



VILLAGE OF KEY BISCAINE

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Edward London, Councilmember

Luis Lauredo, Councilmember

Allison McCormick, Councilmember

Franklin H Caplan, Councilmember

Ignacio J. Segurola, Councilmember

REGULAR COUNCIL MEETING

TUESDAY, MARCH 08, 2022

6:00 PM

1.CALL TO ORDER/ROLL CALL OF MEMBERS

2.PLEDGE OF ALLEGIANCE

3.INVOCATION

4.BRIEF COMMENTS BY COUNCIL

5.PUBLIC COMMENTS:

There is a (3) minute time limit for each speaker during public comments. Your cooperation is appreciated in observing the (3) minute rule. If you have a matter you would like to discuss during public comments, a request form is available at the entrance of the Council Chamber, please fill-it in and return it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium. Or if you are joining the meeting remotely, please dial any of the following Zoom numbers, US: +1 (312) 626-6799 or +1 (929) 205-6099 or +1 (301) 715-8592 , and enter the Zoom Meeting ID: 231 627 8415, followed by #. There is no participant ID. Press # again. Please press *9 to "raise your hand" which places you in a queue to speak. You will be called upon by the last three digits of your telephone number when it is your turn to speak. When called upon, please press *6 to unmute yourself. PLEASE STATE YOUR NAME, ADDRESS, IF YOU ARE A HIRED CONSULTANT OR VILLAGE EMPLOYEE AND/OR IF ENGAGED IN LOBBYING ACTIVITIES AND/OR REPRESENTING AN ORGANIZATION FOR THE RECORD

6.AGENDA:

APPROVAL/DEFERRALS/ADDITIONS/DELETIONS/SUBSTITUTIONS/WITHDRAWAL

7.SPECIAL PRESENTATIONS:

- 7.A. TPO SMART PLAN OVERVIEW: A PRESENTATION BY AILEEN BOUCLÉ, AICP, EXECUTIVE DIRECTOR, MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION

8.CONSENT AGENDA:

(Consent agenda items are those which are routine, do not require discussion or explanation prior to Village Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request on an individual Council member for independent consideration provided such request is made during the approval/deferrals/additions/deletions substitutions/withdrawals segment of the meeting, prior to the vote on the consent agenda.)

- 8.A. DECEMBER 7, 2021 MINUTES
(REGULAR COUNCIL MEETING)

[TAB 1](#)

- 8.B. JANUARY 18, 2022 MINUTES
(REGULAR COUNCIL MEETING)

[TAB 2](#)

- 8.C. FEBRUARY 8, 2022 MINUTES
(REGULAR COUNCIL MEETING)

[TAB 3](#)

- 8.D. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR A MATCHING FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PUBLIC TRANSIT SERVICE DEVELOPMENT PROGRAM GRANT IN THE AMOUNT OF \$344,477 TO EXPAND THE VILLAGE'S ON-DEMAND TRANSIT SERVICE; AND PROVIDING FOR AN EFFECTIVE DATE.
(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)
:RECOMMENDATION: Approval

[TAB 4](#)

8.E. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
ACCEPTING A 2022 NEAT STREETS MIAMI MATCHING GRANT IN AN AMOUNT OF \$25,001 FROM MIAMI-DADE COUNTY FOR THE KEY BISCAYNE STREET TREE PLANTING PROGRAM AND APPROVING AN AGREEMENT RELATED TO THE SAME; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.
(PLAN REVIEWER OLGA GARCIA)
:RECOMMENDATION: Approval
[TAB 5](#)

8.F. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
APPROVING A SETTLEMENT AGREEMENT WITH JAMES F. LEACH, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, AND T-MOBILE SOUTH, LLC RELATING TO THE DENIAL OF AN ADMINISTRATIVE APPEAL OF THE INSTALLATION OF CERTAIN CELLULAR EQUIPMENT ON THE ROOF OF THE CAPE FLORIDA CLUB CONDOMINIUM LOCATED AT 210 SEAVIEW DRIVE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.
(VILLAGE ATTORNEY)
:RECOMMENDATION: Approval
[TAB 6](#)

9.ORDINANCES: (NOT LATER THAN 7:30 P.M.)

A. FIRST READING

9.A. AN ORDINANCE
OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
AMENDING ARTICLE II, CHAPTER 26, "GOLF CARTS," OF THE VILLAGE CODE OF ORDINANCES RELATING TO GOLF CART AND SLOW MOVING VEHICLE USE WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
ORDINANCE (CHIEF OF POLICE FRANK SOUSA)

(SECOND READING WILL BE ON APRIL 12, 2022)

:RECOMMENDATION: Approval

[TAB 7](#)

9.B. AN ORDINANCE
OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
AMENDING ORDINANCE NO. 2021-07 WHICH ADOPTED THE BUDGET FOR FISCAL YEAR 2021-2022 BY REVISING THE 2021-2022 FISCAL YEAR BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.
(CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

(SECOND READING WILL BE ON APRIL 12, 2022)

:RECOMMENDATION: Approval

[TAB 8](#)

- 9.C. AN ORDINANCE
OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
CREATING SECTION 2-105, "CAMPAIGN FINANCE REPORTS," OF CHAPTER 2 OF THE
VILLAGE CODE OF ORDINANCES TO ESTABLISH CAMPAIGN FINANCE REPORT
FILING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE
DATE.
(VILLAGE CLERK)

(SECOND READING WILL BE ON APRIL 12, 2022)

:RECOMMENDATION: Approval

[TAB 9](#)

B. SECOND READING (ORDINANCES):

- 1). NONE

10.RESOLUTIONS:

- 10.A. A RESOLUTION
OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
AUTHORIZING THE VILLAGE MANAGER TO ENGAGE PLANNING AND DESIGN
PROFESSIONAL(S) FROM THE VILLAGE'S CONTINUING PROFESSIONAL SERVICES
PROVIDERS LIST TO DEVELOP A CONCEPT PLAN FOR THE RICKENBACKER
CAUSEWAY, INCLUDING THE BEAR CUT BRIDGE, IN AN AMOUNT NOT TO EXCEED
\$175,000; AND PROVIDING FOR AN EFFECTIVE DATE.
(VILLAGE MANAGER)
:RECOMMENDATION: Approval
[TAB 10](#)
- 10.B. A CAPITAL PROJECT AUTHORIZING RESOLUTION
OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
APPROVING THE PURCHASE OF LIGHTING POLES FROM MUSCO SPORTS LIGHTING,
LLC IN AN AMOUNT NOT TO EXCEED \$249,900 FOR THE ST. AGNES LIGHTING
RETROFIT PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR
IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.
(PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)
:RECOMMENDATION: Approval
[TAB 11](#)

11.PUBLIC COMMENTS:

There is a (3) minute time limit for each speaker during public comments. Your cooperation is appreciated in observing the (3) minute rule. If you have a matter you would like to discuss during public comments, a request form is available at the entrance of the Council Chamber, please fill-it in and return it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium. Or if you are joining the meeting remotely, please dial any of the following Zoom numbers, US: +1 (312) 626-6799 or +1 (929) 205-6099 or +1 (301) 715-8592 , and enter the Zoom Meeting ID: 231 627 8415, followed by #. There is no participant ID. Press # again. Please press *9 to “raise your hand” which places you in a queue to speak. You will be called upon by the last three digits of your telephone number when it is your turn to speak. When called upon, please press *6 to unmute yourself. PLEASE STATE YOUR NAME, ADDRESS, IF YOU ARE A HIRED CONSULTANT OR VILLAGE EMPLOYEE AND/OR IF ENGAGED IN LOBBYING ACTIVITIES AND/OR REPRESENTING AN ORGANIZATION FOR THE RECORD.

12.REPORTS AND RECOMENDATIONS:

A. VILLAGE MANAGER (NOT LATER THAN 8:00 P.M.)

MANAGER’S REPORT

TAB 12

1.) SAFE AND SECURE VILLAGE

a) COVID UPDATES [FIRE CHIEF ERIC LANG]

2.) THRIVING AND VIBRANT LOCAL COMMUNITY AND MARKETPLACE

a) ADOPT -A -CIRCLE PROGRAM CONCEPT [PLAN REVIEWER OLGA GARCIA]

3.) ENGAGING AND ACTIVE PUBLIC SPACES AND PROGRAMS

a) BEACH OPERATIONS AND MAINTENANCE: SARGASSUM AND COMPOSTING UPDATES
(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

b) SOLID WASTE SERVICE UPDATE
(PUBLIC WORKS DIRECTOR JAKE OZYMAN)

c) YOUTH PROGRAM CONCEPT
(PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

d) ATHLETIC FIELD ALLOCATION AND ONLINE REGISTRATION UPDATE
(PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)
:A verbal update will be provided

4.) ACCESSIBLE, CONNECTED AND MOBILE VILLAGE-WIDE TRANSPORTATION
no updates to report

5.) RESILIENT AND SUSTAINABLE ENVIRONMENT AND INFRASTRUCTURE

a) SEAWALL ORDINANCE UPDATE
(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

b) VILLAGE WIDE EV CHARGING STATION UPDATES
(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

c) RESILIENT & SUSTAINABLE INFRASTRUCTURE PLAN: 5 LINES OF EFFORT AND
COASTAL RISK STORM MANAGEMENT (CRSM) UPDATE
(VILLAGE MANAGER)

6.) EFFECTIVE AND EFFICIENT TEAM

a) QUARTERLY FINANCIAL UPDATES
(CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

b) IMPACT FEE FEASIBILITY ANALYSIS PRESENTATION
(CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

c) CAPITAL IMPROVEMENT PROJECTS (CIP) UPDATE
(CHIEF OF STAFF JOCELYNE MOUSSAVOU)
:A presentation will be displayed - Reference Exhibit 6.c

d) MARINE STADIUM CONSTRUCTION UPDATES
(CHIEF OF STAFF JOCELYNE MOUSSAVOU)
:A presentation will be displayed

e) GRANT PROGRAM UPDATE [VILLAGE MANAGER STEVE WILLIAMSON]

B. MAYOR AND COUNCIL MEMBERS

- 1) REVIEW VILLAGE OF KEY BISCAYNE LITTER LAW
(COUNCILMEMBER LONDON)
- 2) ZONING CHANGE ON THE BALLOT-SENIOR LIVING
(COUNCILMEMBER LONDON)
- 3) LIGHTS AT NIGHT VEHICLE REGULATIONS
(COUNCILMEMBER LONDON)
- 4) MAINTENANCE AND USE OF SWALES ADJOINING RESIDENTIAL PROPERTY
(COUNCILMEMBER LONDON)
- 5) GARBAGE CAN ISSUES - RESIDENT'S RESPONSIBILITIES / CONTRACTOR'S RESPONSIBILITIES
(VICE MAYOR MOSS)

C. VILLAGE ATTORNEY

- 1) NONE

D. VILLAGE CLERK

- 1) NONE

13.OTHER BUSINESS/GENERAL DISCUSSION

- A. NONE

14.SCHEDULE OF FUTURE MEETINGS/EVENTS:

- A. REGULAR COUNCIL MEETING
TUESDAY, APRIL 12, 2022, 6:00 P.M., COUNCIL CHAMBER
- B. REGULAR COUNCIL MEETING
TUESDAY, MAY 10, 2022, 6:00 P.M., COUNCIL CHAMBER
- C. QUALIFYING PERIOD FOR THE OFFICE OF MAYOR

FROM 12:00 P.M. NOON ON TUESDAY, JUNE 7, 2022, AND NO LATER THAN 12:00 P.M. NOON ON FRIDAY JUNE 17, 2022, OFFICE OF THE VILLAGE CLERK

D. REGULAR COUNCIL MEETING

TUESDAY, JUNE 14, 2022, 6:00 P.M., COUNCIL CHAMBER

15.ADJOURNMENT

I. ANY PERSON WISHING TO ADDRESS THE VILLAGE COUNCIL ON AN ITEM ON THIS AGENDA IS ASKED TO REGISTER WITH THE VILLAGE CLERK PRIOR TO THAT ITEM BEING HEARD. PRIOR TO MAKING A STATEMENT, PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

II. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK, 88 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA 33149, TELEPHONE NUMBER (305) 365-5506, NOT LATER THAN TWO BUSINESS DAYS PRIOR TO SUCH PROCEEDINGS.

III. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (F.S.286.0105).

IV. IN ACCORDANCE WITH VILLAGE CODE SECTION 2-161, ADOPTING SECTION 2-11.1(s) OF THE MIAMI-DADE COUNTY CODE, ANY PERSON ENGAGING IN LOBBYING ACTIVITIES, AS DEFINED THEREIN, MUST REGISTER AT THE VILLAGE CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON THE ABOVE MATTERS OR ENGAGING IN LOBBYING ACTIVITIES.

THE ABOVE MEETINGS ARE HELD IN THE COUNCIL CHAMBER, 560 CRANDON BOULEVARD AND ARE SUBJECT TO CHANGE. ZONING MEETINGS AND SPECIAL COUNCIL MEETINGS WILL BE SCHEDULED ON AN AS NEEDED BASIS. PLEASE VISIT www.keybiscayne.fl.gov TO VIEW THE MEETING SCHEDULE.

MINUTES
REGULAR COUNCIL MEETING
KEY BISCAAYNE, FLORIDA
TUESDAY, DECEMBER 7, 2021
COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:00 p.m. Present were Councilmembers Franklin H. Caplan, Luis Lauredo, Edward London, Allison McCormick, Ignacio Seguro, Vice Mayor Brett G. Moss and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **INVOCATION:** Father Andrzej Foltyn, St. Agnes Catholic Church gave an invocation.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the public recognizing the 80th Anniversary of Pearl Harbor, reminded the public of the January 15th deadline for Magnet school applications and wished Chief of Police Frank Sousa a Happy Birthday; Mayor Davey and Councilmember London thanked residents John Martin, Mary Tague and Robert Duzoglou and Parks, Recreation and Open Spaces Director Todd Hofferberth and staff for their work in organizing the Winterfest event; Councilmember London recognized that having Village events really brings the community together; Mayor Davey, Councilmember London and Councilmember Seguro recognized Miami-Dade County Mayor Daniella Levine Cava's memorandum regarding the Rickenbacker Causeway RFP and thanked residents for their past and continued efforts.
5. **PUBLIC COMMENTS:** The following persons addressed the Council: Ann Taintor, 170 Ocean Lane Drive; Fausto Gomez, 765 Crandon Boulevard; Alejandro Serrano, 784 Ridgewood Road; Christian Infante, 1430 Cecilia Avenue, Coral Gables representing SFM Services, Inc.; Betty Sime Conroy, 785 Crandon Boulevard; Louisa Conway, 151 Crandon Boulevard and

Esteban Formoso, 300 Sunrise Drive.

6. **AGENDA:** Mayor Davey requested to hear Item 12B1 immediately after the consent agenda; Councilmember Lauredo requested to defer Item 8F to the next Regular Council Meeting and to remove Item 8A from the consent agenda for discussion.

The agenda, as amended, was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Seguro, Vice Mayor Moss and Mayor Davey voting Yes.

7. **SPECIAL PRESENTATIONS:** There were no special presentations.

8. **CONSENT AGENDA:** Councilmember Caplan made a motion to approve the following consent agenda. The motion was seconded by Mayor Davey.

The minutes of the September 21st, 2021 Second Budget Hearing.

The minutes of the October 12th, 2021 Regular Council Meeting.

The minutes of the October 26th, 2021 Regular Council Meeting.

The minutes of the November 2nd, 2021 Workshop.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SUPPORTING THE WORLD HEALTH ORGANIZATION'S AGE-FRIENDLY CITIES AND COMMUNITIES PROGRAM; APPROVING THE VILLAGE'S ENROLLMENT INTO THE AARP NETWORK OF AGE-FRIENDLY COMMUNITIES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The consent agenda, as amended, was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Seguro, Vice Mayor Moss and Mayor Davey voting Yes.

Councilmember Caplan made a motion to remove the minutes of September 8, 2021. The motion was seconded by Vice Mayor Moss.

There was discussion from Council regarding page 4, 7th paragraph regarding Advisory Boards and page 7 regarding the recorded votes.

At this time Councilmember Lauredo addressed the Council stating that the Strategic Vision Board was created and then the board recommended spending \$100,000 to hire a consultant and then raised this amount to \$165,000 and then recommended the specific consultant to be hired.

The Clerk was directed to rewatch the Council meeting of September 8, 2021 to make additional clarifications to page 4 regarding Advisory Boards and to page 7 regarding the recorded votes.

Mayor Davey made a motion to defer the approval of the minutes of September 8th, 2021 First Budget Hearing to the next Regular Council Meeting. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

At this time, Mayor Davey addressed the Council regarding the appointment of the Charter Revision Commission pursuant to Section 7.06 of the Village Charter.

The Attorney addressed the Council regarding the eligibility requirements for nominating a Councilmember as Chair of the Commission.

Councilmember Moss made a motion to nominate Councilmember McCormick as Chair of the Charter Revision Commission. The motion was seconded by Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The following nominations were made for members of the Charter Revision Commission: Councilmember London nominated Jud Kurlancheek; Mayor Davey nominated Joe Rasco and Jennifer Buttrick; Councilmember Caplan nominated Marco Gomez and Cliff Brody; Councilmember Lauredo nominated Betty Sime Conroy and Vice Mayor Moss nominated Luis de la Cruz.

There was discussion from Council regarding the above nominations, the nominating procedure and nominating electors who are also serving on Advisory Boards.

