

AGENDA
KEY COLONY BEACH CITY COMMISSION
REGULAR MEETING & PUBLIC HEARING

Thursday, July 20, 2023 – 9:30 am

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

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

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

2. Agenda Additions, Changes & Deletions

3. Special Request

4. Citizen Comments and Correspondence

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

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

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

5. Approval of Minutes

a. 06-15-2023 City Commission Public Hearing Minutes – Pgs. 1-2

b. 06-15-2023 City Commission Regular Meeting & Public Hearing Minutes – Pgs. 3-8

6. Committee and Department Reports

a. Marathon Fire/EMS – Marathon Asst. Fire Marshal

b. Police Department – Chief DiGiovanni

c. Building Department – Building Official Leggett

d. Public Works – Public Works Department Head Guarino

e. City Clerk – City Clerk Gransee

f. Code Enforcement Officer – Code Officer Goldman

g. Beautification Committee

h. Planning & Zoning Board

i. Recreation Committee – Chair Report

j. Utility Board

7. Items for Discussion/Approval

- a. Discussion/Approval: Appointment of Alternate Sandra Glassman to be a full member on the Beautification Committee.*
- b. Discussion/Approval of Xylem Water Solutions USA, Inc. Quote #2023-WEP-0449 for a Submersible Propeller Pump in the amount of \$21,727.00. – Pgs. 9-10*
- c. Discussion/Approval of Xylem Water Solutions USA, Inc. Quote # 2023-WEP-0448 for a Submersible Pump in the amount of \$11,338.00. – Pgs. 11-12*
- d. Discussion/Approval on adopting Monroe County’s Code of Ordinance on Sea Turtle Protection (Code 1979, 13-67; Ord. No. 8-1994, Sec. 7; Ord. No. 10-1998, 1)*
 - i. Article V. – Sea Turtle Protection – Sec. 12-114 – Pgs. 13-18*
- e. Discussion/Approval to Engage an Independent Investigative Attorney regarding Allegations of Fraud.*
 - i. Update on Statute of Limitations*
 - ii. Estimate on costs for an investigative attorney*
- f. Discussion/Approval on Recommendations by the Bid Evaluation Committee for the City Hall Project: Terrence Justice/LIVS Associates*
 - i. 06-28-2023 Evaluation Committee Meeting Minutes & Bid Tabulations – Pgs. 19-24*
- g. Discussion/Approval for USPS Lease Agreement #QG0000781860*

8. City Administrator Items for Discussion/Approval

- a. Introduction of Budget for FY2023-2024 (see Item 11.b. for reference)*

9. Secretary-Treasurer’s Report

- a. Treasurer’s Report June 2023 – Pgs. 25-28*
- b. Approval of Warrant 0623 in the amount of \$357,212.15 – Pg. 29*

10. City Attorney’s Report

11. Ordinances & Resolutions

- a. Resolution No. 2023-07: A Pledge Of The Southeast Florida Local And Tribal Governments Endorsing The Southeast Florida Climate Action Pledge; Agreeing To Jointly Advance Strategic Climate Adaptation And Mitigation Planning, Programs, Policies And Projects; And Advancing The Implementation Of The Regional Climate Action Plan As Appropriate For Each Government. – Pgs. 30-32*
- b. Resolution No. 2023-08: A Resolution Of The City Commission Of The City Of Key Colony Beach, Florida; Determining The Proposed Millage Rate, And The Current Year Rolled-Back Rate, And The Date, Time And Place For The First And Second Budget Public Hearings As Required By Law; Directing The Finance Director To File Said Resolution With The Property Appraiser Of Monroe County Pursuant To The Requirements Of Florida Statutes And The Rules And Regulations Of The Department Of Revenue Of The State Of Florida; And Providing For An Effective Date – Pgs. 33-34*
- c. First Reading of Ordinance No. 2023-485: Adopting Monroe County’s Code of Ordinance on Sea Turtle Protection (Code 1979, 13-67; Ord. No. 8-1994, Sec. 7; Ord. No. 10-1998, 1), Article V. -Sec. 12-114 - See Pgs. 13-18*

12. Commissioner's Reports & Comments

a. Commissioner Harding

- i. Wastewater Sampling Update - Pgs. 35-38

b. Commissioner Raspe

- i. Discussion/Action on Unlicensed Contractors and the Establishment of Contractor Rules.
- ii. Consideration and Vote to Pursue Bids for Repair of Existing City Hall/ Marble Hall.

c. Vice-Mayor Ramsay-Vickrey

- i. FKNMS Mooring Buoys
- ii. Mini-Lobster Season, Education and Law Enforcement Partnerships.

d. Commissioner Foster

- i. Status of Jamie Buxton promotion
- ii. Protocol for process/approval of request for information from city employees
- iii. Discussion/vote on the need to obtain an independent audit of the city building funds

13. Adjournment

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

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

Please click this URL to join.

<https://us02web.zoom.us/j/82903437960?pwd=emYxWG0lK0VKZXpvTXZnVXRjK1d5QT09>

Passcode: 628965

Or One tap mobile:

*+13052241968,,82903437960#,,, *628965# US*

*+13017158592,,82903437960#,,, *628965# US (Washington DC)*

Or join by phone:

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

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

Webinar ID: 829 0343 7960

Passcode: 628965

International numbers available: <https://us02web.zoom.us/j/82903437960?pwd=emYxWG0lK0VKZXpvTXZnVXRjK1d5QT09>

MINUTES

KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING

Thursday, June 15, 2023 – 9:30 a.m.

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

- 1. Call to Order, Pledge of Allegiance, Prayer, Roll Call:** The June 15th, 2023, Key Colony Beach City Commission Public Hearing was called to order by Mayor Trefry at 9:30 am followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Vice-Mayor Ramsay-Vickrey, Commissioner Harding, Commissioner Foster, Commissioner Raspe, Mayor Trefry. **Also Present:** City Administrator Dave Turner, Assistant Fire Marshal Mike Card, Police Chief Kris DiGiovanni, City Attorney Dirk Smits, City Clerk Silvia Gransee, Code Officer Barry Goldman, Public Works Department Head Mike Guarino, Administrative Assistant Tammie Anderson, Administrative Cheryl Baker, Police Corporal Jamie Buxton.
- 2. Agenda Additions, Changes & Deletions:** None.
- 3. Approval of Minutes from the 05-18-2023 City Commission Public Hearing:** Mayor Trefry approved the minutes from the May 18th, 2023, City Commission Public Hearing as written with no objections from the Commission.
- 4. Administration of Oath to Witnesses:** City Clerk Gransee administered the Oath of Witness to all planning on testifying.
- 5. Citizen Comments and Correspondence:** None.
- 6. Disclosure of Ex-Parte Communications:** None.
- 7. Variance Request:** 651 9th Street, Long Family Trust 03/14/2023 C/O Palmer Reid Long Jr. CO Trustee: Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the installation of a pool within the 10' setback to 5', only on the left side of the lot. Current setback requirements are 10' feet.
 - a. Proof of Legal Publications & Affidavits of Mailing/Posting:** City Clerk Gransee confirmed the proof of legal publications, and affidavits of mailing and posting.
 - b. Presentation of Variance Request:** City Administrator Dave Turner spoke on behalf of Building Official Leggett after being sworn in as a witness.
City Administrator Turner reported on the requested variance and the unanimous recommendation for approval by the Planning and Zoning Board.
City Administrator Turner continued answering questions from the Commission on the topic and referred to the Planning and Zoning minutes for reference. Commissioner Raspe gave thoughts on the contractors knowledge on variance requirements.
 - c. Planning & Zoning Board Recommendation:** Planning and Zoning Board member Bob Glassman reported on the Planning and Zoning Board meeting from May 17th, 2023, and the subsequent approval by the Board. City Administrator Turner confirmed Commissioner Fosters question on making the zone change are standard on duplexes.
Commissioner Raspe gave additional comments on his observations during the Planning and Zoning meeting and proposed the implementation of contractor classes to educate on rules and regulations. Additional discussion followed by Board member Glassman and Commissioner Raspe.

d. Planning & Zoning Board Minutes May 17, 2023: Included in agenda packet.

e. Statement by Applicant: Attorney Rich Malafy spoke to the Commission on behalf of the homeowner and explained the owner's medical need for a pool and the actions taken by the contractor leading up to the hearing. The Commission had no questions for Mr. Malafy.

f. Commissioner Comments/Questions: City Administrator Turner asked the Commission not to punish the owner for the actions of the contractor and explained that the contractor's actions will be addressed on an operational level. Commissioner Raspe gave further thoughts on contractor's responsibilities on knowing the city's rules and regulations. Mayor Trefry voiced agreement with Commissioner Raspe and City Administrator Turner confirmed for staff to be working on the issue.

g. Approve, Deny, or Approve with Conditions: Mayor Trefry asked for a motion to approve, deny, or approve with conditions, the variance request for 651 9th Street.

