY**

An employee who is legally summoned to serve on a jury and presents evidence of same, shall receive their regular salary. The employee will retain any amount paid for services as a juror for any trial of 10 (ten) days or less. Any juror pay in excess of 10 (ten) days shall be remitted to the city. If excused and/or released from such service, the employee shall report for their regular employment.

### **3.10 LEAVE OF ABSENCE WITHOUT PAY (FAMILY AND MEDICAL LEAVE – SEE SECTION 3.11)**

- a. A regular employee may be granted Leave of Absence Without Pay for sickness, disability, or other sufficient reasons, which are considered to be in the best interests of the City and the employee.
- b. Leave Without Pay exceeding a one-week period must be authorized in advance by the City Commission
- c. Seniority and service time for vacation benefits shall not be lost while an employee is on Leave Without Pay.
- d. An employee shall not accrue sick leave or vacation leave during a Leave Without Pay.
- e. Employees on Leave Without Pay may not work for another employer.

- f. In the case of a request for an unpaid leave of absence due to a prolonged illness or disability due to injury, such request must be accompanied by a physician's certificate identifying the illness or injury, explaining why the leave is needed, estimating how long the illness or disability due to injury will continue.
- g. An employee on an unpaid leave of absence shall be permitted, if they so desire, to make regular contributions to the insurance benefits through COBRA, as permitted by the insurance provider.

### 3.11 FAMILY AND MEDICAL LEAVE

- a. The City will comply with the Federal Family and Medical Leave Act (FMLA) in regard to employee leave for: birth and care of a newborn child; placement of an adopted or foster care child; care of a family member with a serious health condition; employee's serious health condition; qualifying exigency arising from the fact of a family member's military service; or to care for a covered servicemember with a serious injury or illness.
- b. Employee shall use accrued vacation leave concurrent with the FMLA leave. After all accrued vacation leave is used, accrued sick leave shall be taken. After all accrued vacation and sick leave are used, FMLA leave shall be unpaid leave.
- c. For purposes of FMLA, family member consists of employee's spouse or life partner, son, daughter, or parent.
- d. Employee is required to provide a written request for FMLA leave including the reason for the leave and amount of time requested. The city shall require that reasonable documentation be provided to support the reason for the leave. If the leave is due to the employee's own serious health condition, the city shall require the employee to provide a written report from his/her physician stating the nature of the serious health condition, estimate of the amount of leave needed, whether follow-up treatment will be needed or recurring episodes may result in the employee being unable to perform his/her job after initial treatment ends and the employee returns to work.
- e. Employees on FMLA leave and using accrued vacation or sick leave will continue to accrue benefits, including vacation and sick leave. Employees on unpaid leave will not accrue benefits, vacation or sick leave, or be paid any allowances.
- f. During FMLA leave, the city will continue to pay for health insurance benefits. However, if the employee does not return to work from FMLA leave, the city may request reimbursement for any health insurance benefits paid when the employee was on **unpaid** leave.
- g. If the qualifying event for the FMLA leave is the employee's serious health condition, the employee shall submit a physician's written certification stating that the employee is able to perform the essential functions of the employee's position prior to returning to work. In addition, the city, at the city's expense, may require the employee to submit to a "Fitness for Duty" examination prior to returning to work.

**3.12 DISASTER/EMERGENCY MANAGEMENT**

- a. Once the Governor has declared a storm-related state of emergency, the City Administrator shall determine when city offices will close and reopen.
- b. Employees in the following positions will be required to stay in the city during all storm-related emergencies unless otherwise directed by the City Administrator: Building Official, Police Chief, Police Sergeant, and Police Officer. The Building Official and Police Chief will be paid their regular salary. Police Officers doing storm-related work between closing and reopening of city hall will be paid at 1 ½ times their regular rate for hours worked. No compensatory time is allowed.
- c. Employees not required to stay will be on Administrative Leave With Pay during the time that city offices are closed and will be paid for regularly scheduled work hours at their regular pay rate.
- d. Employees need prior approval from the City Administrator to work between closing and reopening of city hall offices.
- d. Employees who do not return to work upon reopening must take accrued vacation leave or leave without pay if the employee has no accrued vacation leave.

## CHAPTER 4 Employee Concern Procedure

### 4.1 PURPOSE

The employee concern procedure is a formal mechanism intended to assure that employee questions, problems and concerns arising from those misunderstandings that develop in the day-to-day activities are promptly heard, answered and appropriate action taken to correct a particular situation. It is the policy of the City of Key Colony Beach that every employee at all times is treated courteously and with respect. Conversely, each employee is expected to accord the same treatment to co-workers, supervisors and to the public. Employees have a responsibility to the employer in seeing that established policies are adhered to and that his/her job functions are performed properly. If, however, an employee has a complaint or concern regarding the conditions of employment, the procedure outlined below should be followed.

### 4.2 EMPLOYEE CONCERN RESOLUTION PROCEDURE

#### Step 1

Whenever an employee has a concern, it shall first be presented verbally (or in writing if the employee chooses) to the Department Head. When an employee concern is received verbally, the Department Head will acknowledge the receipt in writing to the employee and the City Administrator. It is the responsibility of the Department Head to attempt to arrange a mutually satisfactory settlement of the employee concern within five (5) working days of the time when it was first presented, or failing in that, must within that time advise the employee of their inability to do so. When an employee is informed by the Department Head that they are unable, within the discretion permitted, to arrange a mutually satisfactory solution to the employee concern, the employee may, present the employee concern to the City Administrator in writing as outlined in Step 2.

#### Step 2

1. If the employee remains dissatisfied with the Step 1 answer, they may, within five (5) working days following the day on which the Step 1 answer was received, refer the employee concern to the City Administrator.
2. All employee concerns submitted to the City Administrator shall be in writing. The written employee concern shall contain day, date, time, place, nature of dispute and relief requested. The Department Head will report the facts and events which led up to this presentation in writing, including a written report providing any verbal answer previously given to the employee regarding this employee concern.
3. The employee shall receive a reply citing the City Administrator's disposition of the employee concern within fifteen (15) working days following the day on which the City Administrator was presented with the written employee concern. When an employee is informed by the City Administrator that they are unable, within the discretion permitted, to arrange a mutually satisfactory solution to the employee concern, the employee must, present the employee concern to the City Commission in writing as outlined in Step 3.



**Step 3**

1. If the employee remains dissatisfied with the Step 2 answer, he/she may, within five (5) working days following the day on which the Step 2 answer was received, submit the concern in writing, addressed to the City Commission and given to the City Clerk to forward. The City Commission shall consider the matter at its next Regular Meeting and will take such action on the concern as it deems necessary and appropriate.
2. The City Commission's action shall be final, binding and not appealable.

**4.3 WITHDRAWING AN EMPLOYEE CONCERN**

An employee may withdraw a concern at any point by submitting, in writing, a statement to that effect.

**4.4 SHOULD THE EMPLOYEE CONCERN BE WITH CITY ADMINISTRATOR**

In such event that the employee concern with the City Administrator, the employee shall submit such concern, in writing, to the City Mayor. The employee shall receive a reply citing the City Mayor's disposition of the employee concern within fifteen (15) days following the day on which the City Mayor was presented with the written employee concern. When an employee is informed by the City Mayor that they are unable to arrange a mutually satisfactory solution, the employee must present the employee concern to the City Commission in writing as outlined in Step 3.

## **CHAPTER 5 Hiring and Employment**

### **5.1 PROCEDURES FOR FILLING VACANCIES**

All vacancies shall be filled in the following manner:

Current employees shall be considered for promotional appointment. All applicants on file which generally meet the open job specifications shall be reviewed for any potential candidates.

All job openings will be advertised in the local newspapers and in any other specialized publication if deemed necessary unless satisfactory current employees or on-file applicants are available for consideration. All job openings will also be posted on city bulletin boards.

The City Administrator shall conduct a background investigation including references and/or previous employment to ascertain that the candidate is of good moral character, responsible and dependable.

For all positions other than Department Head: The Department Head and the City Administrator shall participate in interviews of applicants and select the best qualified candidate.

For Department Head Positions: The Department Heads and the City Administrator will select applicants to interview. Those applicants' files will be presented to each City Commissioner. The Department Heads and City Administrator will conduct an interview with each selected applicant and recommend one applicant.

Every effort will be made to have more than one qualifying candidate for each job opening. All final applicants' files for the position and the reasons for this selection will be presented to each City Commissioner for review at least three days prior to the Commission meeting that this consideration for employment is on the Agenda. A starting salary recommendation will also be provided.

The City Commission will make the final hiring decision.