- Mayor Davey voted for Joe Rasco, Jennifer Buttrick, Cliff Brody and Luis de la Cruz.
- Councilmember McCormick voted for Joe Rasco, Jennifer Buttrick, Cliff Brody and Luis de la Cruz.
- Councilmember Segurola voted for Jud Kurlancheek, Joe Rasco, Marco Gomez and Betty Sime Conroy.
- Councilmember Lauredo voted for Jud Kurlancheek, Joe Rasco, Marco Gomez and Betty Sime Conroy.
- Councilmember Caplan voted for Joe Rasco, Jennifer Buttrick, Marco Gomez and Cliff Brody.
- Vice Mayor Moss voted for Jud Kurlancheek, Joe Rasco, Jennifer Buttrick and Marco Gomez.
- Councilmember London voted for Jud Kurlancheek, Joe Rasco, Marco Gomez and Luis de la Cruz.

The following nominated members were appointed to the Charter Revision Commission: Jud Kurlancheek, Joe Rasco, Jennifer Buttrick and Marco Gomez.

The Attorney addressed the Council stating that the Commission needs to commence proceedings within 45 days after appointment and submit the Commission's report to Council no later than April 1, 2022. The Attorney also stated that the Clerk has confirmed with the Miami-Dade County Elections Department that any amendments would be included on the August 2022 election ballot.

There was discussion from Council and the Attorney regarding having charter amendments placed on the August or the November 2022 election ballot. The Attorney will report back at the next Regular Council Meeting regarding placing charter amendments on election ballots.

9. **ORDINANCES:** There were no ordinances considered by Council on first reading.

The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 2-10, "ADVISORY BOARDS," OF CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES RELATING TO ADVISORY BOARD ADMINISTRATION AND BOARD MEMBER REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember London.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

There was discussion from Council regarding having Advisory Boards chairs regularly present at future Council Meetings in order to report on current board actions and/or initiatives. The Clerk was directed to contact the Advisory Board Chairs to schedule these presentations. There was no objection to the request.

The ordinance was adopted on second reading by a 6-1 roll call vote. The vote was as follows: Councilmembers Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes. Councilmember Caplan voting No.

10. **RESOLUTIONS:** The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE PURCHASE OF TWO VEHICLES FROM ALAN JAY AUTOMOTIVE MANAGEMENT, INC. IN AN AMOUNT NOT TO EXCEED \$52,111; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Caplan.

There was extensive discussion from Council regarding the above resolution.

Chief Financial Officer Benjamin Nussbaum and Building, Zoning, Planning and Public

Works Director Jake Ozyman addressed the Council regarding the above resolution.

Councilmember London addressed the administration requesting an inventory or audit of all the Village's cars and trucks and who the vehicles are assigned to and what functions they perform in the Village. There was no objection to this request.

Councilmember Segurola addressed CFO Nussbaum requesting to have a financial analysis of a stipend option for Village vehicles instead of purchasing new ones. There was no objection to this request.

There was discussion from Council, the Manager and CFO Nussbaum regarding code compliance and the Village's vehicles.

Councilmember Lauredo addressed the Manager requesting that for future Council meetings to distribute the agenda in advance to Council. There was no objection to this request.

There was discussion from Council and Director Ozyman regarding vehicles for code compliance and public works.

Mayor Davey made a motion to defer the above resolution to a future date to be determined. The motion was seconded by Vice Mayor Moss.

The Manager addressed the Council confirming the administration will report back at a future Council Meeting with a full audit of the Village's vehicles.

At this time Councilmember London addressed CFO Nussbaum regarding publishing the Village's financial documents on the website for resident accessibility. CFO Nussbaum reported that this platform should go live on the website approximately April 2022.

The motion to defer the resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, EXTENDING THE TERM OF THE 2040 STRATEGIC VISION PLAN BOARD FROM JANUARY 15, 2022, THROUGH SEPTEMBER 30, 2022; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY MAYOR AND COMMISSIONER REGALADO'S REQUESTS THAT: (1) THE COUNTY COMMISSION CANCEL THE REQUEST FOR PROPOSAL (RFP) NO. 01982 ENTITLED DEVELOP, MAINTAIN, AND OPERATE THE RICKENBACKER CAUSEWAY AND ASSOCIATED RECREATIONAL ELEMENTS; AND (2) A WORKING GROUP OF KEY STAKEHOLDERS BE ESTABLISHED TO DEVELOP PRIORITIES FOR REDEVELOPMENT OF THE RICKENBACKER CAUSEWAY WITH THE MOST CRITICAL PUBLIC SAFETY ELEMENT BEING THE BEAR CUT BRIDGE; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Moss made a motion to approve the resolution. The motion was seconded by Councilmember Caplan.

The Attorney addressed the Council stating that the above resolution was updated from the resolution presented in the agenda to reflect County Mayor Cava's memorandum.

There was discussion from Council regarding the above resolution.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Seguro, Vice Mayor Moss and Mayor Davey voting Yes.

11. **PUBLIC COMMENTS:** The following resident addressed the Council: Louisa Conway, 151 Crandon Boulevard.

12. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Village Manager. Chief Sousa addressed the Council reporting on the following items: an ongoing evaluation of the police department and staff; working with the KB Chamber of Commerce to host several events with business owners regarding safety concerns and youth engagement; the "Brunch with a Cop" event held on November 18th; the "Key to Street Safety" program which focuses on pedestrian, bicycle and golf cart safety; a future classroom reading program; a future plan to meet with staff to address concerns regarding electric scooters and on implementing two separate operation plans for the holiday season: crime suppression and traffic safety.

There was discussion from Council, Chief Sousa and the Attorney regarding electric scooters.

Councilmember Lauredo addressed the Council commending Chief Sousa and the Police Department for the renewed community spirit.

At this time, Mayor Davey addressed Director Ozyman regarding the Village's landscaping contract with SFM Services, Inc. Director Ozyman reported that prior issues were being addressed and things were moving in a positive direction.

Christian Infante with SFM Services, Inc. addressed the Council regarding landscaping service and employment issues.

There was discussion from Council and Director Ozyman regarding the cleaning of streets and parks.

Director Ozyman addressed the Council giving a presentation on Building and Zoning Fees Structure and recommendations.

Councilmember London addressed Director Ozyman regarding staffing concerns and expenses and requested a review of the Building and Zoning Department and for Director Ozyman to report back to Council at a future date to be determined. There was no objection to this request.

There was extensive discussion from Council and Director Ozyman regarding the Building and Zoning Fee Structure recommendations presented and keeping a strict control of permit fees surplus and the use of threshold inspectors for building construction.

Chief Building Official Rene Velasco addressed the Council regarding Threshold Inspectors and Special Inspectors.

The Manager addressed the Council stating that the administration will present a resolution for the Building and Zoning Fees Structure at the next Regular Council Meeting.

Building Official Velasco addressed the Council reporting on an update regarding building recertifications stating that the Building Department mailed out 3 violations on November 22nd each with \$500 fines to non-compliant property owners. Additional violations will be mailed out on December 15th for properties which are 3 years or less past non-compliance. Miami-Dade County is proposing new and stricter changes to the inspection forms for the 40-year recertification program and that the ICC (International Code Council) is considering changes to the property management code at the national level.

Mayor Davey addressed the administration regarding building safety and the mailing of fine notices.

The Manager addressed the Council stating that after the first fine is assessed, the property has 30 days to submit their engineering report and even if the fine is paid and an engineering report is not submitted to the Village, these properties will be reported to the Unsafe Structure Board of Miami-Dade County.

At this time Director Ozyman and the Manager addressed the Council reporting on an update of the conversion from septic to sewer stating that 28 single family homes are currently outstanding.

Director Hofferberth addressed the Council reporting on an update regarding the Paradise Park project and will present the following DERM required plans for soil management and an air quality monitoring plan at the next Regular Council Meeting.

There was discussion from Council regarding the Paradise Park project.

The Manager addressed the Council stating that the project has faced significant environmental issues and that the administration will report back at the next Regular Council Meeting with an updated project estimate and also announced the groundbreaking ceremony scheduled for December 10th has been postponed to January 2022.

Chief Resilience and Sustainability Officer Dr. Roland Samimy addressed the Council reporting on an update regarding the kite surfing program including receiving preliminary DERM approval for the vessel exclusion zone buoy deployments but additional assessments from DERM are still pending.

The Manager addressed the Council reporting that the Village has been included in the Coastal Storm Risk Management Plan and that the administration is within the 30-day window for submitting comments and that a copy of these comments will be provided to Council.

Director Ozyman addressed the Council reporting on the contracted solid waste service for single family homes and the number of complaints received so far for 2021.

There was discussion from Council and Director Ozyman regarding the solid waste service contract, quality control issues and for residents to receive a survey regarding this service.

Director Ozyman addressed the Council reporting on the following status of Capital Improvement Projects: 7 projects are in the planning stage, 2 projects are in design, 7 projects are in procurement, 1 project is in permitting, 2 projects are in construction and 1 project, the Calusa Park Trail, has been completed. The Lake Park gazebo project is 90% completed. The Beach Club sewer extension should be completed the second week of January 2022 and another Community Engagement Meeting was recently held regarding Beach Park renovations and 2 to 3 site plan options will be presented to Council at the February 8th Regular Council Meeting.

There was discussion from Council and Director Ozyman regarding the Beach Park's bathrooms, plumbing and the pavilion's roof.

CFO Nussbaum addressed the Council reporting on the quarterly Financial Updates and presented a preliminary report for Fiscal Year 2021 and stated that a final Fiscal Year 2021 Financial Report will be presented to Council at the April 21st, 2022 Regular Council Meeting.

There was discussion from Council regarding the above item.

Community Engagement and Communications Officer Jessica Drouet addressed the Council reporting on the Village's website and rebuilding content.

There was discussion from Council regarding the Village's website.

There was discussion from Council, the Manager and Information Technology Department's Peter Kulpa regarding Channel 77's programming and regarding posting website meeting notices on the website's calendar.

Communications Officer Drouet and Mr. Kulpa gave a tutorial on navigating the Village's website to improve resident accessibility.

The Attorney addressed the Council regarding the appointing procedure for the Auditor's Selection Committee.

There was discussion from Council and CFO Nussbaum regarding the recommended members for the Auditor's Selection Committee.

Mayor Davey made a motion to approve the appointments of the following recommended members for the Auditor's Selection Committee: Desmond Chin, Finance Director from Palmetto Bay and Marie Arteaga-Nariño, Finance Director from the Village of Pinecrest. The motion was seconded by Vice Mayor Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

Mayor and Councilmembers. Councilmember Segurola addressed the Council regarding the Rickenbacker Causeway.

There was extensive discussion from Council, the Manager and the Attorney regarding the Rickenbacker Causeway, Virginia Key, Bear Cut bridge, traffic concerns and DPZ CoDesign.

Councilmember Lauredo addressed the Council stating that the Council should refrain from personal and public comments and strictly adhere to the Village Council's formal position expressed by the resolution that was passed.

There was discussion from Council to reach out to the residents who have expertise and political contacts in regards to this issue to accomplish this Village goal.

It was the consensus of Council to support the resolution regarding the Rickenbacker Causeway that was previously adopted this evening.

Councilmember Segurola addressed the Council and the Attorney regarding the golf cart ordinance and Crandon Boulevard.

The Attorney and the Manager addressed the Council regarding golf carts on Crandon Boulevard and will report on an update at the January 18th Regular Council Meeting.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

13. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
14. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
15. **ADJOURNMENT:** The meeting was adjourned at 8:58 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2021:

Michael W. Davey
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

MINUTES

REGULAR COUNCIL MEETING KEY BISCAVNE, FLORIDA

TUESDAY, JANUARY 18, 2022

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:03 p.m. Present were Councilmembers Franklin H. Caplan, Luis Lauredo, Edward London (arrived at 6:08), Allison McCormick, Ignacio Seguro, Vice Mayor Brett G. Moss and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **INVOCATION:** Rabbi Avremel Caroline, Chabad of Key Biscayne gave an invocation.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey and Councilmember Caplan addressed the Council recognizing the passing of residents Helen White and former Vice Mayor Clifford Brody sending condolences to the families and held a moment of silence in their honor; Mayor Davey addressed the public stating that the armed robbery that occurred this past weekend in our community is being investigated by the Police Department; Councilmember Lauredo requested a moment of silence for the victims of the Beth Israel Synagogue in Texas in their honor; Mayor Davey, Councilmember London and Councilmember Seguro addressed the public regarding Miami-Dade County Mayor Daniella Levine Cava's memorandum regarding the Rickenbacker Causeway RFP and thanked residents for their past and continued efforts.
5. **PUBLIC COMMENTS:** The following residents addressed the Council: Pedro Kolychkine, 515 Ridgewood Road; Vanessa Sanz de Acedo, 103 E. Enid Drive; Claudia Fontecilla, 345 Caribbean Road; Joe Rasco, 310 W. Heather Drive; Lisa Kornse, 590 Ocean Drive; Maria Patricia Somarriba, 255 E. Enid Drive; Maite Thornton, 475 Hampton Lane; Miranda

Stasulli, 161 Crandon Boulevard; Ileana Gill, 270 Buttonwood Road; Jacqueline Sanchez Volny, 133 E. Enid Drive; Juan C. Diaz, 157 E. Enid Drive; Ignacio Sanz de Acedo, 103 E. Enid Drive; Carolyn Koslen, 255 Sunrise Drive; Michelle Estevez, 425 Grapetree Drive; Helena D'Amato, 131 Island Drive; Louisa Conway, 151 Crandon Boulevard and Carolina Forero, 220 W. McIntyre Street.

6. **AGENDA:** Councilmember Lauredo requested the addition of a report from Police regarding the armed robbery that occurred this past weekend and Council discussion to be heard immediately after setting the Agenda; Mayor Davey requested the addition of a discussion item on transcriptions of Council meetings as Item 12B5; Vice Mayor Moss requested to defer Item 12B1, Councilmember Segurola requested not to defer. There was discussion and the item was not deferred; The Manager requested to add a modification to the Paradise Park budget to Item 12A2b; Councilmember McCormick requested the addition of a discussion item on motorized vehicles on the Village Green as Item 12B6; Councilmember London requested the addition of a discussion item on street lights after dark as Item 12B7 and the Clerk requested to defer the minutes of the November 16th and December 7th, 2021 Regular Council Meetings to the February 8th, 2022 Regular Council Meeting.

Councilmember Lauredo made a motion to approve the Agenda, as amended. The motion was seconded by Councilmember London and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

At this time, Deputy Chief of Police Jason Younes addressed the public reporting on a status update on the Police Department's ongoing investigation of the armed robbery that occurred this past weekend in the Village.

There was extensive discussion from Council, the Manager and Deputy Chief Younes regarding the following items: safety, citizen engagement, communications, stricter enforcement, the license plate reader system, installing more cameras in public spaces and a unified security system for the Village. There was additional discussion from Council regarding "neighborhood beat policing", a GPS system for tracking police officers in the field, solar powered street lighting and crime prevention measures.

The Manager addressed the Council stating that the administration will report back to Council and the community with a plan to make this a more safe and secure Village.

Councilmember Lauredo addressed the public urging residents to register to vote and to stay engaged and participate in future Council Meetings.

7. **SPECIAL PRESENTATIONS:** There were no special presentations.

8. **CONSENT AGENDA:** Councilmember Caplan made a motion to approve the following consent agenda. The motion was seconded by Councilmember London.

The minutes of the September 21st, 2021 Second Budget Hearing.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE OPIOID SETTLEMENT INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY GOVERNING THE USE OF OPIOID SETTLEMENT FUNDS ALLOCATED TO THE MIAMI-DADE COUNTY REGIONAL FUND; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING RESTATE CONSTRUCTION LLC FOR THE VILLAGE GREEN INTERIOR SIDEWALK RENOVATION IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$61,172; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The consent agenda, as amended, was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

9. **ORDINANCES:** There were no ordinances considered by Council.

10. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ADOPTING THE NEW BUILDING, ZONING, AND PLANNING FEE SCHEDULE; REPEALING THE BUILDING, ZONING, AND PLANNING FEE SCHEDULE APPROVED BY RESOLUTION NO. 2018-13; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Lauredo.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The resolution was approved by a 5-0 voice vote. The vote was as follows: Councilmembers Lauredo, London, McCormick, Segurola and Mayor Davey voting Yes. Councilmember Caplan and Vice Mayor Moss were out of the room at the time the vote was taken.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A VARIANCE REQUEST TO ALLOW INSTALLATION OF A TEN-FOOT WALL IN THE REAR ZONE OF THE PROPERTY

LOCATED AT 131 ISLAND DRIVE; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember McCormick.

The Attorney addressed the Council regarding the above resolution.

The Clerk swore in Building, Zoning and Planning Director Jeremy Calleros Gauger and Ms. Helena D'Amato.

There was discussion from Council and Ms. D'Amato regarding not being able to attend the hearing in person.

Mayor Davey made a motion to defer the resolution to a date certain of February 8th, 2022, the next Regular Council Meeting. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

11. **PUBLIC COMMENTS:** There were no residents that addressed the Council.

12. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Village Manager. Fire Rescue Chief Eric Lang addressed the Council reporting on a status update regarding Covid19 stating that the positivity rate in the Village is currently at 29%: for the last 7 days, Calusa Park's testing site has had a positivity rate of 22.73% and 900 tests have been administered and the Village Green's testing site has had a positivity rate of 25% and 4,700 tests have been administered. The Village's vaccine percentages remain close to 80%. The Village was one of the first municipalities to provide a vaccine pop-up event for children ages 5 to 11 years old. Future vaccination pop-up events have been scheduled for January 27th, February 17th and March 10th, 2022 at the KB Community Center. Four free Covid19 home tests kits are available to order from the federal government at www.covidtests.gov. Chief Lang stated that the Fire Department staff has had over a 50% positivity rate since December 8th but has been able to continue to deliver services to the Village.

There was discussion from Council and Chief Lang confirming that the Village was the first to have a rapid PCR testing site in the County and thanked the work done by administrative staff, Curative and the KB Community Foundation.

Public Works Director Jake Ozyman addressed the Council introducing Joe Williams and Henry Thomas from Raftelis who then gave a PowerPoint presentation on the Stormwater Rate Design Fee Structure Analysis and Preliminary Results.