MOTION: Motion made by Commissioner Foster to approve. Mayor Trefry asked for a second. Commissioner Harding seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. Other Business: None.

9. Adjournment: The meeting adjourned at 9:46 am.

Respectfully submitted,

Silvia Gransee

City Clerk

MINUTES

KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING

Thursday, June 15, 2023 – 09:47 a.m.

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

1. Call to Order, Pledge of Allegiance, Prayer, Roll Call: The June 15th, 2023, Key Colony Beach City Commission Public Hearing and Regular Meeting was called to order by Mayor Trefry at 9:47 am followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Vice-Mayor Ramsay-Vickrey, Commissioner Harding, Commissioner Foster, Commissioner Raspe, Mayor Trefry. **Also Present:** City Administrator Dave Turner, Assistant Fire Marshal Mike Card, Police Chief Kris DiGiovanni, City Attorney Dirk Smits, City Clerk Silvia Gransee, Code Officer Barry Goldman, Public Works Department Head Mike Guarino, Administrative Assistant Tammie Anderson, Administrative Cheryl Baker, Police Corporal Jamie Buxton.

2. Agenda Additions, Changes & Deletions: None.

3. Special Request: None.

4. Citizen Comments and Correspondence:

Toni Appell, 200 8th Street, thanked Chief DiGiovanni, Commissioner Raspe, and the Sutton Family for their sponsorship and organization of the 'Ron Sutton Memorial Fishing Derby'.

Laurie Swanson, spoke via Zoom, and reported experiencing technical difficulties in the audio quality of the meeting. City Clerk Gransee confirmed to Mayor Trefry to follow up with the concerns.

Mary McFadden, spoke via Zoom, and also voiced difficulties in the audio quality of the meeting.

5. Approval of Minutes

a. 05-18-2023 City Commission Regular & Public Hearing Minutes: Mayor Trefry accepted the meeting minutes as written with no objection from the Commission.

6. Committee and Department Reports

a. Marathon Fire/EMS: Assistant Fire Marshal Mike Card reported to the Commission on an uptake in emergency calls and the nature of calls received. The Assistant Fire Marshal further informed on the upcoming Leadership Monroe event in July and the purpose and benefits of attending the class. Assistant Fire Marshal Card invited all to attend and informed that the event will be taking place at the Key Colony Inn.

b. Police Department: Chief of Police DiGiovanni confirmed to Commissioner Foster that the Golf Course Incident was resolved. The Chief of Police further confirmed to the Commissioner that the liveaboard issue was nearly resolved. Chief DiGiovanni reported that Corporal Buxton is attending advancement classes and training with the Sheriff's Office. Mayor Trefry and the Commission congratulated Corporal Buxton on her accomplishment. Chief DiGiovanni confirmed to Commissioner Foster to follow up with City Administrator Turner on further training needs.

c. Building Department

d. Public Works: Commissioner Harding thanked Public Works Department Head Mike Guarino for installing the Holiday banners and thanked the Beautification Committee for the purchase.

Mayor Trefry thanked the Public Works Department staff, Public Works Department Head Mike Guarino, and City Administrator Turner for their work on the 'Do Not Block' section at the intersection.

City Administrator Turner confirmed to Commissioner Harding that the ladder for Public Works was approved.

- e. City Clerk
- f. **Code Enforcement:** Commissioner Foster thanked Code Officer Goldman for the submittal of his report.
- g. Beautification Committee
- h. Planning & Zoning Board
- i. Recreation Committee – Chair Report
- j. Utility Board

There were no additional reports or questions by the Commission.

7. Items for Discussion/Approval

a. Discussion/Approval of yearly Contract Renewal with Iguana Control in the amount of \$15,600.00:

City Administrator Turner reported to the Commission on the services that were received over the prior year and recommended for the renewal of the contract. City Administrator Turner informed that the month of July will be provided at no cost due to some missed service calls for unforeseen events. The City Administrator informed that no complaints have been received and talked about the reutilizing aspects of the service.

Mayor Trefry asked for a motion to approve the contract with Iguana Control, Invoice No. 48120, in the amount of \$15,600.00.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

b. Discussion/Approval to modify the agreement with Brightview for the addition of Janitorial Services in the amount of \$22,692.00: City Administrator Turner spoke on the agenda item to the Commission and explained the benefits of the outsourcing of the janitorial services to Brightview. City Administrator Turner stated his intention of a trial period for two months and working on a contract with legal to bring back to the Commission for approval. City Attorney Smits clarified City Administrator Turner's request to the Commission for input on the suggested services. After a brief discussion, the Commission agreed with the trial period.

c. Discussion/Approval of an Interlocal Agreement between the Board of County Commissioners of Monroe County, Florida, and the City of Key Colony Beach, for the acceptance of State Boating Improvements Funds for the Replacement of Buoy and Marker Signs: City Administrator Turner spoke on the agenda item and explained the purpose of the agreement. Mayor Trefry asked for a motion to approve the Interlocal Agreement between the Board of County Commissioners of Monroe County and the City of Key Colony Beach for the acceptance of State Boating Improvement funds for the replacement of buoy and marker signs.

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

DISCUSSION: Commissioner Harding applauded the effort of working with Monroe County for the improvements.

ON THE MOTION: Rollcall vote. Unanimous approval.

d. Discussion/Approval to engage an Independent Investigative Attorney regarding Allegations of Fraud:

City Attorney Smits spoke to the Commission on the agenda item and summarized the purpose of the suggestion. City Attorney Smits informed on having found an independent attorney and having a contract available for the Commission if desired.

Mayor Trefry asked Vice-Mayor Ramsay-Vickrey to speak on the topic.

Vice-Mayor Ramsay-Vickrey spoke on the publishing of allegations in the newspaper and the city's responsibility to address the accusations with the help of an independent investigator. City Attorney Smits estimated a cost of \$15,000.00 for the hiring of an investigator.

Mayor Trefry asked for comments or questions from the Commission.

Commissioner Raspe informed of not having been aware of the article in the paper and the need for more time to make an informed decision on the topic.

Commissioner Harding asked City Attorney Smits questions regarding FEMA if an issue was found. City Attorney Smits gave his understanding that monies were not received and the need for full disclosure and honesty. City Administrator Turner confirmed on no intentions of requesting monies from FEMA for the building itself and that monies were received from the insurance company. Commissioner Harding talked on the importance of transparency in case of wrongdoing. City Attorney Smits gave additional thoughts on the topic.

Commissioner Foster gave his understanding that no monies were received from FEMA, on received insurance monies, and statute of limitations having passed. Commissioner Foster suggested using the city's own detective and stated non-agreement with the spending of the monies.

City Attorney Smits clarified that he follows the directives of the Commission and the discussion to be within the Commission.

Commissioner Foster gave additional thoughts on the statute of limitations and available documentation to form a conclusion.

Vice-Mayor Ramsay-Vickrey spoke on the seriousness of the allegation of attempted fraud and the importance of operating within the law and with integrity for the city.

Mayor Trefry gave hesitations on spending monies and asked City Attorney Smits to elaborate on the statute of limitations.

City Attorney Smits explained his legal understanding of the statute of limitations and suggested for an outside review on the topic.

Mayor Trefry said for Commissioner Raspe to have opportunity to inform himself prior to the July meeting.

City Attorney Smits confirmed that the outside investigator will look up the question on the statute of limitations. Commissioner Harding voiced support for the research on the statute of limitations and spoke on the importance of transparency with FEMA.

City Attorney Smits explained the process off an investigative attorney.

Mayor Trefry confirmed for the item to come back at the next Commission meeting.

e. Discussion/Approval for purchase for a Land Pride 84" Hopper Broom from Florida Coast Equipment in the amount of \$11,850.25: City Administrator Turner spoke to the Commission on the agenda item and explained the equipment in question being of proprietary nature and gave further information on benefits for the purchase and available monies. Mayor Trefry asked for motion to approve the purchase for the Land Pride 84" Hopper Broom from the Florida Coast Equipment in the amount of \$11,850.25.

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

DISCUSSION: Commissioner Harding commented on the benefits associated with the purchase. City Administrator Turner agreed with the Commissioner.

ON THE MOTION: Rollcall vote. Unanimous approval.

8. City Administrator Items for Discussion

a. City Hall Update

i. Report on Bid Opening on June 5th, 2023

ii. Report on upcoming Review Committee Meeting

City Administrator Turner reported to the Commission on the bid opening and review process. City Administrator Turner explained that once the Committee has concluded their review, he will present the item to the Commission.

b. Safety Meeting Report: City Administrator Turner spoke on the agenda item and reported good discussions and results. Commissioner Harding complimented City Administrator Turner on his work.