### **5.2 NON-DISCRIMINATION**

It is the policy of the City of Key Colony Beach that it shall not discriminate against employees or applicants for employment because of race, color, creed, sex, age, religion, sexual preference, national origin, marital status or physical or mental disability.

### **5.3 NON-NEPOTISM**

- a. No family member (spouse, child, parent, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, son/daughter-in-law, or mother/father-in-law) of a Key Colony Beach elected official shall be employed by the City. This section applies to all natural, adoptive or step relationships.

- b. No family member shall be employed in a City Department where the Department Head is a family member.
- c. No person shall be employed as an employee in the same department as a member of his/her family.
- d. Any employee who falls within the scope of this article by a relationship with another employee after being hired, is exempt from the provisions of this section provided the City Commission reviews the circumstances and determines that no conflicts exist.
- e. The City Commission may waive the provisions of this section in the case of unforeseen and unusual circumstances that are in the best interests of the City.

#### **5.4 POLITICAL ACTIVITY**

- a. It is the policy of the City to hire and promote all employees without regard to political considerations.
- b. Any employee who takes an active part in the campaign or candidacy of any person who is a candidate for elected office within the City, including the contribution of time, money or anything of value to the campaign of any candidate while on duty or while wearing a City uniform, shall be subject to disciplinary action including immediate dismissal.

#### **5.5 LOYALTY OATH**

New employees shall be required to sign a loyalty oath prior to commencing work.

#### **5.6 ATTENDANCE RECORD KEEPING**

All employees shall be required to complete an accurate record of time to be paid, indicating the type of payment for that time period, i.e. time worked, leave, holiday. These records of time sheets should be signed by the Department Head and submitted to the payroll clerk by the designated time in order to be paid for that time period.

#### **5.7 OUTSIDE EMPLOYMENT**

- a. Employees are prohibited from engaging in outside work that would interfere in the carrying out of their normal duties for the City of Key Colony Beach.
- b. All employees who engage in outside employment shall first seek approval in writing from the City Administrator prior to engaging in any outside employment. All employees engaging in outside employment shall provide City Administrator, in writing, the name and address of the employer, including a description of the outside employment.

#### **5.8 CITY EQUIPMENT**

City owned equipment is only to be used for city purposes. City owned equipment is not to be used outside the city limits. Exceptions are that city personnel while on duty, may operate city owned vehicles to their home or restaurant outside the city for meals, and police vehicles may be taken home upon special assignment of said vehicle to a specific individual. City owned vehicles may be used outside the city-by-city personnel when on specified official city business including law enforcement officers assisting other law enforcement officers in the line of duty.

**Notice of Injury to the Public** - Each employee shall report to the City Clerk or to the Chief of Police any instance of injury to the person or property of a member of the public as a result of operation of City equipment under their control. Employees are also required to report any instance of injury to a member of the public arising from an incident on City property which comes to their attention on all injuries to the public or employees.

**Notice of Damage to or Loss of City Property or Equipment** - Immediate notice of damage to or loss of City property or equipment shall be given to the City Clerk, who shall notify all concerned persons and insurance carriers. Within 24 hours of the event, a detailed report of the damage and circumstances surrounding the incident shall be given to the City Clerk, who shall notify the City Commission and will make the necessary insurance report.

## **5.9 TRAVEL AND TRAINING EXPENSES**

The purpose of these travel regulations is to provide a reasonable, systematic means by which travel for City purposes may be approved and controlled, consistent with efficient and economical operation, and to standardize travel costs and policies for City employees and officials regardless of funding source or purpose of trip.

Trips on official business must be authorized by the City Administrator. Trips involving overnight stays must be approved in advance.

### **a. Reimbursement**

**Eligible Expenses** - Travelers on city business shall receive reimbursement as outlined below. When actual costs are reimbursed, receipts are required. Any reimbursable expense included in the registration fees will be deducted in accordance with the allowances provided.

*Registration Fees* - Actual cost will be paid by the city.

*Lodging* - Actual cost will be paid by the city.

*Transportation* - Public Carrier - Actual cost will be paid by the city.

Personal Vehicle - Reimbursement of standard federal rate per mile plus the cost of tolls.

*Meals* - Actual cost will be paid by the city OR per diem rate set. The traveler may only use one method for an entire trip. Actual receipts are NOT required if using the per diem method for reimbursement. Meals included as part of the registration fee will not be reimbursed as a separate item regardless of which method is chosen by the traveler.

For travel for part of a day: breakfast at rate set, lunch at rate set, dinner at rate set.

*Other* - Other reasonable incidental travel expenses will be paid by the city.

- b. Payment of Travel Expense - Travelers must complete a travel expense form within 10 days of their return itemizing all travel expenses, including amounts to be reimbursed. Actual receipts must be attached, if applicable.
- c. Transportation - The most economical mode of transportation will be reimbursed. In cases where the traveler chooses not to use the most economical mode, the traveler is responsible to pay the difference between the mode chosen and the most economical mode. The City Administrator will determine the most economical mode of transportation.
- d. Compensation Time for Employee Travel During Non-Working Hours

Use of Public Carriers - Employees who must travel during non-working hours will not be given Comp Time for time spent on public carriers or for time away from home during business travel. This is considered commute time to and from the job.

Driving Time - Employees who use a car to travel during non-working hours will be given Comp Time for the time spent driving to and from the business location. Driving is considered work by the FLSA and employees must be compensated. The Department Head or City Administrator will determine the amount of Comp Time.

- e. Computation of Travel Time - Continuous travel of 24 hours or trips requiring an overnight stay will be based on calendar day of midnight to midnight. The traveler will be reimbursed all travel expenses from the time the trip begins until the traveler returns to the city. Travel for short or day trips not including an overnight stay will be reimbursed based on the guidelines above.
- f. Vacation Combined with Official Travel - Employees wishing to combine a vacation with a business trip must have prior approval of the City Administrator. The employee will be reimbursed for business travel as if no vacation time was taken. Vacation time will be charged for time used outside of business travel or meetings.

Guests - Officials and employees will be reimbursed the expense of one guest when they represent the city at local functions where both have been formally invited. This requires advance approval by the City Administrator. This does not apply to out of town travel.

#### Travel Form

A Travel Form must be completed by the traveler as referred to in section (b) above.

Part 1: Authorization - The traveler must provide a copy of the registration form and conference schedule, if applicable, to receive authorization to travel.

After approval by the City Administrator, a copy of the authorization giving registration and hotel information, if applicable, should be given to the Accounts Payable Clerk. A check will be mailed for registration fees. A separate check will be issued to pay hotel costs (with a Sales Tax Exempt Form attached) and given to the traveler.

After the checks are issued, the Travel Form will be returned to the traveler.

Part 2: Expense Report - Travelers must complete an expense report within 10 days of their return itemizing all travel expenses, including amounts to be reimbursed. Actual receipts must be attached, if applicable. A copy of the registration and conference schedule, if applicable, should still be attached.

After completing Part 2, it should be submitted to the City Administrator for approval (Initials) and then given to the Accounts Payable Clerk for processing.

***If an employee incurs Travel Expenses surrounding any Training Program, the employee must additionally sign the City's Educational Expense Agreement (attached) and agree to the re-payment terms as outlined therein.***

## **5.10 JOB PERFORMANCE AND PROBATION**

City employees serve at the discretion of the City Administrator and Commission.

All new employees are considered "probationary" for the first year of their employment. A probationary employee may be terminated without cause at any time during this one year period.

At the approximate conclusion of one year's employment date, a review of a new employee's performance shall be made by the employee's Department Head using a city performance evaluation form. This review shall be discussed with the employee and the employee's comments, problems and questions shall be recorded on the form along with those of the Department Head and shall be included in the employee's permanent file.

The City Administrator or a Department Head may require an employee to take a medical examination when such examination is job-related and consistent with business necessity. If the results of the medical examination reveal that a City employee is unable to perform the essential functions of their job, a determination will be made as to whether a reasonable accommodation is feasible which would permit the employee to perform the essential functions of the position. If no reasonable accommodation is possible without imposing an undue hardship upon the City as determined by the City Commission, the employee may be subject to layoff. Any medical examination required by the City pursuant to this section shall be at the expense of the City. Refusal to submit to such examinations may be grounds for immediate termination.

## **5.11 RESIGNATION**

An employee who wishes to resign in good standing shall give written notice not less than two (2) weeks before such resignation date, not including any vacation time accrued.

## **5.12 DISCIPLINARY ACTION**

All employees are members of a team working together for the main objective of serving our community. Any employee who fails to follow the necessary rules and regulations governing his or her conduct is not only penalizing the employee, but does a disservice to

all of the other City employees. The Personnel Policy and Procedures are not intended to restrict the privileges of anyone, but are designed to insure the rights and safety of all City employees and to provide working guidelines to encourage equitable and business-like conduct.