At this time, Councilmember London exited the Council Chamber.

There was extensive discussion from Council, Director Ozyman and Mr. Williams regarding the above presentation.

The Manager addressed the Council stating that the administration will report back with an ordinance on first reading and will try to determine a baseline which is the fairest way possible to set the conditions to provide the greatest number of incentives to reduce the amount of impervious areas in the Village.

Chief of Staff Jocelyne Moussavou addressed the Council reporting on a budget modification update for Paradise Park regarding the following DERM mandated additional requirements and corresponding estimates for a total budget modification of approximately \$147,000. The budget modification reallocates the monies from the CIP ARPA funds currently assigned to the K-8 Stormwater basin project.

There was discussion from Council, the Manager and Chief of Staff Moussavou regarding the above items.

Chief Building Official Rene Velasco addressed the Council reporting on an update regarding Building Recertifications. The Village sent out notice of violations to 10 properties because the Village has not received these property's engineering reports. Building Official Velasco stated that the Village is working with these properties and other properties whose recertification is coming up in the next year or two.

There was discussion from the Mayor and the Manager regarding the above item and building compliance.

Chief Resilience and Sustainability Officer Dr. Roland Samimy addressed the Council reporting on an update regarding kite surfing and beach monitoring and stating that the Village received an approval letter from the United States Coast Guard for the deployment of regulatory buoys for the vessel exclusion zone.

Dr. Samimy also addressed the Council reporting on an update regarding beach operations and maintenance and a possible easement agreement with the Island House.

Mayor Davey and Councilmember Lauredo addressed the Council regarding the enforcement of no dogs on the beach.

Parks, Recreation and Open Space Director Todd Hofferberth addressed the Council reporting on an update regarding athletic field options including possibly Harbor Park, partnering with the City of Miami for long and short-term field options, a possible La Salle High School collaboration and discussions with the Virginia Key Beach Park Trust.

There was discussion from Council regarding the above items.

Councilmember Lauredo addressed Director Hofferberth regarding his opposition for using Harbor Park for organized sports stating that the Village needs passive green parks.

The staff was asked to explore other athletic field options rather than the current passive parks like Harbor Park and to look at ways to improve these parks suitability for residents as public spaces without a large monetary investment and to not have scheduled sports activities at these parks.

The Manager addressed the Council reporting on an update regarding the Rickenbacker Causeway RFP which will be heard tomorrow, January 19th at the Board of County Commissioner's meeting.

Dr. Samimy addressed the Council reporting on the status of Harbor Park being needed for the Stormwater K-8 basin project and stating that AECOM is working on giving a presentation at the next Regular Council Meeting regarding the project's first task order. Dr. Samimy reported on a successful grant application for \$159,000 to do a pilot program on stormwater treatment.

There was discussion from Council regarding flooding and W. Heather Drive.

Dr. Samimy addressed the Council reporting on shoreline protection for the bayside with a future seawall ordinance and looking at the northern boundary in terms of mitigation threats. The Village is still included in the Coastal Storm Risk Management's Tentatively Selected Plan but that it is requiring a lot of engagement on the part of the Village's administration and the Village's lobbyists.

The Manager addressed the Council stating that Congresswoman Maria Elvira Salazar has been very helpful, and that the administration is reaching out to Senator's Marco Rubio and Rick Scott and Mayor Daniella Levine Cava to reenforce the Village's inclusion in the CSRM Tentatively Selected Plan.

There was discussion from Council and the Manager regarding state funds being made available for local municipalities.

Dr. Samimy addressed the Council reporting on utility hardening options including a hybrid system and stated that the LIDAR surveying of the Village and the elevation data is nearly complete.

There was discussion from the Manager and the Council regarding future construction in the Village and the above items.

Chief of Staff Moussavou addressed the Council giving a PowerPoint presentation on the following CIP project updates: the Paradise Park construction project, Crandon Boulevard, the Village Green interior sidewalk renovation and the Beach Park sewer extension.

Councilmember Lauredo addressed Director Hofferberth regarding the status of the Art in Public Places component in the Paradise Park project. Director Hofferberth stated that the Bedia Plaza design would be incorporated into the Paradise Park design.

Councilmember McCormick addressed the administration requesting that the PowerPoint presentation be posted on the Village's website for the public's viewing.

The Manager addressed the Council stating that one of the jobs of the new Capital Improvement Program Manager will be to have a geo-located map of the Village so that residents can click on a location for viewing each location's project status.

Director Ozyman addressed the Council reporting on traffic and safety, focusing on the two following areas: the intersection of Crandon Boulevard and Harbor Drive and extending the que lane into Key Colony. The Public Works Department is looking at additional traffic and safety improvements in the Village with construction starting this summer. The Beach Club will be off the septic system with construction completing in the next few weeks.

Director Hofferberth addressed the Council regarding the resolution passed earlier in the evening regarding sidewalk renovation on the Village Green and stating that the project will start on the north end first and then the south end.

Community Engagement and Communications Officer Jessica Drouet addressed the Council reporting on Channel 77 TV programming updates.

Vice Mayor Moss addressed Communications Officer Drouet requesting if an App for Channel 77 could be available for streaming purposes.

Mayor and Councilmembers. Councilmember Segurola addressed the Council regarding the Rickenbacker Causeway and asked all residents to reach out to the Miami-Dade County Commission with their concerns for tomorrow's meeting.

Councilmember Segurola addressed the Council regarding the golf cart ordinance and the striping along Crandon Boulevard and the County's feedback.

Councilmember Segurola addressed the Council regarding resident feedback received involving a threat incident at MAST Academy, reports of bullying and that the residents felt a disconnect in communication with the school.

There was discussion from Council regarding a possible workshop with MAST Academy and residents to be set up through the Education Advisory Board.

Mayor Davey addressed the Council regarding appointment/reappointments for the Board of Special Magistrates.

Councilmember Laredo addressed the Council regarding residents who would like to serve and stated that William Krauss who has served on the Vision Plan Board and who has been nominated previously, would like to serve on the Board of Special Magistrates.

Mayor Davey requested that names be submitted to the Clerk for the next Regular Council Meeting.

The Attorney addressed the Council clarifying that there are 5 magistrates and 2 alternatives for the Board of Special Magistrates. The terms are for one year.

There was discussion from Council regarding appointments, board continuity, judiciousness and knowledge of the Village Code.

Councilmember Lauredo addressed the Council recommending resident, Mr. Adolfo Henriques, who is willing to serve on the Pension Board and who has been previously nominated.

The Attorney addressed the Council regarding the Pension Board stating that the administration was going to bring forward an item at the February 8th Regular Council Meeting in order to extend the terms of office for better continuity and that the board was renewing its members.

Mayor Davey addressed the Council regarding transcriptions of meetings as the official record for meeting minutes.

There was extensive discussion from Council regarding transcriptions of meetings, costs and transparency.

Councilmember McCormick addressed the Council and the Clerk regarding workflow approval options for meeting minutes. The Clerk was asked to incorporate the Councilmembers requested changes received if appropriate and circulate these changes with the rest of Council so that Council can have the opportunity to review the meeting video ahead of time and prior to the next Council Meeting.

Councilmember McCormick addressed the Council regarding motorized vehicles on the Village Green stating that the scooters are being ridden on the turf which could cause damage and asked the administration to speak to the athletic programs regarding this concern.

Village Attorney. The Attorney called for an Executive Session regarding Leach vs. Village of Key Biscayne and that the date will be announced at a future date.

Village Clerk. The Clerk announced that the next Charter Revision Commission Meeting will be held on January 25, 2022 at 9:00 a.m.

13. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

14. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

15. **ADJOURNMENT:** The meeting was adjourned at 10:27 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2022:

Michael W. Davey
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

MINUTES

REGULAR COUNCIL MEETING KEY BISCAIYNE, FLORIDA

TUESDAY, FEBRUARY 8, 2022

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:00 p.m. Present were Councilmembers Franklin H. Caplan, Luis Lauredo, Edward London, Allison McCormick, Ignacio Seguro, Vice Mayor Brett G. Moss and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **INVOCATION:** Reverend Juan Carlos Paguaga, St. Agnes Catholic Church gave an invocation.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the public announcing the Children's Business Fair set for this weekend and encouraged the community to attend, also announced he and the Manager attended the "Dade Days" event in Tallahassee with the Manager, also announced a Town Hall tentatively scheduled for March 1st, 2022 at 6:30 p.m. hosted by Miami-Dade County Mayor Daniella Levine Cava regarding new building recertification changes; Councilmember Lauredo, Vice Mayor Moss and Mayor Davey addressed the Council and the public regarding the recent decision on the Rickenbacker Causeway Request for Proposal and congratulated the community, the Manager and the Attorney and fellow Councilmembers on working together and having a focused policy and message; Vice Mayor Moss announced next week's Vision Board workshops and encouraged residents to participate and attend and Councilmember Caplan addressed the Council stating he may not be able to attend the March 8th Regular Council Meeting and recognized last Friday's event for the late Clifford Brody and recognized the passing of resident Merle Hamm and sent condolences to his family and many

friends.

5. **PUBLIC COMMENTS:** The following residents addressed the Council: Servando Parapar, 240 Cypress Drive; Eduardo Sanchez, 260 Cypress Drive; Fausto Gomez, 765 Crandon Boulevard; Cecile Sanchez, 260 Cypress Drive; Louisa Conway, 151 Crandon Boulevard; Kenneth Coto, 635 Harbor Drive and Jennifer Stearns Buttrick, 180 Cape Florida Drive.

6. **AGENDA:** Mayor Davey requested to defer Items 9A1 and 9A2 to a future date to be determined, requested to hear Item 13A immediately after Item 11, requested the addition of a discussion on Swales and Curbs as Item 12B8 and requested to defer Items 12B2 and 8B to the next Regular Council Meeting; Vice Mayor Moss requested the addition of a discussion on Traffic Control as Item 12B9; Councilmember London requested the addition of a discussion on a Moratorium on Construction on Bay Front Lots as Item 12B10; Councilmember Lauredo requested to hear a portion of Item 12B2, Appointments/Reappointments for Board of Trustees and for it to be discussed with Item 9A3 and the Clerk requested to defer Item 8C to the next Regular Council Meeting.

There was discussion regarding the above proposed agenda changes.

Councilmember Caplan made a motion to approve the agenda, as amended. The motion was seconded by Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

At this time Councilmember Lauredo made a motion to hear the consent agenda before Item 7. The motion was seconded by Vice Mayor Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

The minutes of the November 16th, 2021 Regular Council Meeting.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO ADOPT AN ORDINANCE ALLOWING THE USE OF PARK IMPACT FEES FOR GREENWAYS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A FIRST AMENDMENT TO THE JOINT USE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR THE INSTALLATION OF SOLAR PANELS AT THE MARITIME AND SCIENCE TECHNOLOGY ACADEMY (MAST) IN AN AMOUNT NOT TO EXCEED \$40,000; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the consent agenda. The motion was seconded by Vice Mayor Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan,

Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

7. **SPECIAL PRESENTATION:** Chief Resilience and Sustainability Officer Dr. Roland Samimy introduced Mr. Fernando Vasquez with AECOM who then gave a presentation on the K-8 Stormwater System Design Criteria.

There was discussion from Council, Mr. Vasquez, Dr. Samimy and Public Works Director Jake Ozyman regarding the above presentation and the K-8 Stormwater System's next steps.

Councilmember Lauredo made a motion to accept AECOM's recommendations from the above presentation. The motion was seconded by Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

Councilmember Lauredo addressed the Council stating there have been two Town Halls on the above subject item in order to inform and educate the public. The Manager addressed the Council regarding the above presentation and Councilmember Lauredo commended Dr. Samimy's work.

8. **CONSENT AGENDA:** The consent agenda was heard earlier in the evening.

9. **ORDINANCES:** The Clerk read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 23-33, "BOARD OF TRUSTEES," OF CHAPTER 23 OF THE VILLAGE CODE OF ORDINANCES TO MODIFY THE LENGTH OF TERMS OF BOARD MEMBERS OF THE POLICE OFFICERS AND FIREFIGHTERS PENSION TRUST FUND BOARD OF TRUSTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the ordinance. The motion was seconded by Councilmember Caplan.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

Councilmember Lauredo addressed the Council regarding the Board of Trustees and recommended the appointment of Mr. Adolfo Henriquez for a four-year term and recommended the reappointment of Mr. Bill Stephens for a two-year term and recommended that these terms would be staggered going forward.

Councilmember London made a motion for the Council to appoint Mr. Henriquez to the Board of Trustees. The motion was seconded by Vice Mayor Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

There was extensive discussion from Council, the Attorney and Chief Financial Officer Benjamin

Nussbaum regarding the Board of Trustees, certification questions and board continuity.

The ordinance failed on first reading by a 0-7 roll call vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting No.

Councilmember Lauredo made a motion for the Council to reappoint Mr. Stephens to the Board of Trustees. The motion was seconded by Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

10. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A VARIANCE REQUEST TO ALLOW INSTALLATION OF A TEN-FOOT WALL IN THE REAR ZONE OF THE PROPERTY LOCATED AT 131 ISLAND DRIVE; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember McCormick.

The Clerk swore in Ms. Helena D'Amato and Building, Zoning and Planning Director Jeremy Calleros Gauger.

Ms. Helena D'Amato, 131 Island Drive and Director Calleros Gauger addressed the Council giving testimony regarding the above resolution.

The Attorney addressed the Council stating a scrivener's error in the 3rd Whereas clause would need to be amended.

There was extensive discussion from Council and Director Calleros Gauger regarding the above resolution.

Vice Mayor Moss made a motion to approve the resolution with the removal of the condition requiring the wall to be taken down if there is a future grade change.

Councilmember London addressed the Council regarding the height allowance of the wall to be measured from the commercial side. There was discussion from Council regarding this item.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

Vice Mayor Moss amended his motion to approve the resolution, removing the conditions and to include that the height allowance of the wall be measured from the commercial side. The motion, as amended, was seconded by Mayor Davey and approved by a 7-0 voice vote. The vote was as

follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

At this time the Council took a five-minute break. The meeting reconvened at 8:54 p.m.

At this time the Manager's report was heard.

Village Manager. Dr. Samimy addressed the Council reporting on the status of the kite surfing program, the vessel exclusion zone, enforcement, regulatory buoys and replacing signage for the pilings.

There was extensive discussion from Council and Dr. Samimy regarding the above items, beachgoer safety, sand depositing on the beach and placement of the pilings.

Julio Diaz, 201 Crandon Boulevard addressed the Council.

Dr. Samimy will report back to Council in terms of cost and the process for the installation of pilings at a future date to be determined.

The Attorney addressed the Council reporting that the Village's ordinance provides that the vessel exclusion zone goes out 300 ft. from the erosion control line and that the municipal boundary goes out 500 ft. and to look at the reason why 300 ft. was originally chosen for the vessel exclusion zone, and that the ordinance can be amended if needed.

The Manager addressed the Council regarding a Community Policing Plan for the goal of having a Safe and Secure Village.

Chief of Police Frank Sousa gave a presentation on the above plan including working in partnership with the community, traffic and maritime safety concerns, maximizing police staffing, youth engagement, sustained golf cart education and enforcement including scooters, completing "Cpted" surveys, better communication, more street and park lighting and improving security camera coverage throughout the Village. Chief Sousa also discussed increased police call volumes, officers having dual roles, a succession plan, zone policing and deployment, training and development, policing for gated communities, traffic modifications, safety enhancements and the request to hire two additional police officers.

There was extensive discussion from Council regarding the above presentation and police enforcement on the Rickenbacker Causeway and at Mast Academy, police maritime enforcement and staffing.

Councilmember Lauredo made a motion to accept the recommendations from Chief Sousa's presentation. The motion was seconded by Mayor Davey and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes. Councilmember London voting No.

The Manager addressed the Council stating the sargassum update report will be presented at the

March 8th, 2022 Regular Council Meeting.

The Manager addressed the Council regarding the recent adjusting of the traffic lights, moving the placement of the crossing guards and the intersections of Harbor Drive and Key Colony.

Director Ozyman addressed the Council reporting on the Crandon Boulevard Traffic and Safety Project update stating that the project is on schedule. There are two segments of the project: design and planning which are scheduled to be completed in May with construction to start in June/July 2022. The administration is also working on additional projects involving Fernwood Road and Harbor Drive Circle, a possible speed limit reduction and the removal of some of the pedestrian crossings on Crandon Boulevard. The Manager addressed the Council stating there will be a public meeting regarding future planning for Crandon Boulevard.

The Manager addressed the Council reporting on the septic to sewer conversion stating that there are 11 properties remaining on the septic system and commended the work done by Director Ozyman and the Department of Public Works.

The Manager addressed the Council reporting on the State budget status: \$550,000 for Crandon Boulevard, \$275,000 for stormwater quality initiatives, \$450,000 for sargassum seaweed removal and composting and an addition into FDOT's budget for \$150,000 for annual maintenance fees for the Village's maintenance of Crandon Boulevard. The Manager is also waiting on feedback regarding a planning grant for resilient infrastructure strategy and implementation plan in the amount of \$624,000.

There was discussion from the Council and the Manager regarding the above items.

The Manager addressed the Council regarding the Coastal Storm Risk Management (CSRM) project update stating that the agency decision milestone will occur on February 17th, 2022 which is when the Army Corps of Engineers will decide when the tentatively selected plan becomes the final plan. The Headquarters has concerns regarding the Village's backside of the island and having the Village secure and protect this side of the Village before the front side of the Village is completed. The Manager commended the work of Dr. Samimy and the dedication of the residents of the Village. The Manager discussed that Miami-Dade County is on a timeline and that the Village would be a branch of the project which would turn into a Back Bay study which would require a waiver costing approximately \$2 to 3 million dollars. The funding options would be the Bipartisan Budget Act from 2018 and then any residual costs would be a 50/50 split between the Federal government and the local sponsor, Miami-Dade County and the Village would need to determine with the County what portion the Village would pay. The Army Corps of Engineers want this final plan completed in May because that moves forward into the Water Resources Development Act (WRDA). The Manager will report back to the Council on future updates.