Mayor Trefry asked for a follow-up on the publication for the evaluation committee. City Clerk Gransee informed that sufficient public notice was given for the public meeting on June 28th, 2023.

c. Recommendation on FMLA use: City Administrator Tuner spoke on the agenda item and his recommendation to follow the wording from FMLA and explained possible benefit changes due to the unionization. Vice-Mayor Ramsay-Vickrey asked City Administrator Turner to keep the millage rate the same, or lower, if levels of standards can be kept.

Commissioner Foster asked City Administrator Turner for elaboration on a prior email sent to the Commission on potential savings in safety. After a brief discussion, Mayor Trefry asked Commissioner Foster to resend the email to the City Administrator.

d. Florida League of Cities: 97th Annual Conference Voting Delegate Information: City Administrator Turner spoke to the Commission about the upcoming event and asked for the Commission to choose a delegate among themselves.

MOTION: Motion made by Vice-Mayor Ramsay-Vickrey for the Mayor to be designated the voting delegate at the Florida League of Cities Annual Conference. Commissioner Harding seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

9. Secretary-Treasurer's Report

a. Treasurer's Report May 2023: Commissioner Harding gave the Treasurer's Report for May 2023 and informed on taxes, income, and expenses. Commissioner Harding reported total expenses below budget, and further reported on cash accounts, restrictive cash flow, and infrastructure. Commissioner Harding additionally reported on income from vacation licenses and projected a positive budget based on current calculations. Commissioner Harding reported on the contribution for Sunset Park, infrastructure tax, building permits, expenses for Marathon Fire/EMS, and legal invoices. Commissioner Harding continued giving his report on debt for the city and updated on Wastewater financials. Commissioner Harding reported expenses over-budget and stated expectations of ending the fiscal year in the negative for Wastewater. Commissioner Harding further talked about working with City Administrator Turner for a proposed increase in Wastewater fees to offset expenses. Commissioner Harding continued talking about Stormwater financials including cash flow and reimbursements for the Stormwater project.

b. Approval of Warrant 0523 in the amount of \$568,335.46: Mayor Trefry asked for a motion to approve Warrant No. 0523 in the amount of \$568,335.46.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

Commissioner Raspe asked Commissioner Harding for ideas on savings for wastewater electricity. Commissioner Harding gave thoughts on possible ideas and having been in communication on the topic with Plant Operator Dave Evans.

10. City Attorney's Report: City Attorney Smits updated the Commission on the unionization process and the finalization of the audit letter.

City Attorney Smits thanked the Commission for the ability to participate in the Fishing Derby alongside his grandson.

City Attorney Smits confirmed for the unionization process to last through the Summer. Discussion followed on the finalization of the budget and negotiations to continue into the next fiscal year. City Administrator Turner informed on waiting for insurance quotes and the requirements of holding two budget meetings in the month of September. Commissioner Harding suggested for budget talks to start in July. After a brief discussion, Mayor Trefry confirmed September for the two budget hearings.

11. Ordinances & Resolutions

a. SECOND/FINAL Reading of Ordinance No. 2023-484: An Ordinance of the City of Key Colony Beach, Florida; amending Chapter 5 of the Code of Ordinances Related to "Boats, Boat Trailers, Marine Facilities and Waterways", Article III, "Marine Construction and Improvements, Docking of Boats", Division 3 "Docks, Piers, and Mooring Equipment", Section 5-43, Entitled "Elevator Lifts" to increase the maximum lifting capacity for elevator boat lifts within the city; providing for codification; repealing any inconsistent provisions; providing for severability; and providing an effective date.

i. Proof of Publication: Included in agenda packet.

ii. Ordinance No. 2023-484 Boat Lift Amendment: Mayor Trefry asked for a motion to approve the Final Reading of Ordinance No. 2023-484.

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

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

12. Commissioner's Reports & Comments

a. Commissioner Harding

i. Wastewater Sampling Update: Commissioner Harding updated on Wastewater sampling and reported on costs, cases, and counting methods by the CDC. Commissioner Harding gave data for the city, comparison to national averages, and no reported cases of Monkey Pox for the city.

Commissioner Harding reported attending the quarterly Mitigation meeting and having received information on mitigating algae blooms, attending the DEO meeting on hurricane evacuation modeling, and attending the city's CRS meeting. Commissioner Harding continued reporting on attending the Monroe County evacuation process for hospitals, as well as the DOAH Code Compliance Hearing. Commissioner Harding informed on having received a FEMA certificate from the prior year and clarified that he did not travel to Hawaii to receive the certificate. In closing, Commissioner Harding reported on working with City Administrator Turner on draft city hall financing plans and interest rates consistent with projections.

b. Commissioner Foster

i. Potential Surplus on Building Permit Funds: Commissioner Foster asked City Attorney Smits to explain the City of Marathon's surplus funds and requirements for the City of Key Colony Beach to be compliant. City

Attorney Smits explained the purpose of a utilization report and the process of setting permit fees. City Attorney Smits continued explaining different options on spending a surplus for a building department.

Commissioner Harding informed that the building department is in a separate fund with a separate reserve fund and gave anticipated end-of-year calculations.

City Administrator Turner explained the Florida Statutes on Special Revenue Funds being established in 2018 and informed of the city becoming compliant in 2022 after his was hired. The City Administrator further explained the calculations for compliance and reported for the reserves to be negative for the city. The City Administrator gave additional information on allowances under the Florida Building Code and the purpose for a reserve account.

ii. Police Coverage for Mini Lobster Season: City Administrator Turner reported on working with the City Manager of Marathon for coverage and anticipated adequate coverage through the FWC.

Chief DiGiovanni confirmed that the Police boat will be on the water with the possibility of the use of a reserve officer. Commissioner Foster voiced his concern on adequate coverage for the event. Chief DiGiovanni confirmed coverage for the days. After further discussion, City Administrator Turner explained that the FWC will make their decision on support in the coming week.

iii. Bid Opening Protocol: Commission Foster asked City Administrator Turner on future bid opening protocols and expressed his dissatisfaction with the past process. City Administrator Turner gave his viewpoint on the topic which Commissioner Foster expressed disagreement with. Mayor Trefry asked City Administrator Turner to approach the Commission on future bid openings and stated un-precedence on the past bid opening.

Commissioner Raspe thanked the Beautification Committee for the hanging of the banners. Commissioner Raspe reported on the Kids Fishing Derby and thanked the Key Colony Inn and volunteers who helped with the event. Commissioner Raspe continued talking on possible contractor classes and the benefits it would bring.

Vice-Mayor Ramsay-Vickrey updated on the University of South Florida's Sargassum report with an anticipated decrease on the overall amount of sargassum and the majority of the event anticipated passing north of the Florida Keys. Vice-Mayor Ramsay-Vickrey further reported on participating in the Monroe County Emergency Management Hurricane Preparation Workshop, attending the Monroe County 200-year celebration at the old 7-mile bridge, attending the DEO Hurricane Evacuation Workshop, and helping out with the Kids Fishing Tournament. The Vice-Mayor gave special thanks to Kitty Sutton and her family, Joey and Karen Raspe, Chief DiGiovanni, as well as City Attorney Smits.

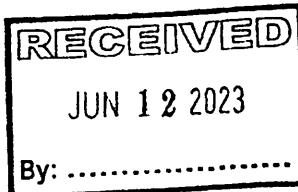
Mayor Trefry reported on attending the monthly legal meeting, the Hurricane Evacuation Workshop, and meeting with the DEO alongside City Administrator Turner on computer modeling suggestions and solutions.

13. Adjournment: The meeting adjourned at 11:07 am.

Respectfully submitted,

Silvia Gransee

City Clerk



**Xylem Water Solutions USA, Inc.
Flygt Products**

June 12, 2023

15132 Park Of Commerce Blvd.
Suite 102
Jupiter, FL 33478
Tel (561) 848-1200
Fax (561) 848-1299

CITY OF KEY CLNY BCH
PO BOX 510141
KEY COLONY BEACH FL 33051-0141

Quote # 2023-WEP-0449
Project Name: City of Key Colony Beach
Job Name:

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

Equipment			
Qty	Part Number	Description	Extended Price
1	4630.412-0029	Flygt Model PP-4630 Submersible propeller pump, Stainless steel (ASTM 304), equipped with a 460 Volt / 3 phase / 60 Hz 2.5 HP 855 RPM motor, Prop 5°, 50 Ft. length of SUBCAB 4G2,5+2x1,5 submersible cable, C/W FLS leakage detector	\$ 20,815.00
Total Price			\$ 20,815.00
Freight Charge			\$ 912.00
Total Price			\$ 21,727.00

Terms & Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Freight Terms: 3 DAP - Delivered At Place 08 - Jobsite (per Incoterms 2020)
See Freight Payment (Delivery Terms) below.