It is the policy of the City that discipline should be characterized as corrective rather than punitive, and that disciplinary actions be utilized as an element of an overall program to educate employees and promote proper employee conduct. When circumstances permit, Department Heads are encouraged to pursue a philosophy of "progressive discipline" by administering gradual increased disciplinary actions for each successive instance of employee misconduct. Each level of progressive discipline should be fully documented in the employee's personnel record.

Although internal consistency in administering discipline is desirable, numerous factors should be considered in determining the appropriate level of discipline to be assessed at each successive step. Some of the factors involved include, but are not limited to, the employee's length of service, time intervals between offenses, effectiveness of prior disciplinary actions, willingness to improve, overall work performance, job attitude, and disciplinary actions previously administered to other comparable employees for similar offenses. A repetition of the same offense or other offenses indicates that more severe disciplinary measures should be administered. Consistent with the desire that discipline be corrective, when imposing disciplinary measures on a current charge, Department Heads will generally not take into consideration prior infractions of City or departmental rules and regulations which occurred more than two (2) years previously.

However, where the contemplated disciplinary action is termination, the desire for corrective measures no longer applies and it is appropriate to review the employee's entire employment history with the City. The City has further provided that certain offenses are of such a serious nature that immediate discharge upon the first offense is appropriate.

**a. Application of Disciplinary Measures**

1. **Employees are expected to abide by, and may be disciplined for violation of either City or departmental rules and regulations or for any other conduct not in the City's best interest.**2. In recognition of the fact that each instance of misconduct differs in many respects from somewhat similar actions, the City retains the right to treat each occurrence on an individual basis without creating a precedent for other cases that may arise in the future. Examples given in any rules do not limit the generality of the rule. The following rules and regulations are not to be construed as a limitation upon the retained rights of the City, but are to be used only as a guide.
3. Progressive penalties may be applied for specific offenses; however, the penalties may be modified by the City including a lesser or more severe penalty when extenuating circumstances are found.

**b. Counseling and Documented Oral Reprimands (Oral Warning Reports)**

1. It is the responsibility of the employee's Department Head to obtain all the facts, weigh the evidence and discuss a disciplinary problem with the employee involved.

2. The purpose of an oral warning, reprimand or counseling session is to encourage employees to improve their performance, work habits, attitude, or behavior. Discussions of this nature are commonly used when an employee disregards work rules or commits offenses of a relatively minor nature. The normal procedure is for the employee's Department Head to identify and define the area in need of improvement and inform the employee how such improvement can be realistically achieved.
3. Written documentation of an oral warning, reprimand or counseling session serves notice that if improvement is not forthcoming, or any misconduct recurs, then more formal disciplinary measures will be taken, up to and including dismissal.
4. The employee involved in any oral counseling sessions shall be provided with a copy of the written documentation which shall be placed in the employee's personnel record.

c. Written Reprimands and Cautioning

1. Department Heads shall inform employees promptly and specifically, whenever their performance, attitude, work habits, or personal conduct at any time falls below a desirable level.
2. In situations where an oral warning has not resulted in the expected improvement, or when an employee commits an additional offense, the Department Head shall issue a written reprimand to the employee. The reprimand should specifically define the nature of the infraction, include a complete description of the incident of misconduct and refer to specific times, dates, locations, personnel involved, and rules violated, if any.
3. The employee's signature is requested on the written reprimand to acknowledge receipt, and does not indicate an employee's agreement with the provisions of the disciplinary action. If the employee refuses to sign, it should be so indicated on the written reprimand in the area reserved for the employee's signature.
4. The written reprimand documenting the misconduct and disciplinary action shall be placed in the employee's official personnel record with copies to the employee, Department Head and City Administrator.

d. Suspensions

1. **Any regular, non-probationary employee may be suspended without pay by the City Administrator for violation of personnel rules or procedures or other conduct not in the City's best interests. Suspensions shall be issued on a consecutive work day basis. Thus, suspensions must include the employee's normal days off in the calendar days total. Suspension for two or more offenses must be cumulative and cannot be served concurrently.**



2. The Department Head shall provide a pre-disciplinary meeting with the employee before taking action and shall, when possible, within forty-eight (48) hours, provide the employee with a written statement of the reason for suspension which specifically describes the nature of the misconduct; the offenses violated, if any; any previous disciplinary action taken regarding this offense; the total number of consecutive calendar days, including the beginning and ending dates of the suspension; and the actual number of workdays on suspension.
  3. The employee's signature is requested on the written suspension statement to acknowledge receipt, and does not indicate an employee's agreement with the provisions of the disciplinary action. If the employee refuses to sign, it should be so indicated on the written suspension statement in the area reserved for the employee's signature.
  4. The written statement documenting the misconduct and suspension shall be placed in the employee's official personnel record with copies to the employee, Department Head and City Administrator.
- e. Dismissal
1. Any regular, non-probationary employee may be dismissed when recommended by the Department Head and approved by the City Commission for violation of personnel rules or procedures or other conduct not in the City's best interests.
  2. The Department Head shall provide a pre-disciplinary meeting with the employee before taking action and shall, when possible, within forty-eight (48) hours, provide the employee with a written statement of the reason for dismissal which specifically describes the nature of the misconduct; the offenses violated, if any; and any previous disciplinary action taken regarding this offense.
  3. The employee's signature is requested on the written dismissal statement to acknowledge receipt, and does not indicate an employee's agreement with the provisions of the disciplinary action. If the employee refuses to sign, it should be so indicated on the written dismissal statement in the area reserved for the employee's signature.
  4. The written statement documenting the misconduct and dismissal shall be placed in the employee's official personnel record with copies to the employee, Department Head, City Administrator and Commissioners.

### **5.13 SMOKING POLICY**

In an effort to protect non-smokers and assist smokers in their efforts to stop, smoking is prohibited in any building or vehicle owned or leased by the City of Key Colony Beach.

- 5.14 DRUG AND ALCOHOL TESTING** The City and its employees recognize that employee substance and alcohol abuse may have an adverse impact on City government, the image of City employees and the general public at large. Accordingly, it is in the best interest of the City and its employees to maintain a Drug Free Work environment. City employees will be subject to drug and/or alcohol testing when:

- a. Observations of reasonable suspicion.
- b. Post-accident.

#### **5.15 SAFETY POLICY**

- a. The City of Key Colony Beach is very conscious of the safety and welfare of its employees and that of the general public. As an employer, it recognizes its obligation to ensure the safest possible work place for its employees. It is the policy of the City that employees report unsafe conditions and do not perform work tasks if the work is considered unsafe. Employees shall immediately report all accidents, injuries, and unsafe conditions to their supervisors. No such report will result in retaliation, penalty, or other disincentive.
- b. Personal Protection Equipment will be supplied by the Public Works Department Head according to OSHA guidelines. PPE is to be worn as supplied and instructed by the Department Head.
- c. The City of Key Colony Beach Safety Policy in its entirety is attached as a part of this personnel policy.

#### **5.16 HARASSMENT**

- a. It is the policy of the City that all employees have the right to work in an environment free of any form of discrimination or harassment based upon race, color, creed, sex, age, religion, sexual preference, national origin, marital status or physical or mental disability.
- b. In order to ensure that no employee should be subject to discrimination or harassment, the City prohibits any offensive physical, written or spoken conduct, which is premised upon any of the protected categories listed above. Such conduct may constitute harassment when engaged in by a City employee who is in a position to influence employment decisions when (1) submission or acquiescence to such conduct is made either expressly or (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting another employee. The City also prohibits repeated and unwelcome physical, written or verbal conduct by either a supervisor or any fellow employee that substantially interferes with an individual's work performance or creates what a reasonable person could consider to be an intimidating, hostile, abusive or offensive working environment.
- c. If an employee believes that they are being subjected to any of these forms of harassment or is being discriminated against because other employees are receiving favored treatment in exchange, for example, for sexual favors, they must bring this to the attention of the City Administrator. The very nature of harassment makes it virtually impossible to detect unless the person being harassed registers their discontent. Consequently, in order for the City to deal with harassment situations, employees must report such offensive conduct or situations to their Department

Head or the City Administrator. When events of such a nature occur, the chain of command may be bypassed and an employee may make a complaint to any Department Head, who will then report the matter to the City Administrator.