There was discussion from the Council and the Manager regarding the above items.

The Manager requested that Item 10B be heard immediately after CFO Nussbaum's presentation on Non-ad Valorem Assessments. There was no objection to the request.

CFO Nussbaum addressed the Council reporting on an update on Non-ad Valorem Assessment collection rates for Solid Waste and Stormwater stating that collection rates have increased from 60% to 86%.

At this time the Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE PURCHASE OF ONE VEHICLE FROM ALAN JAY AUTOMOTIVE MANAGEMENT, INC. FOR AN AMOUNT NOT TO EXCEED \$23,204; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember Caplan.

There was discussion from Council and CFO Nussbaum regarding the above resolution.

The resolution was approved by a 6-1 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes. Councilmember London voting No.

The Manager addressed the Council requesting to reference Exhibits 6B and 6C in the agenda packet regarding the CIP Projects update and the review of the Manager's Strategy and Budget Alignment instead of verbal presentations scheduled for this evening.

11. **PUBLIC COMMENTS:** There were no residents that addressed the Council.

At this time Mayor Davey addressed the Council regarding the following motion for the Rickenbacker Causeway: Direct the Administration to: (1) Immediately begin working with Miami-Dade County as they develop the Bear Cut Bridge report due to the Board of County Commissioners in 60 days as directed by Commissioner Regalado on January 19, 2022. (2) Begin working with key stakeholders and the public to develop a scope of work to contract with a planning and design professional to create a Rickenbacker Causeway concept that portrays the Village's interests and facilitates coordination and further engagement with Miami-Dade County and other potential collaborators. (3) Return with the scope of work and plan to contract with a planning and design professional at the March 8th Council Meeting.

Councilmember Caplan made a motion to accept Mayor Davey's above motion. The motion was seconded by Councilmember McCormick.

There was discussion from the Council regarding the above motion.

Vice Mayor Moss requested to add the word "potentially" for item (3) to say, "Return with the scope of work and plan to potentially contract with a planning and design professional at the March

8th Council Meeting". Councilmember Caplan accepted the amendment to his motion.

Councilmember Lauredo requested from the Manager to come back with the possibility of a meeting exclusively on this item before the March 8th Regular Council Meeting.

The Caplan motion was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

12. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Mayor and Councilmembers. Mayor Davey stated the Next Steps Rickenbacker Causeway item was addressed earlier in the evening.

Councilmember London addressed the Council regarding Solar Powered Street lights. There was discussion from the Council regarding the above item. The Manager reported meeting with Florida Power and Light and stated installation would take 6 to 12 months.

It was the consensus of Council to support the administration installing solar powered street lighting.

The Community Policing Plan item was addressed earlier in the evening.

Councilmember Segurola addressed the Council regarding a potential workshop with the Principal of MAST Academy and will report back at a future Council meeting.

Mayor Davey addressed Councilmember Segurola on a possible Sunshine meeting in regard to the above item.

Councilmember Segurola addressed the administration requesting an update on the golf cart ordinance. The Manager and the Attorney addressed Councilmember Segurola regarding the above item and will report back at the March 8th Regular Council Meeting.

The Expansion of the Beach Exclusion Zone item was addressed earlier in the evening.

Mayor Davey addressed the Council regarding Swales and Curbs. There was extensive discussion regarding the above item, lack of standardization, ponding, the Vision Plan, flooding, parking and neighborhood characteristics, pedestrian safety, swale upkeep issues, curb design options, the U.S. Post Office trucks and possibly removing the newly installed curb on Cypress Drive.

At this time, Cecile Sanchez, 260 Cypress Drive and Ed Sanchez, 260 Cypress Drive addressed the Council.

Mayor Davey made a motion to extend the meeting to 11:05 p.m. The motion was seconded by Councilmember McCormick and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, London, McCormick, Segurola, Vice Mayor Moss and Mayor Davey voting Yes.

Vice Mayor Moss addressed the Council regarding traffic control and the traffic conditions from the last few days in the Village.

Councilmember London addressed the Council regarding a Moratorium on Construction on Bay Front Lots regarding seawalls and the issuing of building permits.

There was discussion from the Council and the Attorney regarding the above items.

It was the consensus of Council to direct the Attorney to report back to Council regarding an acknowledgement of risk and understanding for future construction on bay front lots.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

13. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

14. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

15. **ADJOURNMENT:** The meeting was adjourned at 11:05 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2022:

Michael W. Davey
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.



VILLAGE OF KEY BISCAYNE

MEMORANDUM

Village Council
Michael W. Davey, Mayor
Brett Moss, Vice Mayor
Frank Caplan
Luis Lauredo
Allison McCormick
Edward London
Ignacio J. Segurola

Village Manager
Steven C. Williamson

DATE: March 8th, 2022

TO: Honorable Mayor and Councilmembers

FROM: Steven C. Williamson, Village Manager

RE: Application to the Florida Transit Development Program for Expansion of Freebee to Include Express Commuter Shuttle to Brickell Avenue

RECOMMENDATION

I recommend that the Village council authorize the Village Manager to apply to the Florida Transit Development Program for Expansion of the Freebee program to include express commuter shuttle service to Brickell Avenue. The Village will be applying for a grant in the amount of \$344,477 to the Florida Department of Transportation (FDOT). Funding will be locally matched with funds received from the Miami-Dade County's Citizen's Independent Transportation Trust (CITT). The expansion of the Village transit system will be incorporated into the Miami Dade County Transportation Planning Organization (TPO) Strategic Miami Area Rapid Transit (SMART) Demonstration Program.

BACKGROUND

The 2014 sustainability Plan was comprised of 9 specific program areas including transportation. Regarding transportation related sustainability goals, the Village was encouraged to "Engage with Miami-Dade Transit, Miami-Dade Metropolitan Planning Organization, Citizen's Independent Transportation Trust (CITT) and other relevant entities to improve transit options" as well as "Evaluate internal transit options for the Village". Additionally, the Village undertook a formal community survey in 2015 which indicated of respondents' top three items of concern, 47% indicated that the overall traffic conditions within the community should receive the most emphasis from Village Leaders.

In response to the community wide concern over traffic conditions, in 2015 the Village Council approved the completion of a Key Biscayne Transit Mobility Study to formulate solutions to the Village's traffic and transportation challenges. To help alleviate traffic congestion problems internal to Key Biscayne, micro-transit solutions were recommended such as small, multi-passenger low speed electric vehicles circulating across the Village and the Freebee service was initiated to start addressing the Village's traffic challenges. Over the past 5 years, ridership on Freebee has steadily grown year to year from 2016 to 2021 (annual total passengers transported: ~1000, 31,330, 83,787, 111,356, 64,708, 83,639 respectively). It is important to note that ridership in 2020 and 2021 was dramatically impacted by the COVID19 pandemic, however, in



VILLAGE OF KEY BISCAINE

2021 ridership bounced back significantly despite the pandemic and continues to rise month to month. As popularity and demand for the Freebee service has grown, Village Staff conducted a 2021/2022 community survey to quantify interest in expansion of Freebee to include two additional vehicles and a 10-person express commuter shuttle to Brickell Avenue.

The community survey confirmed the desirability of the 10-passenger express electric shuttle to transport passengers directly to the regional metro-rail system. To date there have been 198 respondents that took the survey regarding the usefulness of a multi-passenger express shuttle to the regional transit system and 84% were in favor. Based on 198 responses, 73% of respondents would use such a service to connect to metro-rail or metro-mover for work and/or recreation. The two additional Freebee on-demand vehicles will reduce response times for on-demand pick ups and absorb the demand generated by the discontinuation of County bus service down Harbor Drive as well as the additional trips generated from the three new beach access paths, while also reducing wait times.

DESCRIPTION OF EXPANDED SERVICE

The Village's current Freebee Public Transit Service consist of five (5) 5-passenger Freebee electric vehicles with ADA accessibility. The Village is requesting funding to add two more Freebee on-demand vehicles in addition to adding a 10-passenger express electric shuttle to transport passengers directly to the regional metro-rail system (Brickell Avenue and/or Viscaya stations). The two additional Freebee on-demand vehicles will absorb the demand generated by the discontinuation of County bus service down Harbor Drive as well as the additional trips generated from the three new beach access paths, while also reducing wait times. The addition of the 10-passenger electric shuttle will allow the Village to provide new peak hour shuttle service, from Monday through Thursday, from 6:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 7:00 p.m., Friday from 6:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 10:00 p.m. to the Viscaya Metrorail Station (3201 SW First Avenue, Miami) and/or the Brickell Metro-mover station (1200 SW First Avenue). Service will be provided on Saturday from 4pm to 10pm. To accommodate the new express shuttle route, the Town has identified one central pickup and drop-off location; (1) Key Biscayne Community Center located at 10 Village Green Way. The expansion of the Freebee public transit on-demand services additional express electric shuttle and routes will connect passengers to Regional Transit via the Viscaya Metrorail Station and/or the Brickell Metro-mover Station to help reduce peak hour traffic congestion. During non-peak hours, Freebee on-demand response service will provide inter-Village trips between 9:00 a.m. to 4:00 p.m. Furthermore, the addition of the 10-passenger electric shuttle will increase the availability of the ADA accessible vehicles, thereby providing more frequency of ADA accessible vehicles for people with disabilities. The Key Biscayne Freebee Public Transit Service will remain an on-demand app-based service that allows users to request rides on-demand (when riders want it) from anywhere in the Village (wherever they need it) to freely travel within the Village boundaries (Freebee will also takes riders into Bill Baggs State Park and Crandon Beach Park just outside the municipal boundary). The service also provides free on-demand rides to connect



VILLAGE OF KEY BISCAYNE

passengers to the Miami-Dade County mass public transit bus system as a logical link of service to regional transit and serves as the first and last mile connection for public transit users in the Village of Key Biscayne.

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR A MATCHING FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PUBLIC TRANSIT SERVICE DEVELOPMENT PROGRAM GRANT IN THE AMOUNT OF \$344,477 TO EXPAND THE VILLAGE'S ON-DEMAND TRANSIT SERVICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne ("Village") currently operates a mobile application-based on-demand transportation service through BeeFree, LLC d/b/a FreeBee (the "Service"); and

WHEREAS, the Village wishes to expand the existing Service and integrate it into the Miami-Dade County ("County") Smart Demonstration Program; and

WHEREAS, the Florida Department of Transportation ("FDOT") created the Public Transit Service Development Program Grant (the "Grant") in order to provide local communities with matching grant funds for the implementation of transit projects aimed at providing alternative and innovative transportation solutions; and

WHEREAS, in order to expand the Service and integrate it into the County Smart Demonstration Program, the Village desires to authorize the Village Manager to apply for a Grant in the amount of \$344,477, which the Village will match using CITT funds; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Authorization.** That the Village Council hereby authorizes the Village Manager to apply for a matching Grant in the amount of \$344,477 with the FDOT.

Section 3. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2022.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY



Neat Streets Miami Office
Miami-Dade County Parks, Recreation and Open Spaces Department
275 NW 2nd Street • Suite 540
Miami, Florida 33128-1994

February 14, 2022

Olga Garcia
Zoning Plans Reviewer/Planner
Village of Key Biscayne
88 West McIntyre Street
Key Biscayne, FL, 33149

Dear Ms. Garcia,

Congratulations! I am pleased to inform you that the **Village of Key Biscayne** has been awarded a matching grant of **\$25,001** for the **Key Biscayne Street Tree Planting Program**, as part of the 2022 Neat Streets Miami Growing Roots for Environmentally Equitable Neighborhoods (GREEN) Miami-Dade County Matching Grant Program.

This exciting project will help Million Trees Miami reach its goal of achieving a 30 percent tree canopy for Miami-Dade County. There has truly never been a better time to create a greener Miami-Dade County!

Neat Streets Miami is delighted to partner with you on this project. Together, we will make an even more impactful investment in our community by leveraging County Tree Trust Fund money with match dollars from our grantees.

A contract is being sent to you, along with this notice of award. Once it has been signed by the Village, please scan it back, so it can be routed through the County for signature. Please note that work cannot begin on this project until the contract has been fully executed. Any expenses prior to contract execution are not eligible for reimbursement under this funding mechanism.

Please do not hesitate to reach out to Nikki.Anderson@miamidade.gov if you have any questions. Again, we look forward to working with you to implement your project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eileen Higgins".

Eileen Higgins
Neat Streets Miami Board Chair
Miami-Dade County Commissioner, District 5

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ACCEPTING A 2022 NEAT STREETS MIAMI MATCHING GRANT IN AN AMOUNT OF \$25,001 FROM MIAMI-DADE COUNTY FOR THE KEY BISCAYNE STREET TREE PLANTING PROGRAM AND APPROVING AN AGREEMENT RELATED TO THE SAME; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (“Village”) desires to plant trees to enhance the quality of life and urban management within the Village as part of the Key Biscayne Street Tree Planting Program (the “Program”); and

WHEREAS, the Program will help reduce flooding, provide cooler and cleaner air, and improve physical, mental, and economic health, among other benefits; and

WHEREAS, Miami-Dade County (“County”) has awarded the Village a 2022 Neat Streets Miami Matching Grant (the “Grant”) in an amount of \$25,001 for the Program; and

WHEREAS, the Village desires to accept the Grant and enter into the Grant Agreement, in substantially the form attached hereto as Exhibit “A” (the “Agreement”); and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Acceptance and Approval. That the Village Council hereby accepts the Grant in an amount of \$25,001 from the County and approves the Agreement in substantially the form attached hereto as Exhibit “A.”

Section 3. **Authorization.** That the Village Council hereby authorizes the Village Manager to execute the Agreement, in substantially the form attached hereto as Exhibit "A," subject to the Village Attorney's approval as to form, content, and legal sufficiency.

Section 4. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2022.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY



Miami- Dade County
Parks, Recreation, and Open Spaces Department
GROWING ROOTS FOR ENVIRONMENTALLY EQUITABLE
NEIGHBORHOODS (GREEN) MIAMI-DADE COUNTY MATCHING GRANT
PROGRAM

TREE PLANTING AGREEMENT

Grantee: Village of Key Biscayne

Amount: \$25,001

Grant Description: To plant trees with municipalities and organizations on Miami-Dade County's corridors as part of our efforts to reach the Million Trees Miami goal of achieving a 30% tree canopy.

This **Agreement (the "Agreement")**, made and entered into this ____ day of _____, 20____, by and between Village of Key Biscayne (the "Grantee") and Miami-Dade County (the "County"), hereinafter called the "County" through its Parks, Recreation, Open Spaces Department (the "Department").

The County and Grantee have agreed to partner on the implementation of **Key Biscayne Street Tree Planting Program** (project name) to be completed by June 30, 2022.

RECITALS

WHEREAS, the County desires to increase the tree canopy in Miami-Dade County and to reach the Million Trees Miami goal of achieving a 30% tree canopy; and

WHEREAS, the County has provided a subaccount to the tree trust fund for the procurement of trees on county and local public land and of this amount \$25,001 (the "Grant Funds") will be provided to the Grantee on the terms and conditions set forth in this Agreement; and

WHEREAS, the Grantee wishes to undertake such activities provided in the scope of work in Exhibit A of this Agreement; and

WHEREAS, the Grantee is responsible for the maintenance of the trees after completion of the project; and

NOW, THEREFORE, the County and Grantee agree as follows:

TERMS AND CONDITIONS OF AGREEMENT

A. Requirements for approval of Grant Award Agreement: As a prerequisite to its receipt of the Grant Funds, the Grantee shall meet the requirements set forth below to the County's satisfaction. Requirements for this grant are listed below.

1. **Timeline:** The following grant project start date, end date, and reporting dates must be adhered to.

Start date: Contract Execution Date

End date: June 30, 2022

Final report date: July 31, 2022

2. **Scope of Work:** It is mutually agreed and understood that the scope of work shall be as provided in *Exhibit A (Grant Application Package)*. Scope of Work must adhere to:
 - All trees must be canopy natives or Florida-friendly trees. For the purpose of this grant, palms are not considered canopy, and as such are not eligible for grant reimbursement or match for these projects. All trees must be planted on the public property within Miami-Dade County in adherence to Miami-Dade County's Landscape Ordinance (Chapter 18-A and Chapter 18-B).
 - Trees shall have a minimum overall height of 12-feet and 2-inch caliper at time of installation. If planting Florida native species, trees shall have a minimum overall height of 8-feet and 1.5-inch caliper at time of installation.
 - When installed in roadways, trees shall have a maximum average spacing of 35-feet on center and be placed within 7-feet of the edge of the roadway pavement and/or where present, within 7-feet of the sidewalk.
 - Trees shall be installed in a way that complies with site triangle regulations and should not be planted within no planting zones.
 - If trees are proposed under overhead power lines, they shall have a minimum overall height of eight (8) feet and a minimum caliper of one-half (1.5) inch at the time of planting. The maximum average spacing in this case shall be 25-feet.
 - All trees shall have and shall be maintained with a trunk clearance of four (4) feet (no multi-trunk).
 - All trees must conform to the standards for a Florida No. 1 or better, as provided in the most current edition of the "Florida Grades and Standards for Nursery Plants."
 - Each Grantee is encouraged to review the Neat Streets Miami GREEN Miami-Dade County Matching Grant Procedures to ensure that the project will be in full compliance with the stated requirements.
3. **Budget:** It is mutually agreed and understood that the project costs shall be as provided in *Exhibit A (Grant Application Package)*. The match amount must equal 25% or 50% of total projects costs (dependent on existing urban tree canopy in project location, as

defined by the 2021 Miami-Dade County Urban Tree Canopy Assessment Update) and may exceed the grant amount. If any portion of the matching requirement will be met through the provision of in-kind service, the County shall approve the value or cost of the in-kind services to be provided to fulfill the matching requirements. Match must remain the same or exceed the percent referenced in the original application.