Taxes: State, local and other applicable taxes are not included in this quotation.

Back Charges: Buyer shall not make purchases nor shall Buyer incur any labor that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.

Shortages: Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report



damages or shortages so that replacement items can be shipped and the appropriate claims made.

Time of delivery: Approx. 11-13 working weeks after receipt of order.

Taxes: State, local and other applicable taxes are not included in this quotation.

Validity: This Quote is valid for sixty (60) days.

Terms of delivery: PP/Add Order Position

Customer Acceptance: A signed facsimile copy of this quote is acceptable as a binding contract.

Signature: _____ Company/Utility: _____

Name : _____ Address: _____
(PLEASE PRINT)

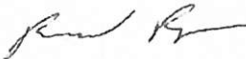
Email: _____

Date: _____ Phone _____

PO#: _____ Fax: _____

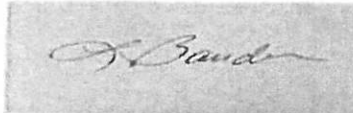
Thank you for the opportunity to provide this quotation. Please contact us if there are any questions.

Sincerely,



Rick Reyes
Sales Representative

Cell: 561.699.4077
rick.reyes@xylem.com



Lesa Bondesen
Customer Support Specialist
Phone: 704-227-5019

lesa.bondesen@xylem.com





June 12, 2023

CITY OF KEY CLNY BCH
PO BOX 510141
KEY COLONY FL 33051

Quote # 2023-WEP-0448
Project Name: City of Key Colony Beach
Job Name:

**Xylem Water Solutions USA, Inc.
Flygt Products**

15132 Park Of Commerce Blvd.
Suite 102
Jupiter, FL 33478
Tel (561) 848-1200
Fax (561) 848-1299

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

7.5HP Pump

Qty	Part Number	Description	Extended Price
1	3127.060-0014	Flygt Model NP-3127.060 4" volute Submersible pump equipped with a 460 Volt / 3 phase / 60 Hz 7.5 HP 1750 RPM motor, 439 impeller, 1 x 50 Ft. length of SUBCAB 4G6+2x1,5 submersible cable, FLS leakage detector, volute is prepared for Flush Valve	\$ 10,656.00
1	665 90 55	ANODE SET,ZINC	\$ 206.00

Total Price \$ 10,862.00

Freight Charge \$ 476.00

Total Price \$ 11,338.00

Terms & Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xylem-inc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Freight Terms: 3 DAP - Delivered At Place 08 - Jobsite (per Incoterms 2020)

See Freight Payment (Delivery Terms) below.

Taxes: State, local and other applicable taxes are not included in this quotation.

Back Charges: Buyer shall not make purchases nor shall Buyer incur any labor that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.

Shortages: Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report

Page 1 of 2



damages or shortages so that replacement items can be shipped and the appropriate claims made.

Terms of delivery: PP/Add Order Position

Taxes: State, local and other applicable taxes are not included in this quotation.

Time of delivery: Currently in stock at our Central Warehouse located in Mississippi

Validity: This Quote is valid for sixty (60) days.

Customer Acceptance: A signed facsimile copy of this quote is acceptable as a binding contract.

Signature: _____ Company/Utility: _____

Name : _____ Address: _____

(PLEASE PRINT)

Email: _____

Date: _____ Phone _____

PO#: _____ Fax: _____

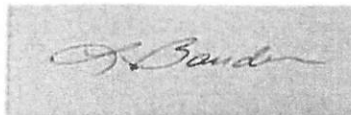
Thank you for the opportunity to provide this quotation. Please contact us if there are any questions.

Sincerely,



Rick Reyes
Sales Representative

Cell: 561.699.4077
rick.reyes@xylem.com



Lesa Bondesen
Customer Support Specialist
Phone: 704-227-5019

lesa.bondesen@xylem.com



ARTICLE V. - SEA TURTLE PROTECTION

Sec. 12-114. - Definitions.

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

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

Artificial light or *artificial lighting* means the light emanating from any manmade or man-controlled device.

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

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

Bug type bulb means any yellow colored incandescent light bulb, not to exceed 25 watts, that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.

Cumulatively illuminated means illuminated by numerous artificial light sources that as a group illuminate any portion of the beach.

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

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

Indirectly illuminated means illuminated as a result of the glowing elements, lamps, globes, or reflectors of an artificial light source, which source is not directly visible to an observer on the beach.

Jurisdictional boundaries, sea turtle protection, means the area on contiguous land within 300 feet of an identified or potential nesting area.

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

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

Nesting area means both identified nesting areas and potential nesting areas.

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

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

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

Permitted agent of the state means any qualified individual, group or organization possessing a permit from the Department of Environmental Protection to conduct activities related to sea turtle protection and conservation.

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

Tinted glass means any glass that:

- (1) Has been treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less (such transmittance is measured as the percentage of visible light that is transmitted through the glass);
- (2) Has a minimum five-year warranty for the level of light transmittance specified in subsection (1) of this definition; and
- (3) Has performance claims that are supported by approved testing procedures and documentation.

(Code 1979, § 13-61; Ord. No. 8-1994, § 1; Ord. No. 10-1998, § 1)

Sec. 12-115. - Prohibition of activities disruptive to sea turtles.

- (a) *Prohibition of horseback riding, campfires, and vehicular traffic.* Horseback riding and campfires shall be prohibited on nesting areas during the nesting season. Vehicular traffic shall also be prohibited on nesting areas during the nesting season except for emergency and law enforcement vehicles, vehicles permitted on the beach for marine turtle conservation or research, or vehicles used for beach cleaning in compliance with section 12-118.
- (b) *Prohibiting storage or placement of any material in the nesting area.* The storage or placement of any material such as, but not limited to, construction material, rip-rap, trash and debris, mulch or other organic material, landscaping material, fill, vehicles, or boats, that has potential to impede movement of hatchlings or adults between ocean and nesting areas, or that may cover existing nests or nesting sites is strictly prohibited.
- (c)

Development. All development shall be set back a minimum of 50 feet from any area that serves as an active or potential nesting area for marine turtles. The 50-foot setback will be measured from the landward toe of the most landward beach berm or from 50 feet landward of mean high water (MHW), whichever results in the smaller total setback. The maximum total setback shall be 100 feet from MHW.

(Code 1979, § 13-62; Ord. No. 8-1994, § 2; Ord. No. 10-1998, § 1)

Sec. 12-116. - Standards for exterior artificial lighting.

To prevent exterior artificial lighting from disorienting sea turtles and illuminating sea turtle nesting areas or nearby areas within the jurisdictional boundaries of Monroe County or adjacent waters during the nesting season, the following measures shall be taken to reduce or eliminate the negative effects of new or existing artificial lighting:

- (1) Exterior artificial light fixtures within direct line-of-sight of the beach shall be designed, positioned, modified, or removed so that:
 - a. The point source of light or any reflective surface of the light fixture is not directly visible from the beach; and/or
 - b. The area within the jurisdictional boundaries is not directly, or indirectly illuminated; and/or
 - c. The area within the jurisdictional boundaries is not cumulatively illuminated.
- (2) Measures such as, but not limited to, the following shall be taken to reduce or eliminate the negative effects of new or existing artificial beachfront lighting through appropriate design:
 - a. Positioning of fixtures so that the point source of light or any reflective surface of the light fixture is eliminated or is no longer visible from the beach;
 - b. Replacement of fixtures having an exposed light source with fixtures containing recessed light sources or shields;
 - c. Replacement of traditional light bulbs with yellow bug type bulbs not exceeding 25 watts or low-pressure sodium vapor lamps;
 - d. Replacement of nondirectional fixtures with completely shielded directional fixtures that point down and away from the beach;
 - e. Replacement of fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - f. Replacement of pole lamps with low-profile, low-level luminaries no higher than 48 inches off the ground such as low-mounted wall fixtures, low bollards, and ground-level fixtures, so that the light source or any reflective surface of the light fixture is not visible from the

beach;

- g. Replacement of incandescent, fluorescent, and high-intensity lighting with the lowest wattage low-pressure sodium vapor lighting possible for the specific application;
 - h. Planting or improvement of landscape vegetation in compliance with the land development regulations (section 118-7 environmental design criteria) between the light source and the beach to screen light from the beach;
 - i. Construction of ground level barriers in compliance with the land development regulations (section 118-7 environmental design criteria) to shield light sources from the beach;
 - j. Limitation of exterior lights used expressly for safety or security purposes. Any such lighting allowed must conform to the measures set forth in this section in order to reduce or eliminate negative effects on sea turtles;
 - k. Permanent removal of all floodlights, uplights, or spotlights used for decorative or accent purposes;
 - l. Permanent removal or disabling of any fixture that cannot be brought into compliance with the provisions of these standards; and
 - m. Shielding or modification of any existing lighted sign pursuant to the land development regulations (section 118-6, environmental design criteria) such that it is not directly visible from the beach.
- (3) Upon written notification by the code compliance director, the mayor may impose an annual "lights out" order to residents and property owners for lights in areas of unincorporated Monroe County during the Sea Turtle nesting season from April 15th through October 31st. The "lights out" order shall indicate the importance of sea turtle nesting and shall direct residents and property owners to turn their lights out between the hours of dusk until dawn. Further, the mayor may request utility companies to shield or turn off lights in designated areas for the same purpose.