- d. A record of the harassment complaint and the findings resulting from any investigation of the complaint will become a part of the complaint investigation record, and the file will be maintained separate from the personnel file of any of the individuals involved.
- e. It is understood that any person electing to utilize this complaint resolution procedure will be treated courteously and given due consideration. The situation complained of will be handled swiftly and confidentially, and the registering of the complaint will in no way be used or held against the complaining employee, nor will it have an adverse impact on the complaining individual's employment status.
- f. This section is established as an affirmative step to ensure that employees of the City may perform their functions free from intimidation, humiliation, insult or offensive physical and/or verbal abuse of a sexual, ethnic, racial, or religious nature.
- g. It is the responsibility of all employees to aid in the elimination of these forms of harassment, and it is the responsibility of every Department Head throughout the rank structure to prevent such harassment from occurring within their respective departments.
- h. All persons who violate this policy will be subject to disciplinary procedures up to and including termination of employment.

#### **5.17 DRESS CODE**

- a. The City of Key Colony Beach requires its employees to follow a dress code which is intended to empower employees to present a favorable, well-groomed appearance to the citizens of Key Colony Beach, and to ensure a safe, productive, and professional work environment for City employees. All employees are expected to dress in a manner which is appropriate for the type of work performed and interactions with citizens, business visitors and other employees.
- b. The City of Key Colony Beach Dress Code Policy in its entirety is attached as a part of this personnel policy.

#### **Attachments:**

Drug Free Workplace Policy  
Dress Code Policy  
Safety Policy with Forms  
Travel Form  
Educational Reimbursement Form

**CITY OF KEY COLONY BEACH  
POLICY & PROCEDURES MANUAL**

**CODE OF CONDUCT**

**SUBJECT: Drug and Alcohol Policy**

**STATEMENT OF POLICY:**

The City of Key Colony Beach, has a commitment to provide a safe, quality-oriented and productive work environment. Alcohol and drug misuse poses a threat to the health and safety of employees and to the security of the City's equipment and facilities. For these reasons, the City of Key Colony Beach is committed to the elimination of drug and alcohol use and misuse in the workplace.

**SCOPE:**

This policy applies to all employees of the City of Key Colony Beach.

**REQUIRED TESTING:**

**Reasonable Suspicion**

Employees are subject to testing based on, but not limited to, observations of apparent workplace use. Examples of such observations include:

- Odors (smell of alcohol, body odor or urine)
- Movements (unsteady, fidgety, dizzy)
- Eyes (dilated, constricted or watery eyes, or involuntary eye movements)
- Face (flushed, sweating, confused or blank look)
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts)
- Emotions (argumentative, agitated, irritable, drowsy)
- Actions (yawning, twitching)
- Inactions (sleeping, unconscious, no reaction to questions)

When reasonable suspicion testing is warranted, the employee will be required to undergo a drug and/or alcohol test within two hours. Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment.

Under no circumstance will the employee be allowed to drive him/herself to the testing facility. A member of management must transport the employee or arrange for a cab and arrange for the employee to be transported home.

## **Post-accident**

Employees are subject to testing when they cause or contribute to accidents that seriously damage a City vehicle, machinery, equipment or property or that result in an injury to themselves or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two hours following the accident, if not sooner. Refusal by an employee will be treated as a positive test result and will result in immediate termination of employment.

Under no circumstance will the employee be allowed to drive him/herself to the testing facility. A member of management must transport the employee or arrange for a cab and arrange for the employee to be transported home.

## **Collection and Testing Procedures**

Employees subject to drug testing will be transported to a City-designated testing facility and directed to provide urine specimens. Collected specimens will be sent to a certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone, and propoxyphene use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

The laboratory will transmit all positive drug test results to a medical review officer (MRO) retained by the City, who will offer individuals with positive results a reasonable opportunity to rebut or explain the results. In no event should a positive test result be communicated to the City until such time that the MRO has confirmed the test to be positive.

## **Consequences**

Employees who refused to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this policy will be terminated. If the employee refuses to be tested, yet the company believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Employees who test positive, or otherwise violate this policy will be subject to discipline, up to and including termination.

**Drug and Alcohol Policy Certificate of Receipt**

I hereby certify that I have received a copy of the City of Key Colony Beach's Drug and Alcohol Policy.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

**CITY OF KEY COLONY BEACH  
POLICY & PROCEDURES MANUAL**

**CODE OF CONDUCT**

**SUBJECT: DRESS CODE**

**PURPOSE:**

To establish guidelines dealing with the appropriate dress and appearance of all City employees.

**STATEMENT OF POLICY:**

The City of Key Colony Beach, in service to the community and with respect for the professionalism owed to the taxpayers, provides the enclosed dress code for its employees. The guidelines included herein are intended to empower employees to present a favorable, well-groomed appearance to the citizens of Key Colony Beach, and to ensure a safe, productive, and professional work environment for City employees. All employees are expected to dress in a manner which is appropriate for the type of work performed and interactions with citizens, business visitors and other employees.

**SCOPE:**

The appropriateness of an employee's specific attire and appearance is determined by the employee's supervisor, manager, department head and/or the City Administrator. Persons in positions of management, as it relates to an employee, may make exceptions to the Dress Code policy at their discretion and based on specific circumstances. Department directors are responsible for notifying employees of the pertinent portions of this policy and for dispensing disciplinary action(s) if this policy is violated.

Complaints regarding violation of this policy are directed to the department director responsible for the employee. Employees who violate this policy may be required to return home to change their attire; the time they are gone from the job site is treated as unpaid leave. The employee may be subject to disciplinary action including reprimand, suspension, and following repeat offenses, termination.

**1) Attire Requirements – All Employees**

- a) All employees must wear appropriate attire and present a neat and orderly appearance at all times during the work shift.
- b) Employees are prohibited from wearing items of clothing that display advertising (with exception to uniform insignias and designer/manufacturer logos), or offensive illustrations or verbiage during their scheduled work shift. Employees are prohibited from wearing clothing items displaying any political message, or which support or oppose any politician or political party.
- c) Employees are prohibited from wearing revealing or provocative clothing.

- d) Employees are prohibited from wearing casual or recreational attire.
- e) Clothing is to be clean and free from visible damage such as holes or stains.
- f) Undergarments are to be obscured from view at all times. This includes ensuring the waistline of clothing items which cover the legs is secured at an appropriate location on the torso, and upper-body undergarments are also fully covered.
- g) Out of consideration for others, self-care, and self-respect, care is to be taken with regard to personal hygiene.
- h) The strongly scented colognes, powders, perfumes, and aftershave is discouraged out of consideration for others, their comfort, health and safety.

## **2) Attire Requirements – Office Personnel**

- a) Office personnel are to wear appropriate business, or business-casual attire at all times during the work shift.
- b) Shirts and other upper-body coverings are to conceal the midriff and chest.
- c) The hemline of clothing items which covers the legs is to fall no more than four (4) inches above the knee.
- d) Appropriate footwear is to be worn at all times during the work shift. Casual footwear and any which restricts an employee's ability to make safe egress in the event of an emergency are prohibited.
- e) Employees may choose to participate in Casual Fridays, wherein clean, undamaged (in good condition and free from holes or stains) denim jeans may be worn. Employees may also wear casual shoes, providing they do not restrict an employee's mobility as outlined in the above requirement.

## **3) Attire Requirements – Field Personnel**

- a) City-issued uniforms and shoes, if provided and mandated, must be worn at all times during the work shift.
- b) City-approved shorts may be worn by employees in jobs where such attire is deemed safe and suitable by the department director. The shorts must be hemmed and loose fitting around the legs, with inseams to reach no more than two (2) inches above or below the knee.
- c) Any office personnel required to work in the field more than 80% of their day may wear the above-described shorts on those days.

## **4) Attire Requirements – Uniformed Personnel**

- a) All uniformed personnel are requirement to be in compliance with their respective departmental guidelines.



# City of Key Colony Beach

## SAFETY POLICY

## **PERSONNEL POLICY AND PROCEDURES, SECTION 5.15 SAFETY POLICY**

The City of Key Colony Beach is very conscious of the safety and welfare of its employees and that of the public. As an employer, it recognizes its obligation to ensure the safest possible workplace for its employees. It is the policy of the City that employees report unsafe conditions and do not perform work tasks if the work is considered unsafe. Employees shall immediately report all accidents, injuries, and unsafe conditions to their supervisors. No such report will result in retaliation, penalty, or other disincentive.

Employee recommendations to improve safety and health conditions will be given thorough consideration by the City Commission. The City Commission will give top priority and provide the financial resources to correct unsafe conditions. Similarly, the Commission will take disciplinary action against an employee who willfully or repeatedly violates workplace safety rules. This action may include verbal or written reprimands and may ultimately result in termination of employment.