4. **Promotions:** All promotions must adhere to the Neat Streets Miami Media Release Guidelines. The Grantee will agree to prepare a draft Press Release which describes its project and acknowledges Neat Streets Miami and Million Trees Miami, which shall be subject to the County's approval in advance of publication. The County shall also be acknowledged in any subsequent media releases or in any printed, website, social media or other communication materials related to the project. Copies of any other publicity as well as copies of any major work products generated in connection with this grant shall be forwarded to the County for review. Miami-Dade County, Million Trees Miami and Neat Streets Miami logos should be included in all printed materials.
5. **Miami-Dade County Tree Trust Fund:** Funds allocated to projects by the GREEN Miami-Dade County Matching Grant come from mitigation funds collected by the Division of Environmental Resources Management, i.e. the Tree Trust Fund, and as such are encumbered for the planting of trees on public property. These funds shall not be used to satisfy tree mitigation per permitting or enforcement requirements.
6. **Conditions and Contingencies:** The Grantee agrees that the Grant Funds will be used only for the purpose as stated in this Agreement, as described in the Scope of Work and with no substantial variance to the approved Budget (See *Exhibit A*) unless prior approval in writing is obtained from the County. The Grantee certifies that the grantee organization operates under a tax-exempt status. If grantee determines that Grant Funds cannot be expended by June 30, 2022 (end date), the grantee must notify liaison or request a no-cost extension (see Exhibit D – Amendment Change Form) immediately and no later than June 1, 2022.

B. Additional Requirements due throughout the funding period:

1. **Reporting:** Final Report must be submitted electronically by July 31, 2022. Refer to Exhibit B for reporting guidelines.
2. **Data Tracking:** All trees planted must be mapped according to County specifications: Google Live Maps and Data Tracking Form (Exhibit C)
3. **Contract Amendments:** The Grantee must submit an Amendment Change Form (Exhibit D) to request any change to the executed contract. This form must be approved prior the Grantee making any of the proposed changes in order for the Grantee to submit projects elements related to the change, for reimbursement.
4. **Organizational Status Changes:** The Grantee must notify the County liaison within two weeks of changes in organizational status, including but not limited to: key personnel such as senior or project staff, organizational name, tax status, and organizational address.

5. **Other Organizational Changes:** The Grantee will notify the County's liaison of any organizational changes, such as new address or contact information.

C. Reimbursement/Agreement Closeout Requirements: Reimbursement for eligible project costs will be requested once the Exhibit B Final Report is received, reviewed, and processed by the Grant Administrator. Reimbursement requests are contingent upon the Exhibit B Final Report being complete with all required information, in the correct formats. All final reporting documents must be received and processed within two (2) years or 730 days from the reporting date specified in this contract due date, or the Grantee forfeits their right to request reimbursement.

D. Indemnification of County

Subject to the limitations on liability set forth in Section 768.28, Florida Statutes (to the extent the entity is a State or local government), the Grantee agrees to indemnify, save, and hold the County harmless from all liability, loss, cost, and expense, including attorneys' fees and court costs at all trial and appellate levels, which may be sustained by the County, to any person, natural or artificial, by reason of the death of or injury to any person or damage to any property, whether or not due to or caused by the negligence of the Grantee, arising from or in connection with the Grantee's (or its employees, agents, contractors, subcontractors, licensees, or invitees) installation and/or maintenance of trees on County property or in the County right-of-way. The Grantee agrees to defend, at its sole cost and expense, but at no cost and expense to the County, any and all suits or actions instituted against the County for the imposition of such liability, loss, cost, and expense arising from or in connection with the Grantee's (or its employees, agents, contractors, subcontractors, licensees, or invitees) installation and/or maintenance of trees on County property or in the County right-of-way.

Primary Grant Contract:

Provide the information below for the primary contact person for this grant. This is the person to whom all correspondence will be directed.

Name: _____

Title: _____

Mailing Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Website: _____

IN WITNESS WHEREOF, the parties hereto have caused these present to be executed on the day and year first written above.

NAME OF GRANTEE: _____

ADDRESS: _____

BY: _____

DATE: _____

Grantee Representatives' Signature

PRINT NAME _____

TITLE: _____

MIAMI-DADE COUNTY, FLORIDA

BY: _____

DATE: _____

Director Parks, Recreation, and Open Spaces Department

LEGAL SUFFICIENCY: _____

DATE: _____

County Attorney

**EXHIBIT A:
GRANT APPLICATION PACKAGE SCOPE OF WORK
2022 GREEN Miami-Dade County Matching Grant**



[INSERT FINAL GRANT APPLICATION PACKAGE HERE]



Friday, December 31, 2021

2022 GREEN Miami-Dade County Matching Grant

Apply today for Neat Streets Miami's Growing Roots for Environmentally Equitable Neighborhoods (GREEN) Miami-Dade County Matching Grant to support **environmental equity** in Miami-Dade County and help Million Trees Miami reach their goal of achieving a **30 percent tree canopy County-wide**. Funded by Miami-Dade County, this grant engages municipalities, agencies, non-profits foundations, and community groups in planting native or Florida-friendly trees on public land, including corridors, gateways, bus stops, schools, libraries, and parks.

The **goal of this program** is to leverage the County's Tree Trust Fund by encouraging investments on public land.

Grants of \$5,000 to \$50,000 will be awarded to those communities who can demonstrate the greatest benefits for residents, employers and visitors, and are able to provide a stewardship plan for our joint investment.

The GREEN Miami-Dade County Matching Grant provides either a 75% or 50% **match** contribution to the Applicant, dependent on planting location's existing urban tree canopy, not to exceed the maximum grant amount for the current cycle (\$50,000).

Eligible expenses for grant and matched funds are as follows:

- Procurement of trees
- Installation of trees
- Maintenance of trees
- Supply costs
- Preparation of the planting site
- Permit fees

The Grant Application must include the following:

- Online submittal by deadline
- Detailed proposed budget
- Google Live Planting Plan(s) with location, number of trees and species. A professional landscape design is not required.
- Before photos of project location(s).

Grant applications will be evaluated using the following criteria:

1. Existing Tree Canopy and Income Level
 - Area has 20 percent or less existing tree canopy
 - Area has low-to-moderate income populations
 - Applicant does not have access to a tree trust fund
2. Project Enhancements
 - Growing Green Bus Stops
 - Growing Green Playgrounds
 - Gateways/Corridors/Connections to Schools and/or Parks
 - Schools/Parks/Libraries/Public Housing Sites/Other
 - Natural Disaster Recovery
3. Resiliency/Impact
 - Biodiversity
 - Planting in a FEMA flood zone
 - Focus on Florida natives
 - Number of trees
 - First time applicant
 - Continuation of planting from a previous cycle (next phase)
4. Community Outreach

- Defined plan to engage the public (e.g. newspaper/magazine article, surveys, informational materials to be distributed, etc.)
- Social media plan
- Fulfillment of established community plan

While preference will be given to areas with low-to-moderate income populations defined as census tract that are in the fourth or fifth quintile distribution of Median Household Income, and/or with 20 percent or less tree canopy, grant applications that do not meet either or both of these preferences will still be considered.

Timeline:

- Grant announcement: Wednesday, December 1, 2021
- Grant info webinar*: Tuesday, December 7, 2021 at 2 p.m.
- Application deadline: Friday, December 31, 2021
- Anticipated award announcements: early February 2022
- Last Day to Notify NSM staff of location changes: Thursday, March 31, 2022
- Planting deadline: Thursday, June 30, 2022
- Final report deadline: Sunday, July 21, 2022

Visit the [GREEN Miami-Dade County Matching Grant Program webpage](#) for more details.

*On Tuesday, December 7, 2021, we will be hosting an informational webinar via Zoom. For more information, questions, or to request to join the webinar, please email Nikki.Anderson@miamidade.gov.

Click [here](#) for the **GREEN Miami-Dade County Matching Grant Procedures**.

Since you **cannot** save your work and return to this application, we recommend printing this application. Click "Print Form" at the end of this application.

Contact Information

Name of Organization	Village of Key Biscayne
Address	88 West McIntyre Street Key Biscayne, FL, 33149 United States
Organization Type	Municipality

Interested non-profits, foundations and community groups should contact Neat Streets Miami prior to submitting an application to ensure that their proposed planting does not have any conflicts with current or planned projects. Please email Nikki Anderson at Nikki.Anderson@miamidade.gov.

Is the municipality a Tree City USA? ☐ No

Will the municipality apply to become a Tree City USA? ☒ Yes

How many trees were planted by your municipality/organization/agency in the previous calendar year (January 1 - December 31, 2021)? 40

Contact Name (Person filling out application) Olga Garcia

Job Title

Zoning Plans

E-mail ogarcia@keybiscayne.fl.gov
Phone Number (786) 676-3457
Project Manager (If awarded) Jake Ozyman
E-mail jozyman@keybiscayne.fl.gov
Phone Number (305) 365-7568

Project Narrative

Project Title Key Biscayne Street Tree Planting Program

Goals of Project

The goal of this project is to provide for an enhanced quality of life and urban management within the Village of Key Biscayne. Due to several historical storms, many trees were destroyed over time and some areas have not yet been restored to their original tree canopies. Ultimately, additional trees in the Village will help to reduce flooding, provide cooler and cleaner air, and improve physical, mental and economic health among other benefits.

Will the project fulfill an element of an established community plan? Yes
(Yes/No)

Please name the established community plan. Village of Key Biscayne Master Planster P

Is this proposal the continuation of a previous GREEN Miami-Dade County (formerly known as Street Tree) Matching Grant-funded project? If yes, please provide the funding year(s) below. No

Project Enhancements

Growing Green Bus Stops

Neat Streets Miami's Growing Green Bus Stop initiative encourages the installation of shade trees at unshaded bus or transit stops throughout Miami-Dade County in order to mitigate the urban heat island effect and enhance the transit experience.

For information on Planting Trees at Bus Stops, click [here](#).

Will your project include a Growing Green Bus Stop? No

Growing Green Playgrounds

Neat Streets Miami's Growing Green Playgrounds initiative addresses the wellbeing of children and youth in Miami-Dade County by ensuring their safety through the planting of shade trees at playgrounds (with or without canopy structures) to help decrease dangerously high surface temperatures.

Will your project include a Growing Green Playground?

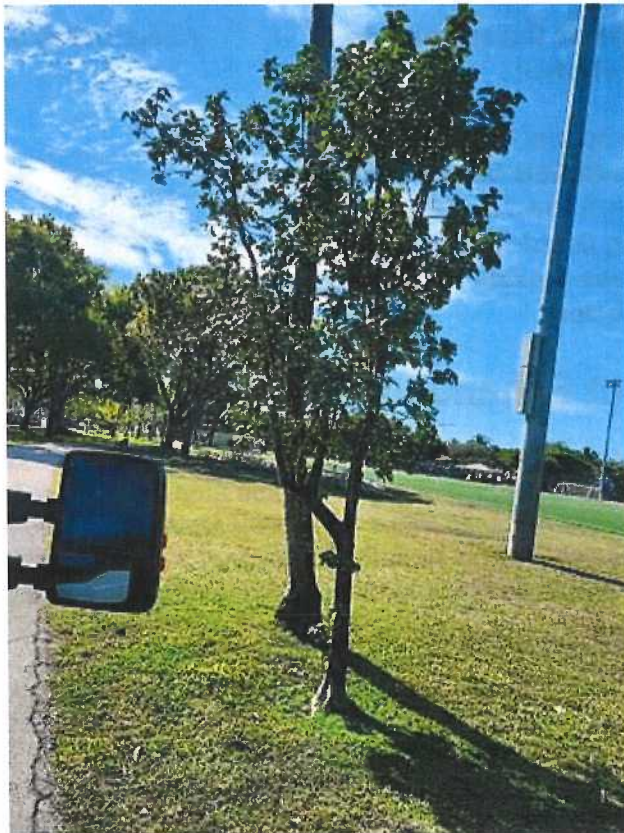
Yes

Provide the location(s) of each playground and the number of trees that will be planted (specify the species for each).

Harbor Park at 571 Harbor Drive: 2 Gumbo Limbos, 1 Oak, and 13 Bulnesias

Village Green Park at 450 Crandon Boulevard: 10 Bulnesias, 12 Green Buttonwoods, 9 Gumbo Limbos, and 7 Oaks

Attach a before photo of each playground being shaded.







Gateways/Corridors/Connections to Schools and/or Parks

- Gateways, both vehicular and pedestrian, identify entrance points into the County and key destinations within the County. They are intended to enhance travelers' experience as they enter Miami-Dade County from the surrounding areas by offering scenic views and appealing architectural elements. Gateways into retail areas, public greenways, and park systems may also take advantage of scenic views and incorporate local artwork and vegetation to provide texture and interest. Successful Gateways use **landscape**, architecture, other materials, and views to cultivate a sense of identity and an atmosphere of welcome.
- Corridors are the major physical routes that channel vehicular, pedestrian and boat traffic into and within Miami-Dade County, lining cities and neighborhoods to each other and to the surrounding region. The views and general experience of those traversing the County's Corridors define, to a great extent, the overall image of the County, consequently effecting residents' quality of life, the tourist experience, the economic development climate and other important factors.
- Creating safe and equitable access to parks and schools through infrastructure improvements, such as the installation of trees, encourages walking and bicycling.

Will your project include shading a Gateway, Corridor, and/or Connection to School and/or Park?

Corridor

Provide the location(s) of each Corridor shaded. What route is the Corridor a link to? What is the number of trees that will be planted (specify the species for each).

Fernwood Drive corridor which, other than Crandon, is a direct connection through the Village to get from one end of the island to the other. Fernwood provides connections to several drives that connect to Crandon Boulevard.

Proposed are 34 Green Buttonwoods, 20 Bridalveils, 4 Oaks, and 55 Bulnesias

**Attach a before photo of each
Corridor being shaded.**





School/Park/Library/Public Housing/Other Planting Sites

The 2022 GREEN Miami-Dade County Matching Grant cycle has expanded planting locations from streets to public land, including schools, parks, libraries, public housing sites and other eligible locations. Planting trees in these locations aims to increase canopy and bring multiple benefits and enhancements to our community.

Will your project include planting in a school, park, library, public housing site, or other eligible public property?

No

Natural Disaster Recovery

Natural disaster recovery includes tree replacement/planting of areas ravaged by hurricanes or other natural disasters, to help rebuild communities and improve resiliency physically, as green infrastructure.

Will your project include tree replacement in an area affected by a natural disaster?

Yes

Provide the location(s) of the area affected by a natural disaster, along with the name of the disaster. What is the number of trees that will be planted (specify the species for each).

Hampton Lane at the intersections of Cypress, Cranwood and Greenwood Drives.

Pacific Road between East Drive and East Heather Drive. Both areas were affected by Hurricane Irma in 2017 and Hurricane Wilma in 2005, which destroyed several trees throughout the Village including some in these areas.

Attach before photos of the area(s) to be restored after a natural disaster.



Please attach before photos of any project planting sites not covered in the Enhancements above.













Project Location

LANDSCAPE REQUIREMENTS

All trees must be canopy natives or Florida-friendly trees. For the purpose of this grant, palms are not considered canopy, and as such are **not** eligible for grant reimbursement or match for these projects. All trees must be planted on public land within Miami-Dade County in adherence to Miami-Dade County's Landscape Ordinance (Chapter 18-A and Chapter 18-B).

- Trees shall have a minimum overall height of 12-feet and 2-inch caliper at time of installation.
- When installed in roadways, trees shall have a maximum average spacing of 35-feet on center and be placed within 7-feet of the edge of the roadway pavement and/or where present, within 7-feet of the sidewalk.
- Trees shall be installed in a way that complies with site triangle regulations and should not be planted within no planting zones.
- If trees are proposed under overhead power lines, they shall have a minimum overall height of eight (8) feet and a minimum caliper of one-half (1.5) inch at the time of planting. The maximum average spacing in this case shall be 25-feet.
- All trees shall have and shall be maintained with a trunk clearance of four (4) feet (no multi-trunk).
- All trees must conform to the standards for a Florida No. 1 or better, as provided in the most current edition of the "Florida Grades and Standards for Nursery Plants."

Location(s) of Planting

Buttonwood Drive between Woodcrest Road and Cypress Drive: Green Buttonwoods and Oaks

Hampton Lane and Woodcrest Lane between Fernwood Road and Woodcrest Road: Oaks

Glenridge Road between Woodcrest Lane and West Heather Drive: Oaks

Fernwood Road between Woodcrest Lane and West Mashta Drive: Green Buttonwoods, Bridalveils, Oaks and Bulnesias

West Mashta Drive between Woodcrest Road and Allendale Road: Bridalveils and Mahoganies

Cape Florida Drive east and west of Island Drive: Oaks, Bulnesias, and Bridalveils

Beechwood Drive between Harbor Drive and Allendale Road: Mahoganies, Bulnesias, and Green Buttonwoods

Will any of the trees proposed in this project be planted underneath power lines?

No

Will any of the trees proposed in this project be planted in a high-flood risk FEMA Flood Zone

Yes

If yes, please list the FEMA Flood Zone (e.g. AE, AH, VE, A, D)

AH

Miami-Dade County Commission District (project location)

7

To locate the project's Miami-Dade County Commission District, please click [here](#).

County or Local Road?

Local Road

Interested applicants planting outside of their jurisdiction should notify Neat Streets Miami at Nikki.Anderson@miamidade.gov about their intent on planting in specified jurisdictions to avoid conflicting projects.

If planting in an area outside the applicant's jurisdiction, applicants must have permission from the governing jurisdiction of the project location at the time the application is submitted. If a permit is required to plant at that location, applicants must disclose that requirement in their grant application and are required to secure said permits within the grant project period prior to planting, if awarded.