(Code 1979, § 13-63; Ord. No. 8-1994, § 3; Ord. No. 10-1998, § 1; Ord. No. 035-2012, § 1; Ord. No. 008-2013, § 1)

Sec. 12-117. - Standards for interior artificial lighting.

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

- (1) Interior artificial lighting within direct line-of-sight of the beach shall be designed, positioned, modified, or removed so that:

- a. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - b. The area within the jurisdictional boundaries is not directly or indirectly illuminated; and
 - c. The area within the jurisdictional boundaries is not cumulatively illuminated.
- (2) Measures such as, but not limited to, the following shall be taken to reduce or eliminate the negative effects of new or existing interior beachfront lighting through appropriate design:
- a. Use of window treatments such as blackout draperies, shade-screens or blinds to shield interior lights from the beach;
 - b. Installation of new windows that meet the standards for tinted glass or, for existing windows, an application of window tint or film that meets the standards for tinted glass;
 - c. Turning off all unnecessary interior lights;
 - d. Arrangement of lamps and other moveable light fixtures away from windows;
 - e. Appropriate interior design to eliminate overhead lighting that could illuminate the nesting beach; and
 - f. For new construction within line of sight of the beach, tinted glass shall be installed on all windows and glass doors of single or multistory structures.

(Code 1979, § 13-64; Ord. No. 8-1994, § 4; Ord. No. 10-1998, § 1)

Sec. 12-118. - Standards for mechanical beach cleaning.

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

- (1) *Timing.* Beach cleaning shall be confined to daylight hours during the nesting season.
- (2) *Mode of operations.* During the nesting season (April 15 through October 31):
 - a. Beach cleaning operations shall be limited to the area seaward of the strand line (previous high tide mark).
 - b. Light-weight motorized vehicles having wide, low-profile, low-pressure tires, or hand raking shall be used to conduct beach cleaning operations.
 - c. Devices used for removing debris from the beach shall be designed and/or operated such that they do not penetrate beach substrate by more than two inches.
 - d. Operators shall be educated to identify a sea turtle crawl (turtle tracks), recognize and avoid a sea turtle nest, report nests and/or crawls to a permitted agent of the state.
 - e. All excess raked material must be removed from the beach and disposed of properly or stored in an upland area as approved by the director of environmental resources. With special approval from the director of environmental resources and the state department

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

(3) *Coordination of beach cleaning operations with state-sanctioned scientific studies.* All beach cleaning operations shall be coordinated through the state to ensure that these operations do not interfere with state-sanctioned scientific studies or surveys of sea turtle nesting activities.

(4) *Authorization.* Any person performing mechanical beach cleaning must have a current permit from the Florida Department of Environmental Protection for the area being cleaned.

(Code 1979, § 13-65; Ord. No. 8-1994, § 5; Ord. No. 10-1998, § 1)

Sec. 12-119. - Protection from predation.

(a) No predatory pets or pets likely to have a potential for being disruptive or damaging to nesting turtles, hatchlings, or nests shall be allowed to roam loose and unsupervised within the jurisdictional boundaries during the nesting season. Such pets include, but are not limited to, dogs, cats, snakes, lizards or iguanas, ferrets and pigs.

(b) Feeding of raccoons, opossums and other wild animals within the jurisdictional boundaries is prohibited.

(Code 1979, § 13-66; Ord. No. 8-1994, § 6; Ord. No. 10-1998, § 1)

Sec. 12-120. - Penalty.

(a) Violations of this article may be prosecuted in the same manner as misdemeanors are prosecuted. In such cases, the violations shall be prosecuted in the name of the state in a court having jurisdiction over misdemeanors by the prosecuting attorney thereof and upon conviction shall be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail not to exceed 60 days, or both such fine and imprisonment. Violations may also be prosecuted through proceedings before the county code enforcement special magistrate or through any other lawfully available means including civil and injunctive relief.

(b) The property owner and, where applicable, his designee, agent, tenant, lessee, or assignee, shall each be held responsible for adherence to the provisions of this article.

(Code 1979, § 13-67; Ord. No. 8-1994, § 7; Ord. No. 10-1998, § 1)

Secs. 12-121—12-139. - Reserved.



Evaluation Committee Meeting **Minutes & Bid Tabulations**

June 28, 2023

9:48 am

**Key Colony Inn Banquet Room
700 W. Ocean Drive
Key Colony Beach, Florida 33051**

Present:

Lazaro Cabezon, LIVS Associates
Terrence Justice, Retired Building Official
Pete Diez, Key Colony Beach Resident & Architect
Dirk Smits, City Attorney
Silvia Gransee, City Clerk

Purpose of Meeting: City Hall Project Evaluation Committee Meeting

The Review Committee met on Wednesday, June 28, 2023, to review the received bids for ITB-2023001-0-2023/DJY.

The following bids were received:

1. HOB Construction (Hands on Builders LLC)
2. Persons Services Corp

City Attorney Smits determined that Pete Diez had to be dismissed due to conversation with bidders in private.

After review and discussion, the review committee members completed the selection criteria and awarded points according to their own thoughts on the received bids.

The following is the tabulation of points after submittal:

	Hands On Builders LLC	Persons Services Corp.
T. Justice	90	83
L. Cabezon	97	98
Total Points	187	181



Recommendation: The Review Committee's recommendation to the Key Colony Beach City Commission is to award the project to HOB or publish a new solicitation. In addition, the Committee recommends for Owners Representative Project Management and make a Performance Bond mandatory.

The Commission will review the Committee's recommendation at the July 20th City Commission meeting at 9:30 am.

The Committee adjourned at 10:21 am.

Silvia Gransee
City Clerk

Attachments:
Bid Tabulation - Terrence Justice
Bid Tabulation - Lazaro Cabezon

CITY OF KEY COLONY BEACH CITY HALL PROJECT
ITB -2023001-0-2023/DJT
SELECTION CRITERIA RATING SHEET

Firm:	HOB		
Committee Member	Lazarus A. Cabrera	Date:	June 28, 2023
Selection Criteria	Possible Points	Earned Points	Remarks
Firm Qualifications and Expertise	15	14	
Key Personnel Qualifications and Experience	15	15	
Similar Projects	20	18	
Project Approach (which includes Development Safety and Reporting)	20	20	
Financial Approach	15	15	
Interview/Presentation	15	15	
TOTAL POINTS	100	97	
Comments:	LIVS recommends this be put out for Re-bid. It will benefit the city to get more bids		
Signature:	Lazarus A. Cabrera		

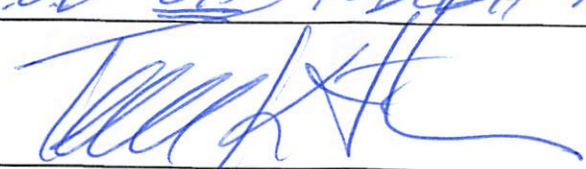
but if you decide with the low bidder than HOB should get the job.