As a government entity, the City of Key Colony Beach recognizes the responsibility to provide a safe environment for the public it serves. Most accidents can be attributed to unsafe acts or conditions and generally can be avoided. The goal shall be to prevent accidents. The results from achieving this goal will be a reduction in personal injury, property loss, liability claims, and an overall more efficient operation. Most accidents are preventable. In accordance with this belief, resources have been allocated to administer an aggressive safety program.

**Overall Safety Program Responsibilities** - The City Clerk shall serve as the City's Risk Manager and the Building Official/Public Works Supervisor shall serve as the Safety Officer. The Risk Manager shall be responsible for coordinating safety programs and record keeping and the Safety Officer shall be responsible for implementing safety policies which shall be adopted by Administrative Directives.

**Safety Committee** - Membership shall consist of all employees. The Risk Manager shall act as chairman of the committee. Committee meetings shall be held monthly to accomplish the following:

1. Provide a standard report to the City Commission and City Administrator on the results of the month.
2. Review and discuss accident summary reports to suggest corrective action.
3. Evaluate all hazards and recommendations uncovered through inspections and make recommendations to the Safety Officer for corrections considered necessary for the safety of persons or operations.
4. Help formulate safety rules for safe operation and recommend same to the City Administrator for adoption.
5. Assist in planning activities that will stimulate and maintain the interest of employees in the safety program.

6. Safety occurrences should be tracked and plotted monthly, displayed on bulletin boards in the offices at City Hall and the Maintenance Building for employee visual graphic.

**Supervisors** will initially train employees on how to perform assigned job tasks safely. Supervisors will carefully review with each employee the applicable, specific safety rules, policies and procedures. Supervisors will observe employees performing the work. If necessary, the supervisor will provide a demonstration using safe work practices or remedial instruction to correct training deficiencies before employees are permitted to do the work without supervision. All employees will receive safe operating instructions on seldom used or new equipment before using the equipment. Individual employees will be retrained after a work-related injury caused by an unsafe act or work practice occurs and when a supervisor observes employees displaying unsafe acts, practices or behaviors.

**First aid kits** are kept in the front office, each vehicle and in the service building. If an employee sustains an injury or is involved in an accident requiring minor first aid treatment, inform supervisor and administer first aid treatment to the injury or wound. If a first aid kit is used, indicate usage on the accident investigation report. Provide details of the accident to employee's supervisor for the completion of accident investigation report.

**Injuries/Accidents** - An employee who is injured or in an accident in the performance of his/her duties shall immediately report the injury/accident to his/her supervisor and shall complete a form provided for such reports. The Supervisor receiving the injury/accident report shall immediately provide a copy of the report to the City Administrator.

If you sustain an injury requiring treatment other than first aid, inform your supervisor and proceed to the posted medical facility. Your supervisor will assist with transportation, if necessary. If you sustain a severe injury requiring emergency treatment call for help and seek assistance from a co-worker. Employees should use the emergency telephone numbers and instructions posted next to the telephone in your work area to request assistance and transportation to the local hospital emergency room.

SAFETY COORDINATOR  
POISON CONTROL  
FIRE, POLICE, MEDICAL

289-1212, Extension 12  
1+800-282-3171  
911

**Accident investigations** will be performed by the supervisor of the location where the accident occurred. The safety coordinator is responsible for seeing that the accident investigation reports are being filled out completely, and that the recommendations are being addressed. Supervisors will implement temporary control measures to prevent any further injuries to employees. The supervisor will review the equipment, operations, and processes to gain an understanding of the accident situation. The supervisor will identify and interview each witness and any other people who might provide clues to the accident's causes. The supervisor will investigate causal conditions and unsafe acts and make conclusions based on existing facts. The supervisor will complete the accident investigation report, provide recommendations for corrective actions, and indicate recommended changes or additions to the workplace safety rules. The supervisor will indicate the need for additional or remedial safety training. The Supervisor shall provide the City Administrator a copy of the incident report, the conditions and unsafe investigation report and conclusion, the recommendations and corrective actions report, and any other such pertinent report as soon as each report is generated.

**Notice of Injury to the Public** - Each employee shall report to the City Clerk or to the Chief of Police any instance of injury to the person or property of a member of the public because of operation of City property under their control. They are also required to report any instance of injury to a member of the public arising from an incident on City property which comes to their attention on all injuries to the public or employees.

## ACCIDENT INVESTIGATION REPORT FORM

Entity \_\_\_\_\_

Name of Employee(s) \_\_\_\_\_

Department/Division \_\_\_\_\_ Date/Time \_\_\_\_\_

1. **What happened?** (Tell what employee was doing, how the accident occurred, and what thing directly injured the employee. Include information on the extent of injury and comment on whether seat belts, safeguards, protective equipment, etc., were properly used.)

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2. **Why did it happen?** (Get the facts by studying the job and situation involved.)

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3. **What should be done?** (What action(s) will prevent similar accidents in the future?)

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4. **What has been done so far?** (Taken or recommended actions, depending on your authority.)

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5. **How will this improve operations and meet accident prevent objectives?**

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Investigated by \_\_\_\_\_ Date \_\_\_\_\_

Department Head Signature \_\_\_\_\_ Date \_\_\_\_\_

Safety Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

## MAJOR LOSS REPORT FORM

Entity \_\_\_\_\_  
Department/Division \_\_\_\_\_  
Location \_\_\_\_\_  
Date and Time \_\_\_\_\_

### TYPE

- ☐ Personal Injury  
☐ Property Damage  
☐ Personal Injury

### LOSS

Apparent name and Extent of injury or other loss to persons, property. (Include cost where the property is involved.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### DESCRIPTION OF INCIDENT

Include details concerning the use of seat belts, safeguards, protective equipment, etc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### CAUSE ANALYSIS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Department Head \_\_\_\_\_ Date \_\_\_\_\_

Safety Officer \_\_\_\_\_ Date \_\_\_\_\_



# CITY OF KEY COLONY BEACH | TRAVEL REIMBURSEMENT FORM

NAME: \_\_\_\_\_ PURPOSE OF TRAVEL: \_\_\_\_\_  
 DATES OF TRAVEL: \_\_\_\_\_ LOCATION: \_\_\_\_\_

TRAVEL	TOTAL EXPENSE	CITY CREDIT CARD	OWED TO TRAVELER
Airplane Ticket	\$	\$	\$
Rental Car	\$	\$	\$
Rental Car Gas	\$	\$	\$
Personal Vehicle	\$	\$	\$
_____ Miles @ 56 cents per mile			
Other Travel/Tolls/Parking Fees	\$	\$	\$

MEALS	TOTAL EXPENSE	CITY CREDIT CARD	OWED TO TRAVELER
Per Diem _____ Days @ \$80 per day =	\$	\$	\$
Breakfast _____ Days @ \$15 per day =	\$	\$	\$
Lunch _____ Days @ \$25 per day =	\$	\$	\$
Dinner _____ Days @ \$40 per day =	\$	\$	\$

OTHER	TOTAL EXPENSE	CITY CREDIT CARD	OWED TO TRAVELER
Lodging _____ Nights @ \$	\$	\$	\$
Registration Fee(s)	\$	\$	\$
Miscellaneous	\$	\$	\$
<b>TOTAL EXPENSE</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**CITY OF KEY COLONY BEACH  
EDUCATIONAL EXPENSE AGREEMENT**

You recently requested approval for advance payment of expenses for an educational course. In accordance with our educational assistance policy, you must complete the following educational expense agreement and submit it to your immediate supervisor. You will be informed of a decision on your request by the City Clerk within two weeks.

If you have any questions regarding the educational expense policy or this agreement, please contact the City Clerk.

As part of the City of Key Colony Beach's educational assistance program, the City of Key Colony Beach agrees to advance educational expenses for you to attend:

Course: \_\_\_\_\_

Educational Institution: \_\_\_\_\_

City, State: \_\_\_\_\_

Dates of Attendance: \_\_\_\_\_ to \_\_\_\_\_

Total Expense Amount \$ \_\_\_\_\_ (includes registration, tuition, fees, required books, lodging and travel costs, and other materials to a maximum of \$ \_\_\_\_\_).

In consideration of payment of these expenses, you agree to the following:

If you are unable to complete this course due to what the City of Key Colony Beach considers to be extenuating circumstances (such as your illness or the illness of a family member) and you receive a tuition or materials refund, you agree to give the full refund to the city via personal check within one week of receipt.

If you voluntarily terminate employment with the City of Key Colony Beach prior to completing the course, you will refund 100% of the educational expenses provided to you.

If you voluntarily terminate employment with the City of Key Colony Beach after completion of the course and prior to one year of service after completion of course, you will refund 100% of the amount of the educational expenses provided to you.