Please state the local jurisdiction

Village of Key Biscayne

Description of Trees

Proposed number of trees to be installed

103

All trees must be canopy native or Florida-friendly trees. Palms are not considered canopy. Please adhere to [FPL's Right Tree, Right Place](#) under power lines. In an effort to maximize grant dollars and long-term survivability of trees, please keep tree heights at 12ft to 14ft, and under powerlines, 8ft to 12ft, as appropriate.

For general information, along with recommended street tree species, please review the [Miami-Dade County Street Tree Master Plan](#).

Please limit the planting of trees that have proven fragile during storms such as glaucous cassia (*Senna surattensis*), jacaranda (*Jacaranda mimosifolia*), yellow tabebuia (*Tabebuia caraiba*), and non-native ficus species.

Please provide a breakdown of the number of each species (scientific and common name) and size of trees (height & DBH/caliper) to be installed

20 Live Oaks
4 Silver Buttonwoods
23 Green Buttonwoods
22 Bulnesias
7 Mahoganies
18 Bridalveils
9 Gumbo Limbos

All trees to be at a minimum of 2.5-inch caliper and 14 feet in height.

Planting Plan

For instructions on how to create a Planting Plan in Google Live Maps, please click [here](#). Please note, if you are planning on planting more than 10 species as a part of this project, you will need to submit two (or more) Google Live Maps / Planting Plans, as there is a 10-layer limit per map.

Submit Planting Plan / Google Live Map Link(s)

<https://www.google.com/maps/d/edit?mid=1jsm5Rbc1qSUU16pra3JDtQw8Hg0C6Mh9&usp=sharing>

Existing Tree Canopy and Income Level

Dependent on the scope of your project, existing tree canopy can be determined at various levels (municipal, zip code, or block group level). Please select one below.

☒ Municipal

Based on the level you selected above, please provide the target area's existing tree canopy.

For information regarding existing tree canopy, please click [here](#). If you have any questions, please contact Nikki Anderson at Nikki.Anderson@miamidade.gov.

Is the project area low-to-moderate income?

☒ No

For information regarding income level, please click [here](#). If you have any questions, please contact Nikki Anderson at Nikki.Anderson@miamidade.gov.

Project Outreach and Maintenance Plans

Community Engagement Plan

The Village of Key Biscayne has various methods of communication and for providing outreach to the community. Residents and nearby landowners will be notified via our Village Connect, on our website, through the interchangeable entry sign, and by mail through a newsletter. We also have a social media platform where the information will be shared.

Maintenance Plan

There is money in the Village's budget for both short-term and long-term maintenance of all street trees within the Village. We have ongoing contracts with highly-recognized landscaping companies who will continue to perform all the necessary functions of tree and landscaping maintenance including, but not limited to, the proper trimming, watering, fertilizing, and pruning of all trees within Village property. \$25,000 for this project

Does the your municipality/agency/organization agree to staking (for 1 year) and watering (for 3 months) the trees planted as a part of this project?

☒ Yes

Interlocal Agreement for Tree Planting Reporting

Has your municipality/agency/organization submitted an Interlocal Agreement with Miami-Dade County to report tree planting?

No

Please enter the anticipated date that your organization will enter into the Agreement. Monday, January 17, 2022

Timeline

We anticipate award notifications will be made in February 2022, with a planting deadline of June 30, 2022, and a final report due date of July 31, 2022. Please confirm below that your organization can accomplish the proposed planting within these parameters.

Yes

Budget

MATCH REQUIREMENT

Applicants with project located in municipalities with less than 10% existing urban tree canopy (UTC) will be responsible for 25% of total project costs; applicants with project locations with greater than 10% existing urban tree canopy will be responsible for 50% of total project costs. The GREEN Miami-Dade County Matching Grant provides either a 75% or a 50% match contribution to the Applicant not to exceed the maximum grant amount for the current cycle (\$50,000).

- Example #1, for a \$10,000 project in a low canopy (less than 10%) municipality, the GREEN Miami-Dade County Matching Grant would provide the Applicant with \$7,500, and the Applicant would be required to provide a match of \$2,500.
- Example #2, for a \$10,000 project in an area with more than 10% existing UTC, the GREEN Miami-Dade County Matching Grant would provide the Applicant with \$5,000, and the Applicant would be required to provide a match of \$5,000.

Acceptable match includes in-kind services (capped at 10% for indirect costs, dependent on expense) and cash, which can include funds received through another grant. All match dollars and in-kind services must be expended post-award.

Eligible expenses for grant and matching funds include:

- Procurement of trees
- Installation of trees
- Maintenance of trees
- Supply costs
- Preparation of the planting site
- Permit fees

Eligible expenses for matching funds (no cap) include:

- Salary and fringe benefits for employees executing direct, project-related costs:
 - o Preparation of planting site
 - o Installation of trees
 - o Maintenance of trees

Eligible expenses for matching funds (not to exceed 10% of the total award amount) include:

- Community outreach materials

- In-kind services of salary and fringe benefits for employees executing:
 - o Grant management
 - o Creation, collection, and/or disbursement of educational information and community outreach materials

Volunteer hours and value of donated materials are not eligible for reimbursement and will **not** be accepted as match.

Funds allocated to projects by the GREEN Miami-Dade County Matching Grant come from mitigation funds collected by the Division of Environmental Resources Management, i.e. the Tree Trust Fund, and as such are encumbered for the planting of trees on public property. These funds shall **not** be used to satisfy tree mitigation per permitting or enforcement requirements. Additionally, GREEN Miami-Dade County Matching Grant funds cannot be used to remove stunted trees.

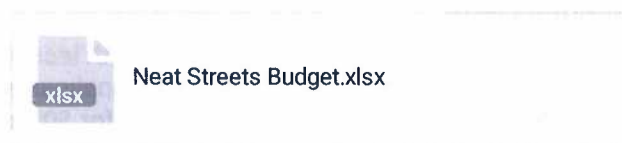
Amount of Grant Funds Requested in \$ 25000

Amount of Matched Funds in \$ 25000

Total Project Budget 50000

Click [here](#) for Budget and Staff Hour Estimate Templates. Please be sure to use the correct template based on the existing urban tree canopy at your proposed project location. If you have any questions about which match requirement applies to your project, please contact Nikki Anderson at Nikki.Anderson@miamidade.gov.

Detailed Budget



GREEN Miami-Dade County Matching
Grant
Budget



BUDGET
VILLAGE OF KEY BISCAYNE
STREET TREE PLANTING PROGRAM

	Cost Per Unit	Quantity	Grant Funds	Match Funds	Total Budget
DIRECT COSTS					
Trees					
Live Oak	\$ 520.00	20	\$ 5,200.00	\$ 5,200.00	\$ 10,400.00
Silver Buttonwood	\$ 450.00	4	\$ 900.00	\$ 900.00	\$ 1,800.00
Green Buttonwood	\$ 449.00	23	\$ 5,163.50	\$ 5,163.50	\$ 10,327.00
Bulnesia	\$ 500.00	22	\$ 5,500.00	\$ 5,500.00	\$ 11,000.00
Mahogany	\$ 500.00	7	\$ 1,750.00	\$ 1,750.00	\$ 3,500.00
Bridalveil	\$ 498.00	18	\$ 4,482.00	\$ 4,482.00	\$ 8,964.00
Gumbo Limbo	\$ 445.50	9	\$ 2,004.75	\$ 2,004.75	\$ 4,009.50
Total number of trees		103			
Supplies					
Mulch		0	\$ -	\$ -	\$ -
Stakes					\$ -
Rental of auger					\$ -
Staff Hours (Project-Related)					
Site preparation	Included Above				\$ -
Installation/Staking	Included Above				\$ -
Watering/Maintenance	Included Above				\$ -
INDIRECT COSTS - not to exceed 10% of award total					
Inkind Labor					
Grant Management	N/A				\$ -
Education/Outreach	N/A				\$ -
Community Outreach Materials					
					\$ -
TOTAL COSTS:			\$ 25,000.25	\$ 25,000.25	\$ 50,000.50

Indirect Costs Cannot Exceed	\$ 2,500.03
Current Indirect Costs Subtotal	\$ -

*All trees must conform to the standards for a Florida No. 1 or better, as provided in the most current edition of the "Florida Grades and Standards for Nursery Plants."
**All final invoices at closeout need to reflect the above statement.

K

Village of Key Biscayne...

Katarzyna Kulpa

Village of Key Biscayne Neat Streets Grant Program Map 2021

24 views

Published on December 13, 2021

SHARE

Green Buttonwood

Green Buttonwood 1

Green Buttonwood 2

Green Buttonwood 3

Green Buttonwood 4

... 19 more

Bulnesia

Bulnesia 1

Bulnesia 2

70

**EXHIBIT B:
FINAL CLOSE-OUT REPORT
2022 GREEN Miami-Dade County Matching Grant**



Name of Municipality/Organization:	
Name of Project:	
Report Submitted By:	
Title:	
Phone Number:	
Email:	
Date Submitted:	

PROJECT NARRATIVE

1. Why did you apply for the GREEN Miami-Dade County Matching Grant (i.e. urban tree canopy restoration after a natural disaster, low tree canopy, beautification effort, stormwater mitigation, etc.). Did you accomplish your goal?
2. How many trees were planted as a result of your grant award? Please specify the species selected, including how many of each were planted. [Make sure the number of trees and species are the same on the final budget, invoice(s), data tracking, and landscape plan.]

Tree Species	Number Planted	Date Installed
e.g. Live oak	10	
Gumbo limbo	30	

Tree Total **XX**

3. List any obstacles you encountered while coordinating this project and describe how these issues were addressed.

LANDSCAPE RENDERING

Submit FINAL Google Live Map(s) link here:

PROJECT ENHANCEMENTS

A. Growing Green Bus Stops

Did your project include a Growing Green Bus Stop? If so, please provide the following:

1. How many bus or transit stops were shaded? _____
2. Attach a before and after photo for each bus or transit stop shaded.
3. Please fill out the chart below:

Location(s) of each bus or transit stop	Number of Trees Planted	Species Planted
<i>Address/Crossroads/Name of Stop</i>		

B. Growing Green Playgrounds

Did your project include a Growing Green Playground? If so, please provide the following:

1. How many playgrounds were shaded? _____
2. Attach a before and after photo for each playground shaded.
3. Please fill out the chart below:

Location(s) of each playground	Number of Trees Planted	Species Planted
<i>Address/Crossroads/Park Name</i>		

C. Gateways

Did your project include shading a Gateway? If so, please provide the following:

1. How many Gateways were shaded? _____
2. Attach a before and after photo for each Gateway shaded.
3. Please fill out the chart below:

Location(s) of each Gateway	Number of Trees Planted	Species Planted
<i>Address/Crossroads</i>		

D. Corridors

Did your project include shading a Corridor? If so, please provide the following:

1. How many Corridors were shaded? _____
2. Attach a before and after photo for each Corridor shaded.
3. Please fill out the chart below:

Location(s) of each Corridor	Number of Trees Planted	Species Planted
<i>Address/Crossroads</i>		

E. Connections to Parks and Schools

Did your project include shading a connection to a park(s) and/or school(s)? If so, please provide the following:

1. How many park(s) and/or school(s) connections were shaded? _____
2. Attach a before and after photo for each connection to a park(s) and/or school(s) shaded.
3. Please fill out the chart below:

Location(s) of each Park/School Connection	Number of Trees Planted	Species Planted
<i>Address/Crossroads</i>		

F. Parks, Schools, Libraries, Public Housing Sites, Other Public Lands

Did your project include shading one of the aforementioned public land types? If so, please provide the following:

4. What type of public land was shaded? _____
5. Attach a before and after photo for each public land shaded.
6. Please fill out the chart below:

Name & Location of each Park/School/Library/Public Housing/Other	Number of Trees Planted	Species Planted
<i>Address/Crossroads</i>		

G. Natural Disaster Recovery

Did your project include tree replacement/planting of areas ravaged by hurricanes or other natural disasters? If so, please provide the following:

1. What specific area(s) within your community was the focus of this enhancement? _____

2. Attach a before and after photo for each area ravaged by natural disaster.

3. Please fill out the chart below:

Location(s) of each Area Restored	Number of Trees Planted	Species Planted
Address/Crossroads/Neighborhood		

OUTREACH, EDUCATION, & EVENTS

List the activities you provided in your outreach plan as part of your grant application (i.e., press release, social media posts, door hangers, etc.). Also attach copies of all materials used/distributed, if applicable.

Activity	Where, when, and how did this outreach/activity take place?	How many residents did you reach?

FINANCIAL REPORTING

Provide the following information and attach all invoices related to your project, including proof of payment.

- What was your grant award? _____
- What total amount are you requesting reimbursement for? _____
- What was your total project cost? _____
- Has the GREEN Miami-Dade County Matching Grant helped you secure other dollars or resources needed to sustain your urban tree canopy? If so, please explain.

Invoice Number	Invoice Date	Description of Services	Check Number	Check Date	Check Amount

For in-kind services, timesheets, including hourly rate and activities, as well as proof of payroll must be submitted to be eligible to serve as matching funds.

Attachments:

- Final Close-out Report (as Word document)
- Final approved planting plan (Google Live Map Link) linked above
- Before and after photos of project enhancements, as detailed above (jpegs)
- Copy of executed Interlocal Agreement (if applicable)
- Data Tracking Report (as Excel document): Remember to include DBH and latitude/longitude coordinates for each tree planted with grant and match funds
- Financial Reporting: Final approved budget, all related invoices, proof of payment (e.g. cancelled check)
- Outreach Efforts: Press release, educational materials, photos, etc. and/or any references to Miami-Dade County and Neat Streets Miami support.

**PLEASE SUBMIT THIS EXHIBIT B FINAL CLOSE-OUT REPORT AND RELATED ATTACHMENTS BY
July 31, 2022 VIA EMAIL TO: NIKKI.ANDERSON@MIAMIDADE.GOV.**

**EXHIBIT C:
DATA TRACKING FORM
2022 GREEN Miami-Dade County Matching Grant**



[INSERT DATA TRACKING FORM HERE]



This form should be submitted in excel format.

GRANTEE ORGANIZATION NAME: _____

Tree Species		DBH /Caliper	Street Address	Latitude	Longitude	Project Enhancement (if applicable)
Scientific Name	Common Name					
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

EXHIBIT D:
AMENDMENT CHANGE FORM
2022 GREEN Miami-Dade County Matching Grant



Name of Municipality/Organization:	
Name of Project:	
Report Submitted By:	
Title:	
Phone Number:	
Email:	
Date Submitted:	
Amendment Number:	

Please **ONLY** provide information on the elements that you wish to change. For example, if the number of trees to be planted will not be affected by your requested change, there is no need to fill out that row below. **For changes to number of trees, tree species, and location of planting, a revised Google Live Map(s) is also required.**

Amendment Types:

Grant Award Amount

	Previously Approved	Requested Change
Grant amount		

Please provide an explanation as to why this change is needed:

Time Extension

	Previously Approved	Requested Change
Project completion date (include new Final Report submission date)		

Please provide an explanation as to why this change is needed:

Project Enhancements

	Previously Approved	Requested Change
Enhancements (Growing Green Bus Stop, Growing Green Playground, Gateway, Corridor, Connections to School and/Parks, Public Lands, Natural Disaster Recovery)		

Please provide an explanation as to why the change is needed:

Trees (Species, Location, Size) – please add lines as necessary; please use one line per tree

Approved Address/Location	Approved Species	Approved Height of Tree	New Location Proposed	New Species Proposed	New Height of Tree Proposed
<i>e.g. 123 SW 67th Ave.</i>	<i>Live oak</i>	<i>14 ft.</i>	<i>n/a</i>	<i>Pigeon plum</i>	<i>n/a</i>
<i>e.g. 123 SW 67th Ave.</i>	<i>Live oak</i>	<i>14 ft.</i>	<i>456 SW 67th Avenue</i>	<i>n/a</i>	<i>n/a</i>
<i>e.g. 123 SW 67th Ave.</i>	<i>Live oak</i>	<i>14 ft.</i>	<i>n/a</i>	<i>n/a</i>	<i>12 ft.</i>

Please provide an updated link to your Google Live Planting Plan that includes a new layer titled Amendment 1 to show the proposed changes: _____

Please provide an explanation as to why the change is needed:

Trees (Quantity) –

Approved Tree Count (in contract): _____

Proposed Tree Count: _____

Please add lines as necessary; please use one line per new tree:

New Address/Location Proposed	New Species Proposed	New Height of Trees Proposed

Please provide an updated link to your Google Live Planting Plan that includes a new layer titled Amendment 1 to show the proposed changes: _____

Please provide an explanation as to why the change is needed:

To be filled out by Neat Streets Miami Staff

Impact Statement: _____

Decision/Recommended Change by GREEN Miami-Dade County Matching Grant Selection Committee, if necessary:

Amendment Change Form Status:

Approved: _____

Not Approved: _____

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A SETTLEMENT AGREEMENT WITH JAMES F. LEACH, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, AND T-MOBILE SOUTH, LLC RELATING TO THE DENIAL OF AN ADMINISTRATIVE APPEAL OF THE INSTALLATION OF CERTAIN CELLULAR EQUIPMENT ON THE ROOF OF THE CAPE FLORIDA CLUB CONDOMINIUM LOCATED AT 210 SEAVIEW DRIVE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 3, 2021, James F. Leach (“Mr. Leach”) filed a Petition for Writ of Certiorari in an appeal captioned as *James F. Leach vs. Village of Key Biscayne*, Miami-Dade County Case No. 2021-26-AP-01 (the “Appeal”); and

WHEREAS, the Appeal relates to the denial of an administrative appeal challenging building permits issued by the Village administration to Cellco Partnership d/b/a Verizon Wireless and T-Mobile South, LLC for the installation of certain cellular equipment on the roof of the Cape Florida Club Condominium located at 210 Seaview Drive, Key Biscayne, Florida 33149; and

WHEREAS, in an effort to avoid the uncertainty and expense of continued and protracted litigation, the Village finds that it is in the best interest and welfare of the public to enter into a Settlement Agreement, in substantially the form attached hereto as Exhibit “A” (the “Settlement Agreement”), with the intent to resolve all claims or potential claims between the Village and Mr. Leach, including claims that were or could have been raised in the Appeal; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approving Settlement Agreement. That the Village Council hereby approves the Settlement Agreement in substantially the form attached hereto as Exhibit "A."