CITY OF KEY COLONY BEACH CITY HALL PROJECT
ITB -2023001-0-2023/DJT
SELECTION CRITERIA RATING SHEET

Firm:	Persons		
Committee Member	Lazaro A. Cabezon	Date:	June 28, 2023
Selection Criteria	Possible Points	Earned Points	Remarks
Firm Qualifications and Expertise	15 15	15	
Key Personnel Qualifications and Experience	15 15	15	
Similar Projects	20 20	20	
Project Approach (which includes Development Safety and Reporting)	20 20	20 20 15	
Financial Approach	15 15	15	
Interview/Presentation	15 15	13	
TOTAL POINTS	100	98	
Comments:	LIVS recommends this be put out for re-bid It will benefit the city to get more bids		
Signature:	Lazaro A. Cabezon		

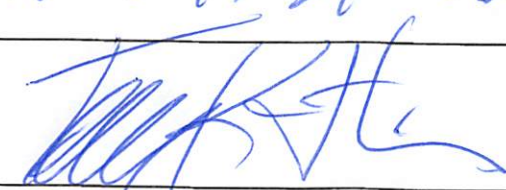
Persons made a mistake in the breakdown of the divisions amount therefore we believe they should be disqualified

CITY OF KEY COLONY BEACH CITY HALL PROJECT
ITB -2023001-0-2023/DJT
SELECTION CRITERIA RATING SHEET

Firm: <u>HOB</u>			
Committee Member <u>T JUSTICE</u>			Date: <u>6/29/2023</u>
Selection Criteria	Possible Points	Earned Points	Remarks
Firm Qualifications and Expertise	15	<u>15</u>	
Key Personnel Qualifications and Experience	15	<u>13</u>	
Similar Projects	20	<u>15</u>	
Project Approach (which includes Development Safety and Reporting)	20	<u>18</u>	
Financial Approach	15	<u>14</u>	
Interview/Presentation	15	<u>15</u>	
TOTAL POINTS	100	<u>90</u>	
Comments:	<u>THIS BID IS RESPONSIVE. COMMISSION RECOMMENDATION IS TO AWARD TO H.O.B OR PUBLISH A NEW SOLICITATION.</u>		
Signature:			

OWNERS' REP. PROJECT MGMT. STRONGLY ADVISED, PERFORMANCE BOND MANDATORY.

CITY OF KEY COLONY BEACH CITY HALL PROJECT
ITB -2023001-0-2023/DJT
SELECTION CRITERIA RATING SHEET

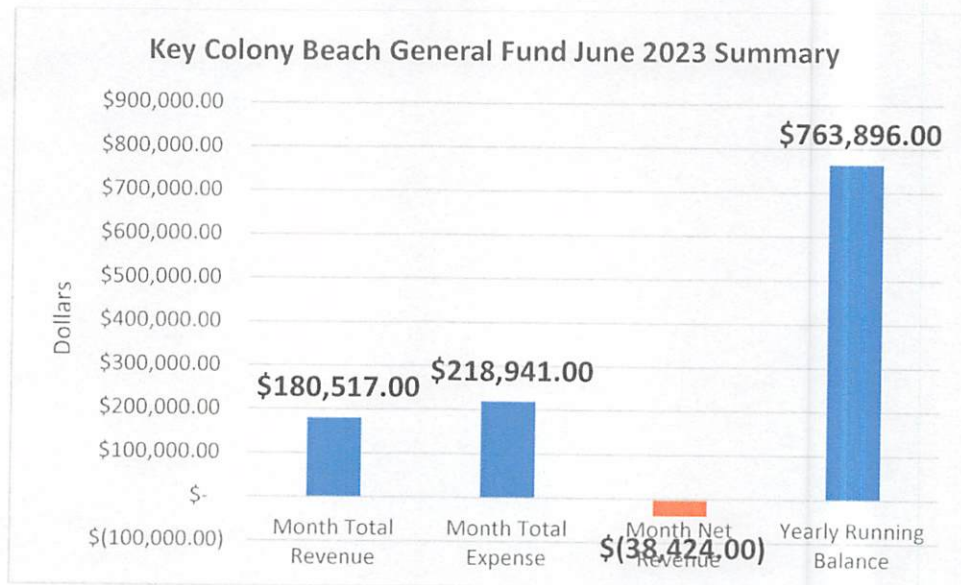
Firm:	<i>BSC</i>		
Committee Member	<i>T Justice</i>	Date:	<i>6/20/2023</i>
Selection Criteria	Possible Points	Earned Points	Remarks
Firm Qualifications and Expertise	15	<i>14</i>	
Key Personnel Qualifications and Experience	15	<i>15</i>	
Similar Projects	20	<i>17</i>	
Project Approach (which includes Development Safety and Reporting)	20	<i>18</i>	
Financial Approach	15	<i>12</i>	
Interview/Presentation	15	<i>6</i>	<i><u>BID SHEET ERRORS</u></i>
TOTAL POINTS	100	<i>83</i>	
Comments:	<i>NON-RESPONSIVE MATH ERROR IN BID FORM</i>		
Signature:			

City of Key Colony Beach

Treasurer's Report – July 20, 2023

✓ June 2023 financial summary – General Fund

- 9th month of 2023 fiscal year budget
 - Ad Valorem Tax income at 99.7% of the annual budget for the end of June.
 - Overall expenses at 87% of budgeted expenses to date
 - General cash accounts \$3,007,775.00
 - Restricted cash accounts are in excellent condition, at \$3,286,051.00.
 - Infrastructure at \$2,208,769.00
- At this time, I continue to project at the end of the fiscal year a positive fund balance to rollover to the next budget year, this analysis is using last year's values for income and expenses for the remaining months of this budget year.
- Current monthly General Fund summary plot below:



✓ Wastewater:

- Net Income remains positive at \$120,258.35.
- Predicted to have a negative net income at the end of the fiscal year with the capital expenses committed to-date and plans for maintenance and repairs. Thus, predicted some use of reserve funds will be needed by the end of this fiscal year for expenses.

✓ **Stormwater:**

- Continue to cycle through reimbursements for approved project work from the available grants. No concerns for cash flow at this time with the available grant funding.

✓ **Annual Financial Audited Report for Fiscal Year ended September 30, 2022**

- We recently completed the yearly financial audit, and submitted the summary to the State of Florida.
- Key Bullet Points from the report:
 - Thank you to the KCB Staff for supporting the documentation to the auditor, Smith, Buzzi & Associates Miami, Florida.
 - “The City’s overall financial position continues to be healthy.”
 - “Tests of compliance were completed and showed no instances of noncompliance under Government Auditing Standards”.
 - For Wastewater (Business-Type Activities), change in the net position with showing expenses increasing (consistent with current fiscal year comments).

Update for Draft New City Hall Financing Proposal:

City of Key Colony Beach

New City Hall construction financing plan - Updated 12/1/23

Revenue Status

Item	Description	Amount	Comments
1	Infrastructure cash	\$ 2,208,769.00	June 30, 2023 actual value
2	Predicted additional Infrastructure 2023 funding	\$ 99,000.00	Estimate 33,000 per month X 3 months
3	Potential 2023 FY rollover amount from budget to be available in 2024 FY	\$ 507,670.00	Potential for Oct 2023 CY funds
4	State of Florida Grants - Public Safety Facility Hardening	\$ 2,282,859.28	Need to be used by 2026
5	FEMA Irma funding potential	\$ -	
6	Potential use of General Cash Iberia Bank Account	\$ 750,000.00	
7	State of Florida budget grant for 2024	\$ -	Request for \$1,000,000 line item vetoed, 15Jn23
7	Total potential revenue	\$5,848,298.28	

Expenses

Item	Description	Amount	Comments
1	Current City Hall asbestos removal	\$ 3,495.00	Formal estimate received
2	Current City Hall demolition	\$ -	Included in New Building budgeted amount below
3	New Building	\$ 8,000,000.00	Budgeted amount \$8.0M, based on 11,500 square feet, and cost per square feet. Comparison buildings from last 1-2 years, \$500-\$600 per square foot
4	Parking lot, landscape, lighting	\$ -	Proposal to solicit for grant funding based on Florida landscape design generated
5	Inside office furnishings	\$ 142,000.00	Initial estimate complete
6	Continued trailer rentals through construction period	\$ -	Expenses covered in yearly FY budget
7	Building communication electronics	\$ 50,000.00	No formal estimate yet
8	Outside seating and park furnishings	\$ 10,000.00	No formal estimate yet
9	Engineering support services	\$ 93,600.00	Assumption 6 hrs. per week, \$200 per hour, 18 months, local independent support
10	Architect support services	\$ 150,000.00	Current costs to finish base work per contract as of Jan 2023
11	Accounting support services	\$ 25,000.00	
12	Legal support services	\$ -	
13	Change orders	\$ 400,000.00	assumed 5% of contract price
	Total Expenses	\$8,874,095.00	