If you voluntarily terminate employment with the City of Key Colony Beach after completion of the course and prior to two years of service after completion of course, you will refund 50% of the amount of the educational expenses provided to you.



If any action is brought to enforce any provision of this agreement by the City of Key Colony Beach, you agree to pay all costs associated with the action as well as any costs of litigation, including all reasonable attorney fees.

This educational expense agreement creates no contract of employment between you and the City of Key Colony Beach. You may terminate your employment with the city at any time with or without cause, and the City of Key Colony Beach may terminate your employment at any time with or without cause.

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Employee name

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Date

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Employee signature

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Supervisor name

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Date

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Supervisor signature

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City Clerk name

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Date

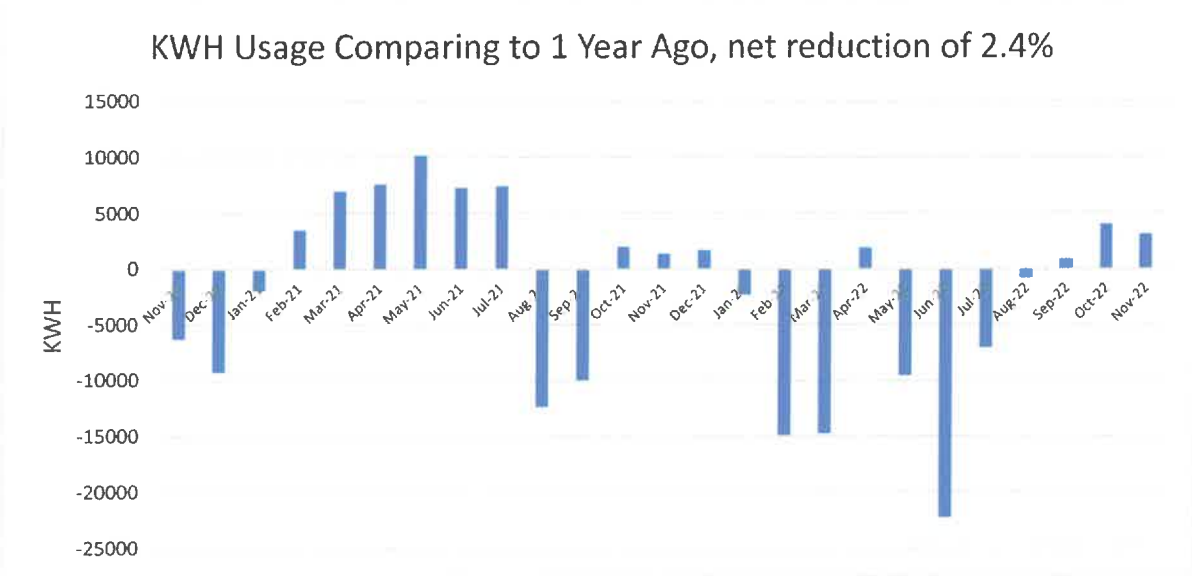
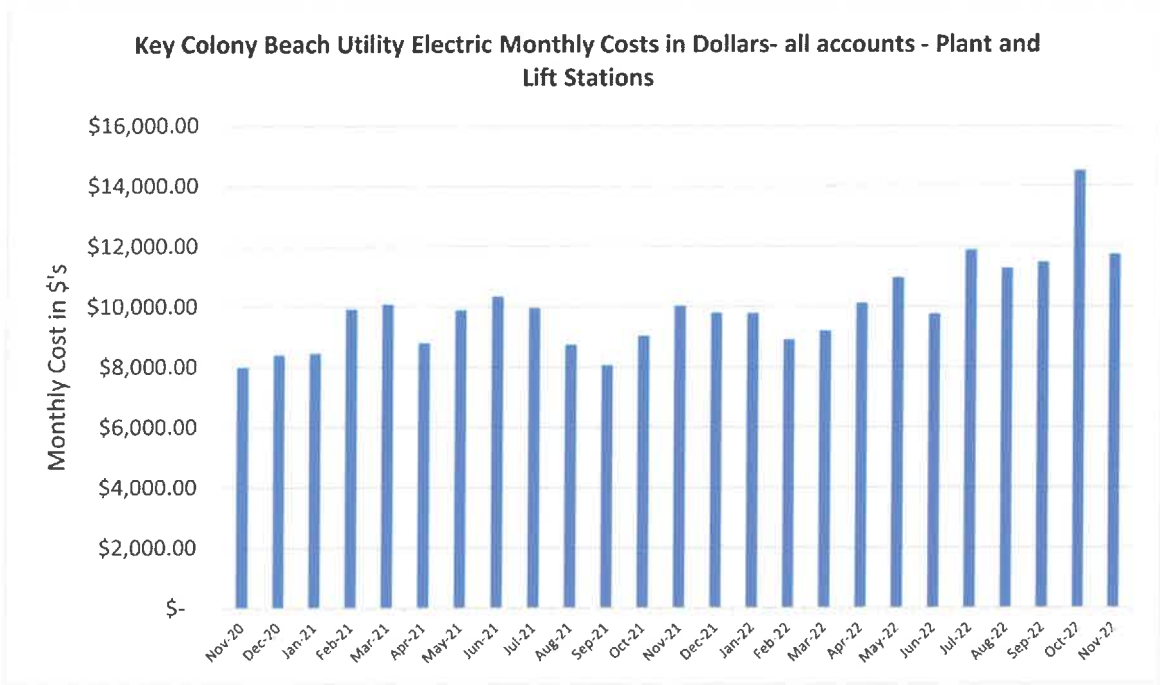
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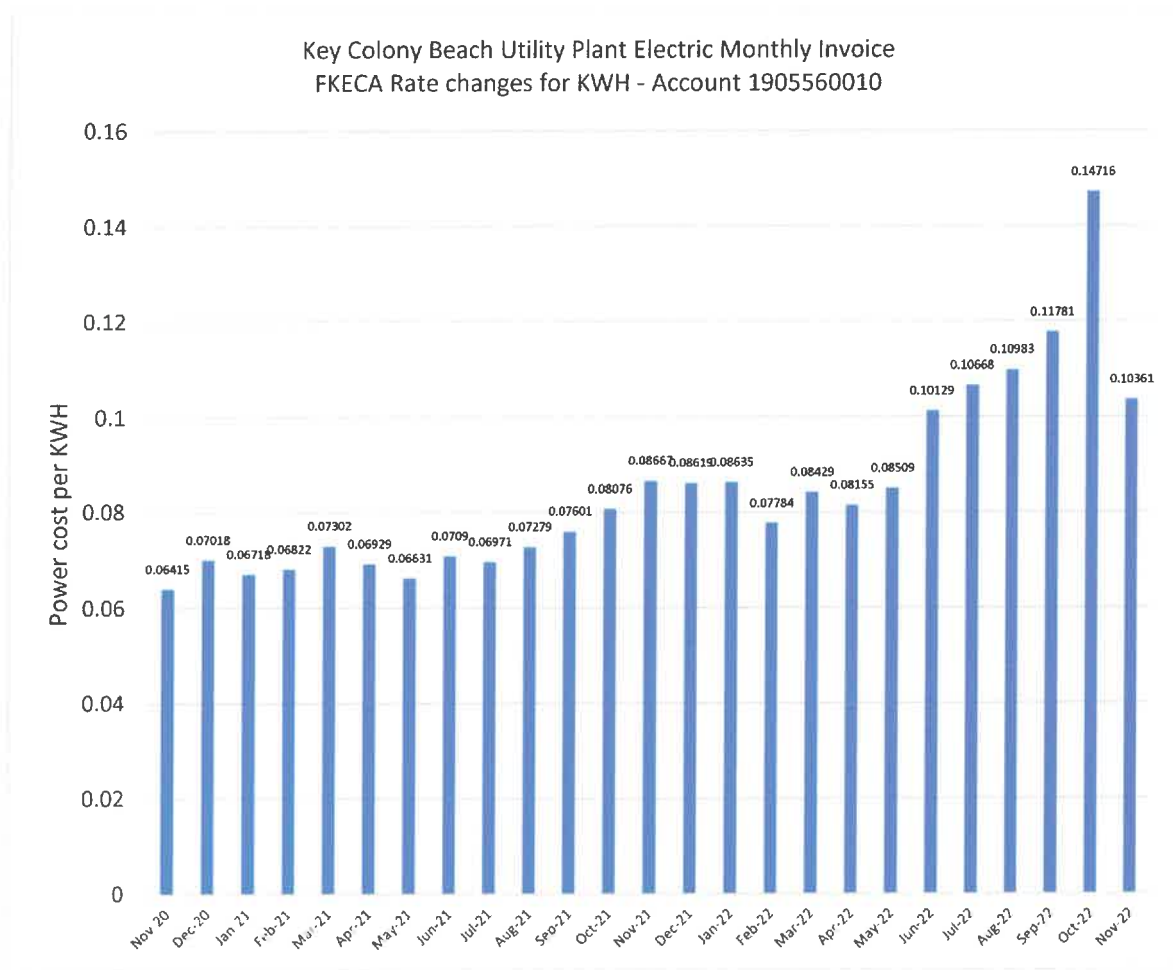
City Clerk Signature