Section 3. Authorization. That the Village Manager is authorized to execute the Settlement Agreement in substantially the form attached hereto as Exhibit "A," and all documents deemed necessary to implement the intent of this Resolution, subject to approval by the Village Attorney as to form, content, and legal sufficiency, and to take such other action as may be necessary and appropriate to implement the terms of the Settlement Agreement and this Resolution.

Section 4. Effective Date. That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2022.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY

EXHIBIT "A"

SETTLEMENT AGREEMENT

THIS Settlement Agreement ("Agreement") is dated March ____, 2022, and is by and between James F. Leach ("Mr. Leach"), the Village of Key Biscayne (the "Village"), Cellco Partnership d/b/a Verizon Wireless ("Verizon") and T-Mobile South, LLC ("T-Mobile") collectively referred to as the "Cellular Companies," and all of the foregoing are collectively referred to herein as the "Parties."

RECITALS:

A. Mr. Leach owns certain real property within the Village located at 789 Crandon Boulevard, Unit No. 701, Key Biscayne, Florida 33149 (the "Leach Unit").

B. In the fall of 2018, the Village issued building permits authorizing the Cellular Companies to install certain cellular equipment on the roof of the Cape Florida Club Condominium located at 210 Seaview Drive, Key Biscayne, Florida 33149 (the "Cellular Equipment"). Mr. Leach through counsel initiated an administrative appeal with the Village seeking rendition of an appealable decision and authorization to have a substantive appeal of the Village's authorization of the Cellular Equipment. The Village administration denied this request as untimely, and that denial was appealed to the Village Council. The item was heard by the Village Council on April 27, 2021. On May 4, 2021, the City Council issued Resolution No. 2021-22 upholding the determination of the Village administration that the appeal by Mr. Leach was untimely.

C. Mr. Leach through counsel thereafter filed that certain Petition for Writ of Certiorari (the "Petition") with the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (the "Court"), with Case No. 2021-26-AP-01 (the "Proceeding"), pursuant to which Mr. Leach has requested the Court to review and quash Resolution No. 2021-22. The Village is the named respondent in that action, and the Court has granted intervention to the Cellular Companies.

D. The Village and the Cellular Companies disagree with Mr. Leach's arguments challenging Resolution No. 2021-22 as set forth in his Petition.

E. The Parties desire to settle their disputes over the Cellular Equipment and all related matters on the terms and conditions hereinafter set forth.

AGREEMENTS:

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), the mutual promises, covenants and undertakings provided herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Staff Memoranda. The Village has issued two memoranda, dated February 2, 2022, which explicitly provide that removal of the decorative or shielding panels from the installed Cellular Equipment is consistent with and in compliance with the Village's Code and requirements. The two Staff memoranda are attached hereto as **Composite Exhibit A**.

2. Village Council Approval. The terms and substance of this Agreement are set to be considered as a Consent Agenda Item at the Regular Council Meeting of the Village Council on March 8, 2022. If the Village Council approves this Agreement, it will do so by Resolution of the Village Council authorizing the Village Manager to execute this Agreement (hereinafter, the "Resolution").

3. Signature Deadline. The Village agrees to have this Agreement executed no later than five business days after the date of the signed Resolution authorizing same.

4. Effective Date. The Effective Date of this Agreement is strictly defined herein as that date upon which all of the following is satisfied and has occurred: (a) thirty-one days from the date that the Resolution is signed and on file with the Village Clerk; and (b) as of that date, no administrative appeal or legal appeal of the Resolution has been lodged by any person or party; and (c) the Agreement reflects the execution and signatures of all Parties. The Effective Date is not established and this Agreement is void and without legal effect in the event that any of the following occur: (a) the Village Council's review and approval of this Agreement on March 8, 2022 is continued or cancelled; or (b) the Village Council does not approve this Agreement at the March 8, 2022 meeting; or (c) the Village Council's approval otherwise fails on March 8, 2022; or (d) any person or party lodges an administrative or legal appeal of the Resolution within thirty days that the Resolution is signed and on file with the Village Clerk.

5. Appellate Court Abatement. If the Resolution is duly approved by the Council as contemplated herein, the Parties shall jointly file prior to March 25, 2022 a request with the Court for an additional fifteen-day abatement period to allow the Effective Date to mature as set forth in Paragraph No. 3, above. Nothing herein shall change or impair Mr. Leach's ability to file a notice of voluntary dismissal of the appeal at any time as authorized by the Florida Rules of Appellate Procedure.

6. Appeal Dismissal. As soon as is practicable after the Effective Date, but in no event no later than five business days after the Effective Date, Mr. Leach shall voluntarily dismiss the Petition in its entirety, as to both the Village and both of the Cellular Companies, with each Party to bear their own fees and costs.

7. Permitting Schedule and Method. Immediately after the filing of the Notice of Voluntary Dismissal by Mr. Leach, the Village and the Cellular Companies shall finalize permitting details and permit authorizations as set forth below. The permitting authorization tasks in this Paragraph (2) shall be completed no later than thirty (30) days from the date of the filing of the Notice of Voluntary Dismissal with the Court by Mr. Leach.

(a) Close Existing Permit by Verizon. Verizon shall arrange for inspection with the Village to close their previously issued permit and simultaneously submit an application for a new permit, as described in subparagraph (c) below.

(b) Close Existing Permit by T-Mobile. T-Mobile shall take the steps necessary for the Village to close the previously issued Permit and simultaneously submit an application for a new permit, as described in subparagraph (c) below.

(c) Issuance of New Permits to Cellular Companies. The Village has issued Staff Memoranda, dated February 2, 2022, which explicitly provide that removal of the decorative or shielding panels from the installed Cellular Equipment is consistent with and in compliance with the Village's Code and requirements. The Cellular Companies shall apply to the Village for building permit authorization to remove the decorative or shielding panels presently installed around the Cellular Equipment (the "Mitigation Work").

(d) Completion of Mitigation Work. The Cellular Companies shall timely undertake and complete the Mitigation Work as soon as is practicable, and in any event shall complete the Mitigation Work no later than thirty (30) days from the date that the Village permitting is finalized.

8. The scope of the Mitigation Work agreed to by Verizon is the removal of the decorative or shielding panels around its Cellular Equipment

9. The scope of the Mitigation Work agreed to by T-Mobile is the removal of the decorative or shielding panels around its Cellular Equipment.

10. The Mitigation Work to be performed by the Cellular Companies shall be in conformity with the permitting authorizations imposed by the Village and shall be subject to the standard Village permitting and inspection procedures. The Village shall undertake inspections and otherwise bear the responsibility of confirming that the Mitigation Work is performed by the Cellular Companies in accordance with this Agreement and the Village's Code and permitting requirements.

11. The Parties understand and agree that this Agreement is in compromise of disputed claims and is not to be construed as an admission on the part of any Party or any other person, firm or corporation.

12. The agreements set forth herein shall be governed by and interpreted under the applicable laws of the State of Florida, without regard to any conflicts of law principles. This Agreement contains the entire agreement of the Parties with respect to the subject matter hereof. This Agreement may be modified only in writing, signed by both Parties. Each Party shall be responsible for its own attorneys' fees and expenses incurred in connection with the Proceeding and the negotiation of this Agreement.

13. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Counterparts may be delivered via facsimile, electronic mail, and may feature electronic signatures or other transmission method and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

14. If any provision in this Agreement shall be held to be invalid, illegal or unenforceable, the legality, validity and enforceability of the remaining parts, terms or provisions shall not be affected and the illegal, invalid or unenforceable part or term of the provision shall be deemed not to be part of this Agreement provided that such illegal, invalid or unenforceable part does not affect the contemplated purposes of this Agreement.

15. The Parties hereby acknowledge that the obligations required hereunder are extraordinary and unique and are vital to the parties and that damages at law would be an inadequate remedy for any breach or threatened breach of this Agreement by any Party. Therefore, in the event of a breach or a threatened breach by any Party of any provision of this Agreement, the other Party shall be entitled, in addition to all other rights or remedies to which it is entitled, to an injunction restraining such breach, without being required to show any actual damage or to post any bond or other security.

16. Except as otherwise expressly provided herein, no remedy herein conferred upon any Party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any Party of any right or remedy hereunder shall preclude any other or further exercise of such right or any other right or remedy to which such Party is entitled.

17. This Agreement cannot be modified in any respect except by a writing executed by the Parties, and the waiver of any rights conferred here shall be effective only if made by written instrument of the waiving Party. The waiver by any Party of any breach of this Agreement shall not be deemed or construed as a waiver of any other breach, whether prior, subsequent, or contemporaneous. A signed copy of this Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original.

18. Neither this Agreement nor its terms and provisions, nor the existence or substance of any discussions leading up to this Agreement, shall be disclosed by any Party to any person or entity who is not a party to this Agreement. Notwithstanding the foregoing sentence, no Party shall be precluded from disclosing this Agreement or its terms and provisions: (a) for the limited purpose of enforcing the terms of the Agreement or resolving a dispute arising under the terms of this Agreement; or (b) as may be required by applicable law or regulation.

The Village of Key Biscayne

Signature: _____

Name: _____

Title: _____

Date: _____

James F. Leach

Signature: _____

Date: _____

Cellco Partnership d/b/a Verizon Wireless

Signature: _____

Name: _____

Title: _____

Date: _____

T-Mobile South, LLC

Signature: _____

Name: _____

Title: _____

Date: _____

Composite Exhibit A



VILLAGE OF KEY BISCAINE

Department of Building, Zoning, and Planning

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Frank Caplan

Luis Lauredo

Edward London

Allison McCormick

Ignacio J. Seguro

Village Manager

Steven C. Williamson

Director

Jeremy Calleros-Gauger

Chief Building Official

Rene Velazco, CFM

February 2, 2022

RE: Verizon and T-Mobile Antennas at 210 Seaview Drive, Key Biscayne, FL 33149

As per the Village of Key Biscayne's Accessory Use Regulations under Section 30-111(a)(4) ("the Code), the intent of the Village is that the necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values and thereby promote the health, safety, and general welfare of the community.

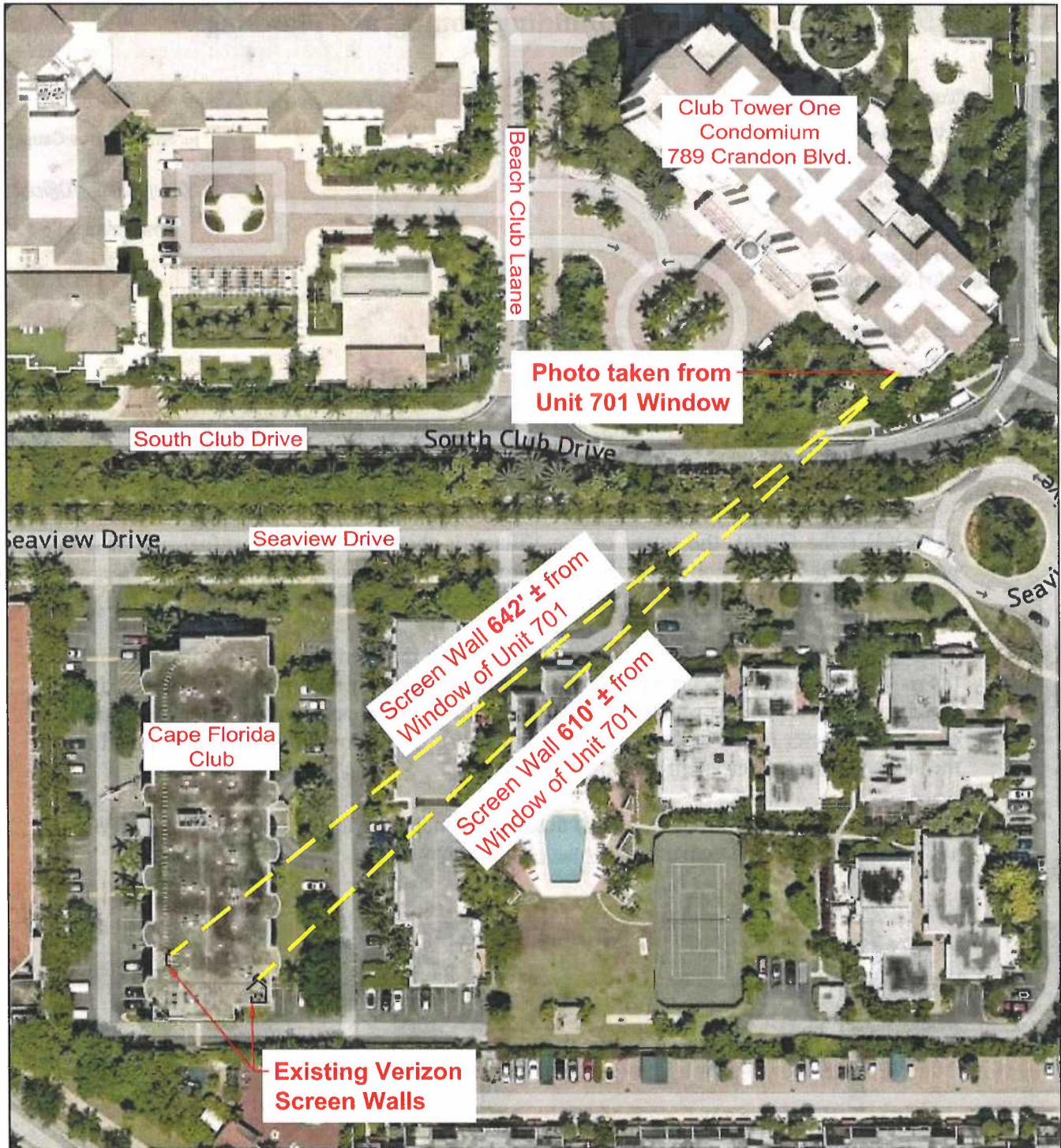
Based on the photo simulations provided for both the Verizon and T-Mobile antennas, the removal of the panels currently surrounding the antennas and equipment are depicted (see attached). Therefore, the removal of the panels does not appear will adversely affect the existing character of the surrounding area and will in fact allow the antennas to blend into the sky and remain consistent with the Code.

If you have any questions regarding this determination, please feel free to contact me anytime at (305) 365-5502 or via email at ogarcia@keybiscayne.fl.gov.

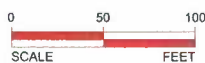
Regards,

Olga M. Garcia, AICP, CFM
Zoning Plans Reviewer and Planner

Leach v. Key Biscayne
68597 Cape Florida Club Photosim
Site Location - 210 Seaview Dr., Key Biscayne, FL 33149



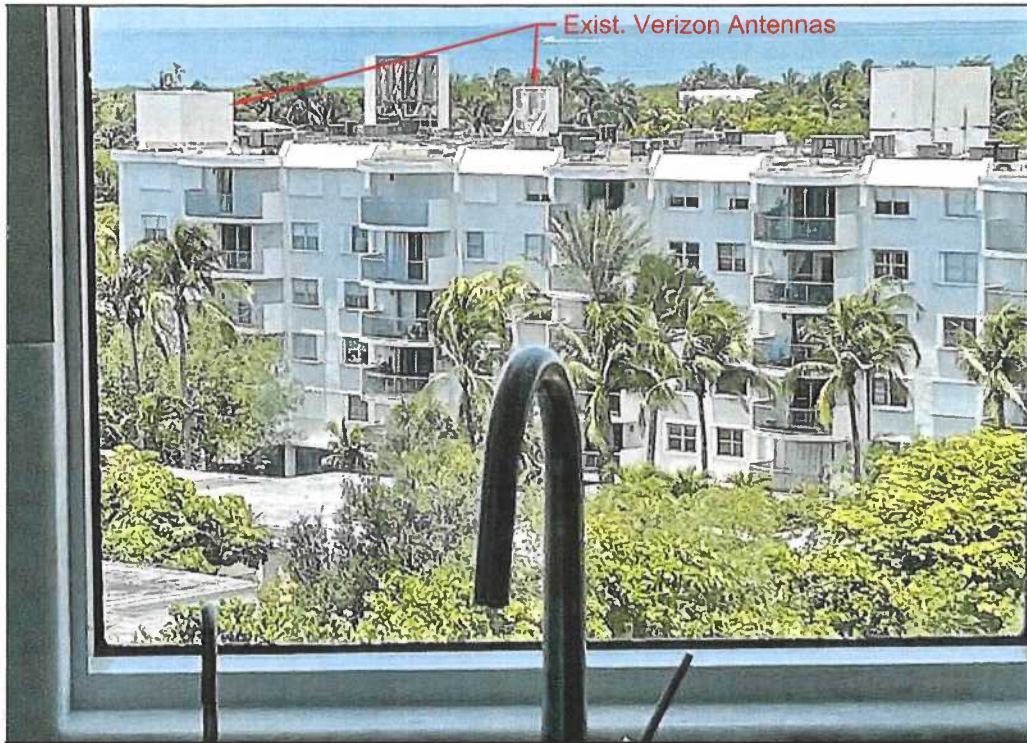
Location Map



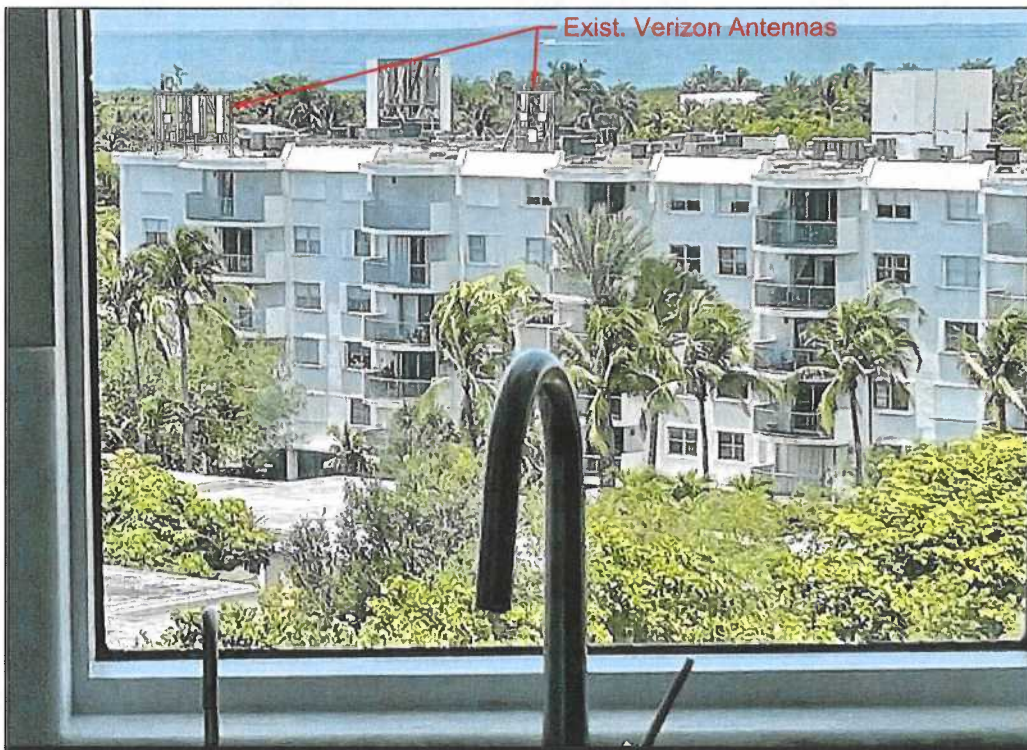
Leach v. Key Biscayne

68597 Cape Florida Club Photosim

Site Location - 210 Seaview Dr., Key Biscayne, FL 33149



View of Existing Verizon Wireless Rooftop Antennas Behind Screen Walls
(Looking Southwest from Club tower One Condo Unit 701 Window)