City of Key Colony Beach

New City Hall construction financing plan - Updated 12JL23

Financing Needs		Option 1	\$750,000 of general fund cash used
Total City Revenue		\$ 5,848,298.28	
Total Expenses		\$ 8,874,095.00	
Financing needs		\$ 3,025,796.72	
Grant funding from the State of Florida		\$ 2,208,769.00	
		Option 2	\$1,250,000 of general fund cash used
Total City Revenue		\$ 6,348,298.28	
Total Expenses		\$ 8,874,095.00	
Financing needs		\$ 2,525,796.72	
20 Year Loan		Option 1	\$750,000 of general fund cash used
Bank qualified commercial financing rate, 20 year rate		4.78%	Recent estimate for loan rates, based on 10 year Treasury rates
20 year monthly payment		\$ 19,603.02	
Yearly payment planning for budget		\$ 235,236.24	
1482 residents - yearly costs		\$ 158.73	
Total costs per resident		\$ 3,174.58	
20 Year Loan		Option 2	\$1,250,000 of general fund cash used
Bank qualified commercial financing rate, 20 year rate		4.78%	Recent estimate for loan rates, based on 10 year Treasury rates
20 year monthly payment		\$ 16,363.71	
Yearly payment planning for budget		\$ 196,364.52	
1482 residents- yearly costs		\$ 132.50	
Total costs per resident		\$ 2,649.99	

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

CITY OF KEY COLONY BEACH

Warrant Number	0623
Items paid from	June 1, 2023
to	June 30, 2023
General Fund Checking Account - 6871	\$199,794.26
Escrow Account - 5537	-
Payroll Account - 2942	\$78,408.74
Infrastructure Account - 8644	-
Road Reserve Account - 8677	-
Impact Fees Account - 8669	\$16,900.00
First State Bank - 3703	-
Sewer Money Mkt - 0301	-
Stormwater Account - 0128	-
Sewer Account - 6006	<u>\$62,109.15</u>
TOTAL DISBURSEMENTS	<u><u>\$357,212.15</u></u>

RESOLUTION NO. 2023-07
SOUTHEAST FLORIDA LOCAL AND TRIBAL GOVERNMENT CLIMATE ACTION PLEDGE

A PLEDGE OF THE SOUTHEAST FLORIDA LOCAL AND TRIBAL GOVERNMENTS ENDORSING THE SOUTHEAST FLORIDA CLIMATE ACTION PLEDGE; AGREEING TO JOINTLY ADVANCE STRATEGIC CLIMATE ADAPTATION AND MITIGATION PLANNING, PROGRAMS, POLICIES AND PROJECTS; AND ADVANCING THE IMPLEMENTATION OF THE REGIONAL CLIMATE ACTION PLAN AS APPROPRIATE FOR EACH GOVERNMENT.

WHEREAS, Southeast Florida is considered one of the most vulnerable areas of the country to the consequences of global climate change, with impacts including sea level rise, elevated groundwater levels, rainfall intensification, extreme heat, and ocean acidification presenting extreme risk to Southeast Florida's communities, economy, and natural systems; and

WHEREAS, in recognition of the need for immediate, coordinated, and visionary action to address the impacts of a changing climate and provide for economic and environmental resilience in Southeast Florida, in 2010 the counties of Broward, Miami-Dade, Monroe, and Palm Beach (Compact Partners) entered into the Southeast Florida Regional Climate Change Compact (Compact); and

WHEREAS, the Compact has been an international model for regional collaboration on climate action, with development of key tools, resources, and a Regional Climate Action Plan to expedite and harmonize efforts in support of 111 local and tribal governments across the four-county region; and

WHEREAS, to continue these efforts, the third iteration of the Regional Climate Action Plan (RCAP 3.0) was undertaken in 2022, through a collaborative process involving more than 150 subject matter experts representing public and private sectors, academic institutions, and not-for-profit organizations; and

WHEREAS, the RCAP 3.0 is voluntary framework designed to align, guide, and support the acceleration of local and regional climate action in Southeast Florida toward a shared vision of a low-carbon, healthy, prosperous, more equitable, and more resilient region; and

WHEREAS, local and tribal governments have individually demonstrated significant climate leadership, and the RCAP supports the alignment of these individual local efforts with the regional framework and vision; and

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WHEREAS, the RCAP does not provide a mandate, but rather serves as a voluntary guidance document that local and tribal governments can adopt and utilize in a manner that reflects their unique context, priorities, and vision for the future of their community; and

WHEREAS, our response to the climate crisis represents an opportunity to build more resilient, livable, equitable communities; bolster regional economic security and advance vibrant, low-carbon innovation economies; and deliver resilient infrastructure that meets community needs now and into the future; and

WHEREAS, there is power in the collective action of counties, municipalities, and tribal governments in jointly developing, advancing, and advocating for mutually beneficial regional, state, and national climate and energy strategies, policies, regulations, and agreements that are consequential to Southeast Florida's shared resilience and prosperity; and

WHEREAS, all local and tribal governments throughout Broward, Miami-Dade, Monroe, and Palm Beach counties are invited to sign on to the Southeast Florida Climate Action Pledge.

NOW, THEREFORE, BE IT PLEDGED THAT:

Section 1. The City of Key Colony Beach pledges to jointly advance strategic climate adaptation and mitigation planning, programs, policies, and projects.

Section 2. The City of Key Colony Beach pledges to support the implementation of the RCAP 3.0 through integrating its recommendations and strategies into existing and future relevant planning, program, policy, and project development as appropriate.

Section 3. The City of Key Colony Beach pledges to utilize and integrate tools and resources developed by the Compact, as appropriate, in climate action planning and implementation, including application of the Regionally Unified Sea Level Rise Projection, participation in the Compact Climate Assessment Tool (C-CAT), and engagement in Compact events including RCAP Implementation Workshops and attendance at the Annual Climate Leadership Summit.

Section 4. This Pledge shall become effective upon adoption.

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PASSED AND ADOPTED by the City Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on July 20, 2023.

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

Mayor Patricia Trefry	NO	YES
Vice-Mayor Beth Ramsay-Vickrey	NO	YES
Commissioner Freddie Foster	NO	YES
Commissioner Tom Harding	NO	YES
Commissioner Joey Raspe	NO	YES

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, FLORIDA
RESOLUTION 2023-08**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA; DETERMINING THE PROPOSED MILLAGE RATE, AND THE CURRENT YEAR ROLLED-BACK RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET PUBLIC HEARINGS AS REQUIRED BY LAW; DIRECTING THE FINANCE DIRECTOR TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MONROE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on July 12, 2023, the Honorable Scott P. Russell, Property Appraiser of Monroe County, Florida (the "Property Appraiser"), served upon the City of Key Colony Beach (the "City"), a "Certification of Taxable Value" certifying to the City its 2023 taxable value; and

WHEREAS, the City Commission has reviewed the taxable value supplied by the Property Appraiser in accordance with Section 200.065, *Florida Statutes*, et seq.; and

WHEREAS, the provisions of Section 200.065, *Florida Statutes*, requires that within thirty-five (35) days of service of the Certification of Taxable Value upon a municipality, said municipality shall be required to furnish to the Property Appraiser the proposed millage rate, the current year rolled-back rate, and the date, time and place at which a public hearing will be held to consider the proposed millage and the tentative budget; and

WHEREAS, the City Commission desires to announce the dates of the first and second public hearings to the Property Appraiser.

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

Section 1. The proposed millage is declared to be _____ mills, which is \$_____ per \$1,000.00 of assessed property within the City of Key Colony Beach, Florida. The proposed millage is _____ % greater than the rolled back rate.

Section 2. The current year rolled-back millage rate, computed pursuant to Section 200.065, *Florida Statutes*, is 2.5122 mills, which is \$2.5122 per \$1,000.00 of assessed value.

Section 3. The maximum millage rate which may be adopted by a *majority vote* of the governing body, pursuant to Section 200.185, *Florida Statutes*, is 2.5835 mills, which is \$2.5835 per \$ 1,000.00 of assessed value.

Section 4. That the date, time, and place of the first and second public hearings are set by the City Commission as follows:

<u>Date</u>	<u>Time</u>	<u>Place</u>
September 7, 2023	5:05 p.m.	The Temporary Meeting Place of the City of Key Colony Beach at the Key Colony Inn Banquet Hall 700 W. Ocean Drive Key Colony Beach, Florida
September 21, 2023	5:05 p.m.	The Temporary Meeting Place of the City of Key Colony Beach at the Key Colony Inn Banquet Hall 700 W. Ocean Drive Key Colony Beach, Florida

Section 5. The Finance Director is directed to electronically submit a certified copy of this resolution to the Monroe County Property Appraisers Office.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF KEY COLONY BEACH, FLORIDA, THIS 20th day of July 2023.