## City of Key Colony Beach

### Treasurer's Report – February 16, 2023

- ✓ January 2023 financial summary
  - 4th month of the 2023 fiscal year budget
    - Report not received yet at time of presentation being organized, summary update to be included once report is received.
  - Wastewater financial – electricity costs background detail investigated based on concern raised in the Jan 2023 meeting:
    - Electricity expenses tracking higher than budgeted amount for year to-date, with my prediction of costs to exceed the planned budget by \$45,000.
    - Detail bills were reviewed for the last two years to understand what is driving the electric cost increases:
      - Usage increase?
      - Rate increase?
    - Summary of findings from the in-depth review:
      - Seventeen electric meters included in the monthly bill.
      - Main costs are driven from the wastewater plant.
      - Electric costs are the third highest budgeted costs for the wastewater plant.
      - Cost varies monthly due to the amount of residents/guests that are present in the City.
      - Summarized the overall monthly bills for 2 years.
      - Summarized the wastewater plant meter bill for 2 years since this is where the majority of the cost are driven from.
      - Actual usage is down 2.4% for the wastewater plant comparing last year to current year usage.
      - Rate increase of 37% averaged over 6 months, with the electric rate changes monthly.
      - Root cause was difficult to see initially since recent usage was lower, rate increase became evident once electric usage increased based on the monthly usage changes for the plant.
      - Trend plots developed to understand the root cause of the costs increase are included for review:





**Recommendations from wastewater electric costs increase study:**

- ✓ Request the Utility Board to investigate the following:
  - Complete an engineering study for electric usage reduction ideas with a potential usage reduction number, which will benefit costs in the long term for implementation of changes of cost savings. Evaluate usage cost savings vs. implementation costs to determine best ideas for payback. Work with US Water on their investigation for feedback.
  - Investigate Florida Keys Electric Cooperative Solar Energy program for alternative power source to save costs.
  - Investigate State and Federal grant/shared funding programs for alternative power source programs and support for ideas generated from the above engineering study.
  - Investigate similar plants within the Keys for ideas that they have implemented for electric cost savings.

Treasurer's Report compiled by Tom Harding; Wastewater detailed invoices provided by Pat Hyland

**CITY OF KEY COLONY BEACH**

Warrant Number	0123
Items paid from	January 1, 2023
to	January 31, 2023
General Fund Checking Account - 6871	\$151,282.13
Escrow Account - 5537	-
Payroll Account - 2942	\$114,000.50
Infrastructure Account - 8644	-
Road Reserve Account - 8677	-
Impact Fees Account - 8669	-
First State Bank - 3703	-
Sewer Money Mkt - 0301	-
Stormwater Account - 0128	\$308,318.75
Sewer Account - 6006	<u>\$89,970.28</u>
TOTAL DISBURSEMENTS	<u><u>\$663,571.66</u></u>

- **Sec. 17-1. - Traffic regulations.**

(a)

It shall be unlawful for any person to operate any motor vehicle on any of the streets, avenues or thoroughfares of the city at a greater rate of speed than twenty-five (25) miles per hour.

(b)

The operation of motorized scooters in the city is prohibited, except on private property. Motorized scooters shall be defined as any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three (3) wheels and not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground.

(Ord. No. 138, § 1, 6-8-78; Ord. No. 225, 1-8-87; Ord. No. 390-2007, 3-22-07)

**Cross reference—** Speed of boats, § 5-1.

**State Law reference—** Establishment of municipal speed zones, F.S. § 316. 189.

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## ***Sec 17-1 Traffic Regulations***

### **Sec. 17-1. Definitions.**

*Recreational devices* shall mean electric bicycle, motorized scooter or other micromobility devices. This term shall not mean bicycles, mopeds or any self-propelled or motorized vehicle capable of exceeding 28 mph.

(Ord. No. 21-12, § 15, 7-20-2021)

Motorized scooters shall be defined as any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three (3) wheels and not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground.

Skateboard means a board made of wood, fiberglass, or other material or combination of materials mounted on two axles, front and rear, with two wheels made of clay, polyurethane, or other material or combination of materials attached to each axle. The term "skateboard" includes motorized skateboards propelled by a motor mounted on the skateboard or controlled by other electrical device. (Cell phone or any type of remote control)

Skateboarding means lying, sitting, squatting, kneeling, or standing upon a skateboard and propelling oneself by any means which causes the skateboard to move, including but not limited to jumping on a skateboard, being pulled or pushed while situated on a skateboard, pushing the ground or other surface with one foot while keeping one's other foot on the skateboard, riding a skateboard from one elevation to a lower elevation, or operation of a motor mounted on/or internal motor or electric motor in a skateboard.

Hoverboard, (with or without a seat), shall mean: A self-balancing scooter (also hoverboard, self-balancing board, segway or electric scooter board) is a self-balancing personal transporter consisting of two motorized wheels connected to a pair of articulated pads on which the rider places their feet.

### **Sec. 17-2. Device use.**

- (a) All public sidewalks and/or pedestrian pathways, shall be only available for use by pedestrians or non-motorized or non-electric bicycles unless said public sidewalk or pathway has been designated for multi-use and/or shared use.
  - (1) Notwithstanding the above provision, an individual utilizing a Recreational Device pursuant to the Americans with Disabilities Act (ADA) may operate those devices on any city street, multi-use/shared-use path or sidewalk, regardless of designation.
- (b) The riding and operating of recreational devices is permissible upon all multi-use and/or shared use paths a bicycle may legally travel, located on or within City of Key Colony Beach limits, with restrictions as follows:
  - (1) Recreational devices shall be restricted to a maximum speed of 10 miles per hour when operating on a public multi-use and/or shared path.
  - (2) A person operating a Recreational Device upon and along a sidewalk, sidewalk area, or across a roadway upon and along a crosswalk, has all the rights and duties applicable to a bicyclist under the same circumstances, and shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- (b) It shall be unlawful for any person to operate any motor vehicle on any of the streets, avenues or thoroughfares of the city at a greater rate of speed than twenty-five (25) miles per hour. F.S.S. 316.181 (1)

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The operation of motorized scooters, skateboards, hoverboards (with or without a seat) or any other mobility device, micromobility device, not previously addressed, with or without a visible motor or with an electric motor, in the city is prohibited, except on private property.



HB 597

2023

1                   A bill to be entitled  
2       An act relating to the operation of electric bicycles  
3       and motorized scooters; amending s. 316.1995, F.S.;  
4       authorizing a violation relating to the operation of  
5       certain electric bicycles or motorized scooters to be  
6       punishable as provided in a local government  
7       ordinance; limiting the amount of a fine authorized  
8       for such violation; amending s. 316.20655, F.S.;  
9       authorizing a local government to adopt an ordinance  
10      relating to the operation of certain electric bicycles  
11      in order to protect the public; requiring the local  
12      government to provide certain notice of the adoption  
13      and enforcement of such ordinance; amending s.  
14      316.2128, F.S.; authorizing a local government to  
15      adopt an ordinance relating to the operation of  
16      certain motorized scooters in order to protect the  
17      public; requiring the local government to provide  
18      certain notice of the adoption and enforcement of such  
19      ordinance; providing an effective date.  
20  
21   Be It Enacted by the Legislature of the State of Florida:  
22  
23       Section 1.   Section 316.1995, Florida Statutes, is amended  
24   to read:  
25       316.1995   Driving upon sidewalk or bicycle path.—

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0597-00

HB 597

2023

26 (1) Except as provided in s. 316.008, s. 316.20655, s.  
27 316.212(8), or s. 316.2128, a person may not drive any vehicle  
28 other than by human power upon a bicycle path, sidewalk, or  
29 sidewalk area, except upon a permanent or duly authorized  
30 temporary driveway.

31 (2) A violation of this section is a noncriminal traffic  
32 infraction, punishable:

33 (a) As a moving violation as provided in chapter 318; or  
34 (b) As provided in a local government ordinance relating  
35 to the operation and equipment of personal electric bicycles or  
36 personal motorized scooters that are not for rent or hire. A  
37 fine imposed by such an ordinance for a violation of this  
38 section may not exceed the fine for a moving violation as  
39 provided in chapter 318.

