

RESOLUTION 2026 - 07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AUTHORIZING SUBMISSION OF AN URGENT NEED COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION; FINDING THE APPLICATION CONSISTENT WITH THE LOCAL COMPREHENSIVE PLAN AND DESIGNATING THE LOCAL COMPREHENSIVE PLAN AS THE LOCAL COMMUNITY DEVELOPMENT PLAN; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CERTAIN DOCUMENTS PERTAINING TO THE GRANT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Key Colony Beach (hereafter referred to as the "City") desires to improve the health, safety, and welfare of its citizens and protect the environmentally sensitive waters of the Florida Keys by providing reliable municipal wastewater treatment and resilient infrastructure; and

WHEREAS, the City desires to apply for a Federal Fiscal Year 2025 Small Cities Community Development Block Grant (CDBG) in the Neighborhood Revitalization category, under the Urgent Need National Objective, for a total amount of approximately \$1,500,000; and

WHEREAS, the City has decided to apply for a Community Development Block Grant (CDBG) to fund the "Water Reclamation Facility (WRF) Improvements Project," which involves critical resiliency upgrades including replacing the outdated Membrane Bioreactor (MBR) permeate pumping priming system with a modern ejector system, replacing the existing automatic transfer switch and diesel generator that have exceeded their service life, and enhancing the facility's SCADA, monitoring, and telemetry systems; and

WHEREAS, a serious and immediate threat to the health and welfare of the community exists due to the deteriorating condition of the WRF's aging infrastructure, a vulnerability most recently exacerbated on March 17–18, 2026, when mechanical failures within the MBR permeate system during heavy rainfall resulted in a Sanitary Sewer Overflow (SSO) of approximately 17,590 gallons of untreated wastewater, migrating offsite and threatening nearshore Atlantic Ocean waters; and

WHEREAS, the City of Key Colony Beach is located entirely within the Florida Keys Area of Critical State Concern (ACSC), a statutory designation that underscores the extreme environmental sensitivity of the surrounding nearshore waters and the paramount importance of preventing untreated wastewater discharges into this fragile marine ecosystem; and

WHEREAS, the City's critical wastewater infrastructure is subject to compounding environmental stressors, facing severe operational risks and accelerated deterioration due to the impacts of more frequent high tide and "king tide" flooding events, saltwater intrusion, and the region's inherent vulnerability to storm surge and hurricane impacts; and

WHEREAS, the City has formally recognized these compounding threats through its participation with the Monroe County 2024 Vulnerability Assessment and the Monroe County 2025 Local Mitigation Strategy (LMS), which specifically prioritizes the adaptation and protection of critical infrastructure to mitigate the impacts of coastal flooding, changing precipitation patterns, and sea-level rise, making the immediate rehabilitation of the WRF a recognized community resiliency priority; and

WHEREAS, addressing this Urgent Need is entirely consistent with the City of Key Colony Beach Comprehensive Plan (Ordinance 2025-497), as providing adequate wastewater infrastructure to ensure public health and safety is supported by Infrastructure Goal 1, and the specific rehabilitation of the system is identified within Capital Improvements Objective 1.1 (Policy 1.1.2) and the Five-Year Schedule of Capital Improvements; and

WHEREAS, Federal CDBG regulations for the Urgent Need National Objective require the City to certify that the proposed activity is designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community and that other financial resources are not available to meet such needs; and the City has formally determined that no other local, state, or federal financial resources are currently available to implement these immediate permanent corrective actions; and

WHEREAS, the City has complied with the Citizen Participation requirements of the CDBG program, having held the first public hearing on April 16, 2026, following a published advertisement in the newspaper of general circulation on April 9, 2026; and

WHEREAS, the Citizen Advisory Task Force (CATF) met on April 16, 2026, following a published advertisement on April 9, 2026, and provided a recommendation to the City Commission to pursue the WRF Improvements Project under the Urgent Need National Objective; and

WHEREAS, a second public hearing was held on April 30, 2026, following a published advertisement on April 23, 2026, to provide citizens with the opportunity to comment on the final application prior to its submission to FloridaCommerce.

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

Section 1. A Neighborhood Revitalization Community Development Block Grant application, under HUD's Urgent Need National Objective for approximately \$1,500,000, will be submitted to FloridaCommerce on or before May 5, 2026.

Section 2. The CDBG application is consistent with the City of Key Colony Beach Comprehensive Plan, which shall serve as the Community Development Plan.

Section 3. The Mayor and the City Clerk are authorized to execute documents pertaining to the grant, including the application, financial certifications attesting to the lack of available local funding, environmental and other certifications, grant award agreement, grant modifications (if

any), grant completion/close out documents, and other responses and reports to FloridaCommerce, subject to appropriate action by the City Commission and public participation, if applicable.

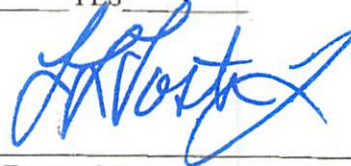
Section 4. If any portion of this Resolution is found to be invalid, the remainder shall continue to be in full force and effect.

PASSED AND ADOPTED by the Commission of the City of Key Colony Beach, Florida, at its special public meeting of the City held on the 30th of April, 2026.

FINAL VOTE AT ADOPTION - CITY COMMISSION OF KEY COLONY BEACH

Mayor Freddie Foster
Vice-Mayor Doug Colonell
Commissioner Tom Harding
Commissioner Tom DiFransico
Commissioner Kirk Diehl

NO	YES	<input checked="" type="checkbox"/>
NO	YES	<input checked="" type="checkbox"/>
NO	YES	<input checked="" type="checkbox"/>
NO	YES	<input checked="" type="checkbox"/>
NO	YES	<input checked="" type="checkbox"/>




Freddie Foster, Mayor

ATTEST:



Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:



Dirk Smits, City Attorney