THE CITY OF KEY COLONY BEACH, FLORIDA

Patricia Trefry, Mayor

Silvia Gransee, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA ONLY:

Dirk Smits, City Attorney

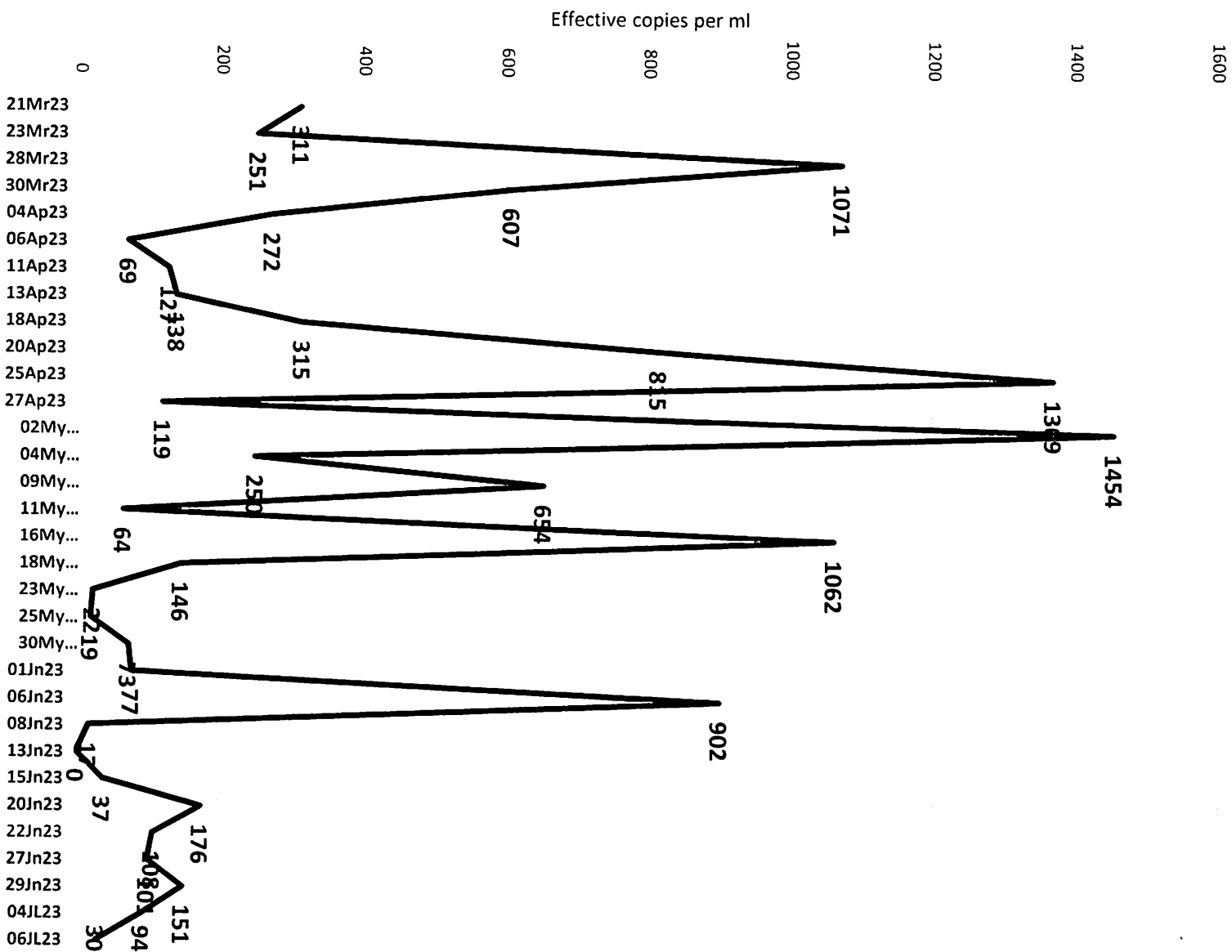
City of Key Colony Beach

Wastewater Sampling Update for Concern Virus's – July 20, 2023

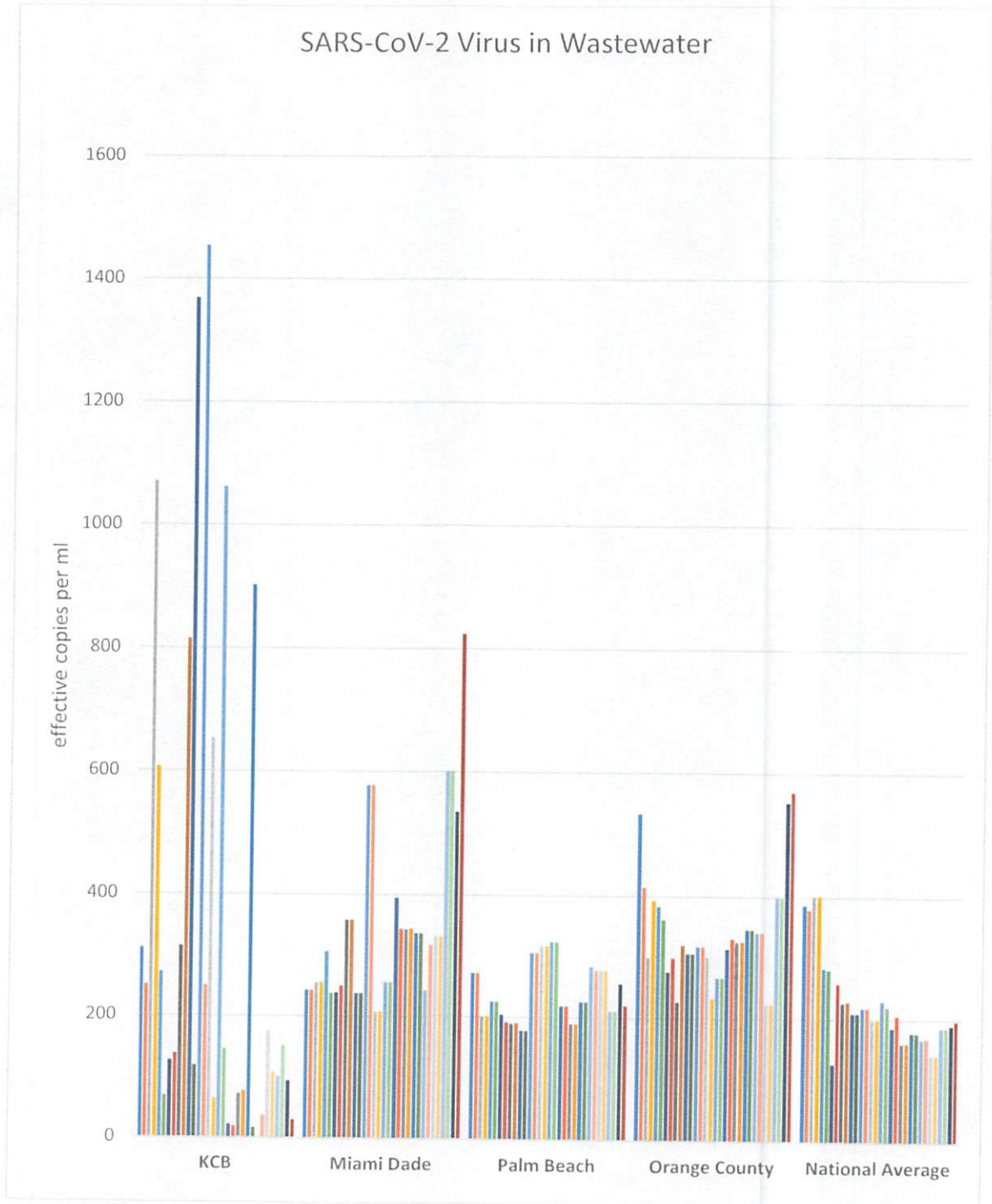
✓ **SARS-CoV-2 Virus In Wastewater – Covid -19**

- Total samples collected and analyzed to date - 32.
 - Actual costs to-date for KCB - \$2,059.54 (March through 30Jn23).
- CDC Hospitalizations Summary – 254 cases, 15% increase (Broward, Miami-Dade, and Monroe County, data through 01JL23).
- Florida Department of Health – 41 new cases, 25.9% new case positivity (data through July 06, 2023).
- Plot of Key Colony Beach results to-date for wastewater sampling:

Key Colony Beach Effective SARS-CoV-2 Virus Concentration



Plot of comparing other Florida Counties and the National Average to KCB for wastewater:



- ✓ Mpox virus (Monkeypox) virus in Wastewater samples
 - Samples to-date have shown no detection of the Mpox virus in Key Colony Beach

- ✓ Update on status for CDC funding for wastewater sampling:
 - The current program with CDC and contractor Biobot is funded through July 28, 2023
 - CDC is in negotiations for new contracts, and it is expected the wastewater program will be extended with details to follow.
 - I did reach out to find if wastewater samples can be analyzed for RSV (Respiratory Syncytial Virus) and the Flu.
 - Yes, they can do this analysis, with Biobot capability available starting in September 2023
 - Typically, these are fall infection cycles (November through April).

Summary Report by Tom Harding, based on Biobot/CDC data 20JL23