40 (3) This section does not apply to motorized wheelchairs.  
41 Section 2. Subsection (1) of section 316.20655, Florida  
42 Statutes, is amended to read:

43 316.20655 Electric bicycle regulations.—

44 (1) Except as otherwise provided in this section, an  
45 electric bicycle or an operator of an electric bicycle shall be  
46 afforded all the rights and privileges, and be subject to all of  
47 the duties, of a bicycle or the operator of a bicycle, including  
48 s. 316.2065. An electric bicycle is a vehicle to the same extent  
49 as a bicycle. However, this section does ~~may~~ not:

50 (a) be construed to Prevent a local government, through

51 the exercise of its powers under s. 316.008, from adopting an  
52 ordinance governing the operation of electric bicycles on  
53 streets, highways, sidewalks, and sidewalk areas located within  
54 ~~under~~ the local government's jurisdictional boundaries. A local  
55 government may also adopt an ordinance relating to the operation  
56 and equipment of personal electric bicycles that are not for  
57 rent or hire in order to preserve and protect the safety and  
58 welfare of the public. Upon adoption of such ordinance, the  
59 local government shall post appropriate signs or otherwise  
60 inform residents that such an ordinance has been adopted and  
61 will be enforced within the local government's jurisdictional  
62 boundaries ~~jurisdiction; to~~

63 (b) Prevent a municipality, county, or agency of the state  
64 having jurisdiction over a bicycle path, multiuse path, or trail  
65 network from restricting or prohibiting the operation of an  
66 electric bicycle on a bicycle path, multiuse path, or trail  
67 network; or ~~to~~

68 (c) Prevent a municipality, county, or agency of the state  
69 having jurisdiction over a beach as defined in s. 161.54(3) or a  
70 dune as defined in s. 161.54(4) from restricting or prohibiting  
71 the operation of an electric bicycle on such beach or dune.

72 Section 3. Subsection (1) of section 316.2128, Florida  
73 Statutes, is amended to read:

74 316.2128 Micromobility devices, motorized scooters, and  
75 miniature motorcycles; requirements.—

HB 597

2023

(1) The operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle under s. 316.2065, except the duties imposed by s. 316.2065(2), (3)(b), and (3)(c), which by their nature do not apply. However, this section does ~~may not be construed to~~ prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas located within ~~under~~ the local government's jurisdictional boundaries ~~jurisdiction~~. A local government may also adopt an ordinance relating to the operation and equipment of personal motorized scooters that are not for rent or hire in order to preserve and protect the safety and welfare of the public. Upon adoption of such ordinance, the local government shall post appropriate signs or otherwise inform residents that such an ordinance has been adopted and will be enforced within the local government's jurisdictional boundaries.

Section 4. This act shall take effect July 1, 2023.

## **ORDINANCE NO. 2023-481**

**AN ORDINANCE OF CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII, SECTIONS 2-86, 2-88, AND 2-93 OF THE CODE OF ORDINANCES OF THE CITY OF KEY COLONY BEACH RELATED TO MEETINGS OF THE CITY COMMISSION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the City Commission of the City of Key Colony Beach (the “City Commission”) wishes to amend Chapter 2, Article VII, Secs. 2-86; 2-88; and 2-93 of the City’s Code of Ordinances (the “Code”) of in order to promote efficiency and costs savings with regard to conducting official business of the City; and

**WHEREAS**, the City Commission passed Ordinance No. 2022-479 on September 22, 2023 providing for a scheduled sunset of said ordinance on March 21, 2023; and

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

**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 are hereby incorporated by reference.

### **Section 2: Effective Date**

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

**Section 3: Amendment**

*Chapter 2, Article VII* of the City of Key Colony Beach Code of Ordinances shall be amended to read as follows:

**Sec. 2-86. – Agenda.**

The Mayor with the advice of the City Clerk and Commissioners, shall prepare an agenda of subjects to be acted on for each meeting. The agenda shall be made available to the Commissioners by the Friday immediately prior to any regular commission meeting or four (4) days before any special or emergency meeting, time permitting. The order of the agenda may be changed during a meeting by a majority vote of the City Commission. A new subject that requires urgent attention may be added to the agenda during a meeting by a majority vote of the City Commission.

(Ord. No. 353-2003, 2-13-03; Ord. No. 2022-479, 9-22-22; Ord. No. 2022-\_\_\_\_, \_\_\_\_\_)

....

**Sec. 2-88. – Order of business.**

All regular meetings of the City Commission should follow an established order of business. The order is as follows:

- (1) Call to order.
- (2) Correspondence and citizen comments.
- (3) Minutes.
- (4) Reports from committees and departments.
- (5) Items of discussion/approval.
- (6) City administrator items for discussion.
- (7) City Attorney's report.
- (8) Ordinances and resolutions.
- (9) Commissioner's reports and comments.
- (10) Adjournment.

(Ord. No. 353-2003, 2-13-03; Ord. No. 2022-479, 9-22-22; Ord. No. 2022-\_\_\_\_, \_\_\_\_\_)

....

***[Remainder of Page Left Intentionally Blank]***

**Sec. 2-93. – Organizational and Regular meetings.**

An organizational meeting of the City Commission will be held on the third Thursday of November of each year, unless the organizational meeting falls on a legal holiday, at which time the organizational meeting shall be rescheduled by either (1) a majority vote of the City Commission or (2) a showing of exceptional circumstances in a writing directed to the Mayor no less than three (3) business days before the organizational meeting of the City Commission is scheduled to take place. All organizational meetings of the City Commission shall be held in the City Hall of the City of Key Colony Beach or such other appropriate designated place.

Regular meetings of the City Commission shall be held at 9:30 a.m. on the third Thursday of each month unless the regular meeting falls on a legal holiday, at which time the regular meeting shall be rescheduled at the discretion of the City Commission. All regular meetings of the City Commission may be moved and rescheduled by either (1) a majority vote of the city commission or (b) a showing of exceptional circumstances in a writing directed to the Mayor no less than three (3) business days before the regular meeting of the City Commission is scheduled to take place. All regular meetings of the City Commission shall be held in the City Hall of the City of Key Colony Beach or such other appropriate designated place.

(Ord. No. 353-2003, 2-13-03; Ord. No. 366-2003, 12-11-03; Ord. No. 2022-479, 9-22-22; Ord. No. 2022-\_\_\_\_, \_\_\_\_\_)

**Section 4: Severability and Conflict**

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

**Section 5: Inclusion in the Code of Ordinances of Key Colony Beach, Florida**

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

**FIRST READING** by the City of Key Colony Beach City Commission this 14<sup>th</sup> day of February, 2023.

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

**SECOND READING AND DULY ADOPTED** by the City of Key Colony Beach City Commission on this \_\_\_\_ day of \_\_\_\_\_, 2023.

Mayor Patricia Trefry NO \_\_\_\_\_ YES \_\_\_\_\_

Vice Mayor Beth Ramsay-Vickrey NO \_\_\_\_\_ YES \_\_\_\_\_

Commissioner Tom Harding NO \_\_\_\_\_ YES \_\_\_\_\_

Commissioner Joey Raspe NO \_\_\_\_\_ YES \_\_\_\_\_

Commissioner Freddie Foster NO \_\_\_\_\_ YES \_\_\_\_\_

**DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA**, this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Patricia Trefry, Mayor

\_\_\_\_\_  
Silvia Gransee, City Clerk

*Approved as to form and legal sufficiency:*

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



**Florida Keys Days**  
**February 22, 2023 Tallahassee**

	Yes	No	Maybe	Registered	Hotel
Mayor Trefry		x			cancelled
Vice-Mayor Ramsay-Vickrey		x			cancelled
Commissioner Harding		x			cancelled
Commissioner Foster		x			cancelled
Commissioner Raspe		x			cancelled
City Administrator Turner		x			cancelled

**Florida Legislative Action Days**  
**April 3-5, 2023 Tallahassee**

	Yes	No	Maybe	Registered	Hotel
Mayor Trefry	x			Yes - FLM & Regular	Reserved
Vice-Mayor Ramsay-Vickrey			x		Reserved
Commissioner Harding	x			Yes	Reserved
Commissioner Foster	x			Yes	Reserved
Commissioner Raspe		x			x
City Administrator Turner	x			Yes	Booked

**Florida League of Cities Annual Conference**  
**August 10-12, 2023 Orlando**

	Yes	No	Maybe	Registered	Hotel
Mayor Trefry					
Vice-Mayor Ramsay-Vickrey	x				
Commissioner Harding	x				
Commissioner Foster	x				
Commissioner Raspe		x			
City Administrator Turner					