

RESOLUTION NO. 2023-05

A RESOLUTION OF THE CITY COMMISSION OF KEY COLONY BEACH, FLORIDA APPROVING A DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BETWEEN THE CITY AND GARRISON BIGHT MARINA, INC., FOR THE PROPERTY LOCATED AT 300/400 SADOWSKI CAUSEWAY, KEY COLONY BEACH WITH REAL ESTATE NUMBERS 00079371-000200 AND 00079371-000100; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ANY OTHER REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Florida Local Government Development Agreement Act (the “Act”), Chapter 86-191, Laws of Florida, now codified at Sections 163.3220 through 163.3243, Florida Statutes, authorizes local governments to enter into development agreements with property owners subject to the procedures and requirements of the Act; and

WHEREAS, the lack of certainty in the approval of a development can result in a waste of economic land resources, discourage sound capital improvement planning and financing, escalate the cost of housing and development, and discourage commitment to comprehensive planning; and

WHEREAS, assurance to a developer that upon receipt of a development permit that they may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring that there are adequate capital facilities for the development, encourages private participation in comprehensive planning and reduces the economic costs of development; and

WHEREAS, the City of Key Colony Beach, Florida (the “City”) and Garrison Bight Marina, Inc., (the “Owner”) have negotiated a development agreement under the authority of Chapter 163, Florida Statutes (the “Agreement”); and

WHEREAS, in accordance with Chapter 163 of Florida Statutes and Chapter 101, Article XII, Section 101-176 of the City’s Code of Ordinances, the City is required to hold public hearings for the City Commission to consider approval of a development agreement; and

WHEREAS, the City Commission scheduled and held public hearings on April 20, 2023, and May 18, 2023, to consider this Agreement, and has found and determined that execution of this Agreement will further the objectives of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the development contemplated and permitted by this Agreement is consistent with the City’s Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City Commission deems that approval of this Agreement in the best interest of the City.

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

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

Section 2. Approval of Chapter 163 Development Agreement. The City Commission of Key Colony Beach hereby approves the Development Agreement between the City and the Owner, a copy of which is attached as Exhibit “1,” together with such non-material changes as may be acceptable to the City Administrator and approved as to form and legality by the City Attorney.

Section 3. Authorization of City Officials. The City Administrator or his designee and the City Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. Execution of Documents. The Mayor is authorized to execute the Agreement and any other associated documents related to the Agreement.

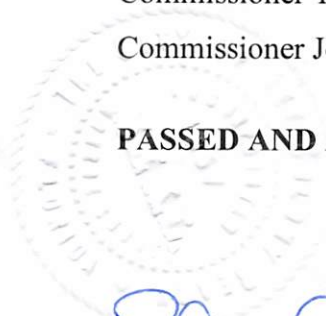
Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.


The foregoing Resolution was offered by Commissioner Foster who moved for its adoption. This motion was seconded by Vice-Mayor Ramsay-Vickrey and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION
CITY COMMISSION OF KEY COLONY BEACH

Mayor Patricia Trefry	NO _____ YES <u> X </u>
Vice-Mayor Beth Ramsay-Vickrey	NO _____ YES <u> X </u>
Commissioner Freddie Foster	NO _____ YES <u> X </u>
Commissioner Tom Harding	NO _____ YES <u> X </u>
Commissioner Joey Raspe	NO _____ YES <u> X </u>

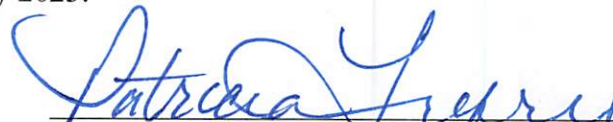
PASSED AND ADOPTED this 18th day of May 2023.

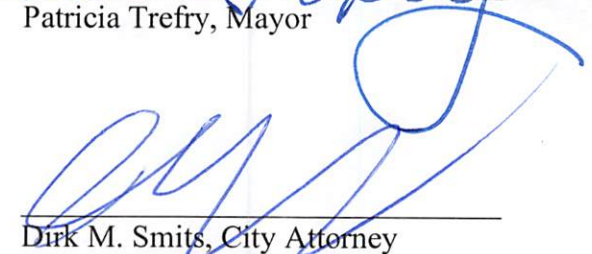



Attest: Silvia Gransee, City Clerk

Approved as to form and legal sufficiency:

April 20, 2023, 1st Public Hearing
May 4, 2023, Date of Notice, Florida Keys Weekly
May 18, 2023, 2nd Public Hearing Reading


Patricia Trefry, Mayor


Dirk M. Smits, City Attorney