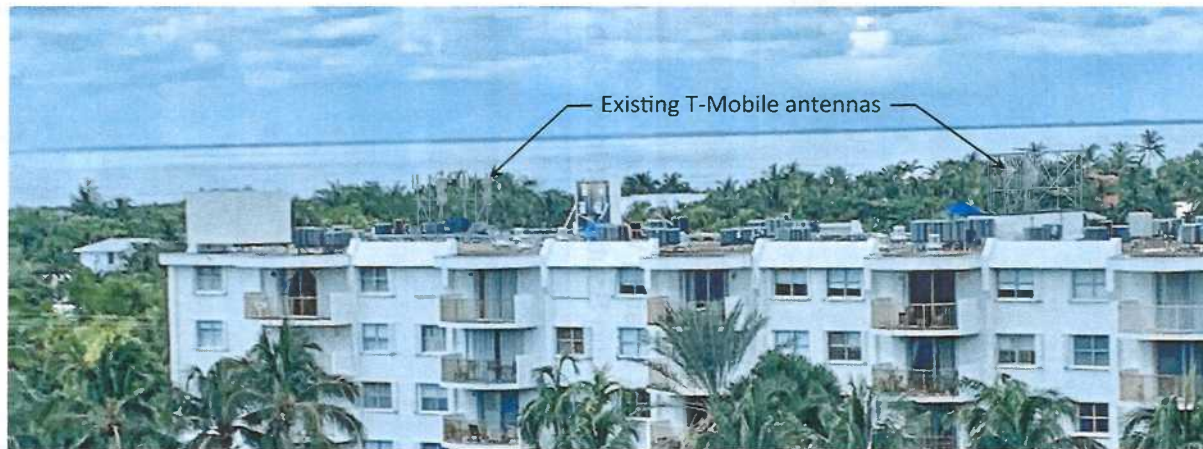


View of Existing Verizon Wireless Rooftop Antennas with Screen Walls Removed
(Looking Southwest from Club tower One Condo Unit 701 Window)

T-MOBILE SITE 6MD1351C
CAPE FLORIDA CLUB
210 SEAVIEW DRIVE, KEY BISCAYNE, FL 33149



VIEW: BEFORE



VIEW: AFTER



MORRISON HERSHFIELD
2 South University Drive, Suite 245 | Plantation, FL 33324



VILLAGE OF KEY BISCAINE

Department of Building, Zoning, and Planning

Village Council

Michael W. Davey, Mayor
Brett Moss, Vice Mayor
Frank Caplan
Luis Lauredo
Edward London
Allison McCormick
Ignacio J. Segurola

Village Manager

Steven C. Williamson

Director

Jeremy Calleros-Gauger

Chief Building Official

Rene Velazco, CFM

February 2, 2022

RE: T-Mobile Antenna at 210 Seaview Drive, Key Biscayne, FL 33149

As per the Village of Key Biscayne's Accessory Use Regulations under Section 30-111(a)(4) ("the Code"), the intent of the Village is that the necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values and thereby promote the health, safety, and general welfare of the community.

Based on the photo simulations provided for the T-Mobile antennas, the removal of the panels currently surrounding the antenna and equipment are depicted (see attached). Therefore, the removal of the panels does not appear will adversely affect the existing character of the surrounding area and will in fact allow the antennas to blend into the sky and remain consistent with the Code.

However, please note that the T-Mobile exoskeleton exceeds the maximum height required and must be lowered prior to the building permit being final and closed.

If you have any questions regarding this determination, please feel free to contact me anytime at (305) 365-5502 or via email at ogarcia@keybiscayne.fl.gov.

Regards,

Olga M. Garcia, AICP, CFM
Zoning Plans Reviewer and Planner

T-MOBILE SITE 6MD1351C
CAPE FLORIDA CLUB
210 SEAVIEW DRIVE, KEY BISCAYNE, FL 33149



VIEW: BEFORE



VIEW: AFTER



MORRISON HERSHFIELD
2 South University Drive, Suite 245 | Plantation, FL 33324



VILLAGE OF KEY BISCAINE

MEMORANDUM

Village Council
Michael W. Davey, Mayor
Brett Moss, Vice Mayor
Frank Caplan
Luis Lauredo
Allison McCormick
Edward London
Ignacio J. Segurola

Village Manager
Steven C. Williamson

DATE: March 8th, 2022
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: Golf Cart Ordinance

Recommendation

I recommend that the council approve the proposed revisions and modifications to Article II, Chapter 26 of the Village Code of Ordinances relating to golf carts.

Background:

The Village Administration and Police Department are committed to promoting and regulating the usage of golf carts. The island's increase in vehicular and pedestrian traffic mandates that this ordinance ensure compliance for use of golf carts on the island and a safe environment for all residents and visitors of the community.

Since October 2021, the Key Biscayne Police Department has worked on revising Article II, Chapter 26 of the Village Code of Ordinances relating to golf carts. The proposed changes are outlined in the attached redlined document and include incorporation of civil fines and enforcement options. Civil fines replace County fines or Uniform Traffic Citations. The result of this action is to achieve an actual sense of safety and security, along with compliance. Section 26-30 has been added and is detailed below:

The Village Police Department will be responsible for enforcing this article. Violations occurring under Section 26-24 shall be enforced as follows:

<u>Article II, Section 26-24</u>	<u>Offense</u>	<u>Penalty</u>
<u>Section 26-24</u> <u>(1) (Without a valid, current</u> <u>driver's license)</u> <u>(3) (Without a valid, current</u> <u>Permit issued by the Village</u>	<u>First Offense</u>	<u>\$75.00</u>



VILLAGE OF KEY BISCAINE

<p><u>Police Department and affixed the Golf Cart in a conspicuous location)</u></p> <p><u>(4) (In violation of Village traffic regulations not otherwise governed by State or County law)</u></p> <p><u>(6) (On the beaches, parks, bicycle paths, sidewalks, or swales of Village)</u></p> <p><u>(9) (Carrying more passengers than those for which the Golf Cart was designed)</u></p>		
<p><u>Section 26-24</u></p> <p><u>(1) (Without a valid, current driver's license)</u></p> <p><u>(3) (Without a valid, current Permit issued by the Village Police Department and affixed the Golf Cart in a conspicuous location)</u></p> <p><u>(4) (In violation of Village traffic regulations not otherwise governed by State or County law)</u></p> <p><u>(6) (On the beaches, parks, bicycle paths, sidewalks, or swales of Village)</u></p>	<p><u>Second Offense</u></p>	<p><u>\$175.00</u></p> <p><u>Notwithstanding the foregoing, with regard to Section 26-24(6), violations for golf carts traveling on bicycle paths or sidewalks shall be penalized pursuant to Chapter 30 of the Miami-Dade County, Florida Code of Ordinances.</u></p>



VILLAGE OF KEY BISCAINE

<u>(9) (Carrying more passengers than those for which the Golf Cart was designed)</u>		
Section 26-24 <u>(7) (Parking in violation of posted regulations)</u>	<u>Any Offense</u>	<u>Pursuant to Chapter 30 of the Miami-Dade County, Florida Code of Ordinances</u>
Section 26-24 <u>(8) (Obstructing or interfering with normal traffic flow)</u>	<u>Any Offense</u>	<u>Pursuant to Chapter 30 of the Miami-Dade County, Florida Code of Ordinances</u>
Section 26-24 <u>(2) (During the hours between sunset and sunrise without being equipped with headlights and a windshield)</u> <u>(5) (Anywhere on a roadway surface of Crandon Boulevard, except to cross the thoroughfare marked intersections or intersections regulated by a traffic signal or to travel north or south upon Crandon Boulevard pursuant to this subsection (5) shall be subject to authorization from Metro-Dade County pursuant to F.S. § 316.212(1))</u>	<u>Any Offense</u>	<u>Pursuant to Chapter 316 or 318, F.S., as applicable</u>

All other offenses under this Article shall be enforced pursuant to Chapter 316, Florida Statutes or the Village Code, as applicable. In addition to the penalties described above, the Village may institute any appropriate action or proceeding to enjoin, prevent, restrain, correct, or abate a violation of this Article.

ORDINANCE NO. 2022-__

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING ARTICLE II, CHAPTER 26, "GOLF CARTS," OF THE VILLAGE CODE OF ORDINANCES RELATING TO GOLF CART AND SLOW MOVING VEHICLE USE WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne ("Village") desires to amend Article II, Chapter 26 of the Village Code of Ordinances relating to golf carts and slow moving vehicles; and

WHEREAS, the Village has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes, and Sections 316.212 and 316.008, Florida Statutes; and

WHEREAS, golf cart traffic on its streets and roadways of the Village has increased dramatically in recent years; and

WHEREAS, the Village's streets are heavily traveled by various classes and kinds of traffic, inclusive of, but not limited to, golf carts; and

WHEREAS, golf carts frequently stop or stand, obstructing or interfering with the normal flow of traffic; and

WHEREAS, golf carts also park and operate in areas not permitted within the Village and carry more passengers than those for which the golf cart was designed on Village streets; and

WHEREAS, the Village desires to address these issues within the Village; and

WHEREAS, Section 316.008(1)(a) and (g), Florida Statutes, empowers the Village to exercise its police powers to regulate or prohibit stopping, standing, or parking on streets and to restrict the use of streets in its jurisdiction; and

WHEREAS, Section 316.008(1)(n), Florida Statutes, also empowers the Village to prohibit and regulate the use of heavily traveled streets by any class and kind of traffic found to be incompatible with the normal safe movement of traffic; and

WHEREAS, the Village Council hereby finds that this Ordinance is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:¹

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **highlighted** ~~double strikethrough~~ and double underline.

Section 1. Recitals. That each of the above recitals are true and correct and incorporated herein by this reference.

Section 2. Amendment to Article II, of Chapter 26 of the Village Code. That sections 26-22, 26-23, 26-24 and 26-27 and 26-30 of Chapter 26, Article II, of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

ARTICLE II. GOLF CARTS

Sec. 26-22. – Definitions.

~~Slow Moving Vehicles. Any vehicle designed for use and speeds less than 25 miles per hour.~~

Sec. 26-23. - Authorized use.

~~(b) A Permit to use a Golf Cart on a Designated Street does not permit entry onto private property or semi-private property, including retail parking lots, private roads or common areas in condominiums. Access to these areas may be regulated by the property owners and/or property managers.~~

(e) (b) Golf Carts that are intended to be leased for any amount of time or to be sold shall only be stored on property that has a Main Permitted Use of a Motel, Hotel, or a use within the C-1 District involved in the retail sale of Golf Carts. The storage of the Golf Carts shall not occur within ten feet of any property line that faces a street. Golf Carts with signs shall be parked only in a C-1 Light Intensity commercial District, O-1 Low Intensity Office District, or at a hotel or motel.

Sec. 26-24. - Prohibited use.

The operation in the Village of any Golf Cart in the following manner or under the following conditions is prohibited:

(4) In violation of ~~State or County~~ Village traffic regulations not otherwise governed by State or County law;

Sec. 26-27. – Reserved. Slow Moving Vehicles.

~~Golf Carts meeting the definition of Slow Moving Vehicle must also have a "SMV" triangular emblem attached to the Golf Cart pursuant to Metro Dade Ordinance No. 71-94.~~

Section 26-30. Enforcement.

The Village Police Department shall be responsible for enforcing this article. Violations occurring under Section 26-24 shall be enforced as follows:

<u>Article II, Section 26-24</u>	<u>Offense</u>	<u>Penalty</u>
<u>Section 26-24</u> <u>(1) (Without a valid, current driver's license)</u> <u>(3) (Without a valid, current Permit issued by the Village Police Department and affixed the Golf Cart in a conspicuous location)</u> <u>(4) (In violation of Village traffic regulations not otherwise governed by State or County law)</u> <u>(6) (On the beaches, parks, bicycle paths, sidewalks, or swales of Village)</u> <u>(9) (Carrying more passengers than those for which the Golf Cart was designed)</u>	<u>First Offense</u>	<u>\$75.00</u>

<u>Section 26-24</u> <u>(1) (Without a valid, current driver's license)</u> <u>(3) (Without a valid, current Permit issued by the Village Police Department and affixed the Golf Cart in a conspicuous location)</u> <u>(4) (In violation of Village traffic regulations not otherwise governed by State or County law)</u> <u>(6) (On the beaches, parks, bicycle paths, sidewalks, or swales of Village)</u> <u>(9) (Carrying more passengers than those for which the Golf Cart was designed)</u>	<u>Second Offense</u>	<u>\$175.00</u> <u>Notwithstanding the foregoing, with regard to Section 26-24(6), violations for golf carts traveling on bicycle paths or sidewalks shall be penalized pursuant to Chapter 30 of the Miami-Dade County, Florida Code of Ordinances.</u>
<u>Section 26-24</u> <u>(7) (Parking in violation of posted regulations)</u>	<u>Any Offense</u>	<u>Pursuant to Chapter 30 of the Miami-Dade County, Florida Code of Ordinances</u>
<u>Section 26-24</u> <u>(8) (Obstructing or interfering with normal traffic flow)</u>	<u>Any Offense</u>	<u>Pursuant to Chapter 30 of the Miami-Dade County, Florida Code of Ordinances</u>
<u>Section 26-24</u> <u>(2) (During the hours between sunset and sunrise without</u>	<u>Any Offense</u>	<u>Pursuant to Chapter 316 or 318, F.S., as applicable</u>

being equipped with headlights and a windshield)		
(5) (Anywhere on a roadway surface of Crandon Boulevard, except to cross the thoroughfare marked intersections or intersections regulated by a traffic signal or to travel north or south upon Crandon Boulevard pursuant to this subsection (5) shall be subject to authorization from Metro-Dade County pursuant to F.S. § 316.212(1))		

All other offenses under this Article shall be enforced pursuant to Chapter 316, Florida Statutes or the Village Code, as applicable. In addition to the penalties described above, the Village may institute any appropriate action or proceeding to enjoin, prevent, restrain, correct, or abate a violation of this Article.

Section 3. Codification. That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

Section 4. Conflicts. That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 5. Effective Date. That this Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the _____ day of _____, 2022.

PASSED AND ADOPTED on second reading on the ____ day of _____, 2022.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY



VILLAGE OF KEY BISCAYNE

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Frank Caplan

Luis Lauredo

Edward London

Allison McCormick

Ignacio J. Segurolo

Village Manager

Steven C. Williamson

MEMORANDUM

DATE: March 8, 2022
TO: Honorable Mayor Davey and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: FY21 Budget Amendment Ordinance

RECOMMENDATION

I recommended that the Village Council approve proposed ordinance for the amendment of the FY21 budget.

BACKGROUND

On September 26, 2021, the Village Council passed and adopted Ordinance No. 2021-07 approving the Fiscal Year 2021-2022 Budget. Upon periodic review and analysis of current budgetary commitments, obligations, and based upon the projected needs and requirements of the Village, it is deemed necessary to adjust, amend, and implement the Fiscal Year 2021-2022 Budget as set forth in "Exhibit A". A description of each amended line item is provided below:

Department / Fund	Description	2021		2022	Notes
		Budget	Actual	Amendment	
Council Initiatives	Urban Planner - DPZ	165,000	42,000	123,000	Carryforward of unspent 2021 Funds
Police	Security Cameras	-	-	125,000	To enhance Village-Wide safety
CIP	Fleet	300,000	25,000	275,000	Fleet purchase in Reso xx - delayed until Fall 2021
CIP	Fire Engine	750,000	680,000	70,000	To equip the fire engine once received
CIP	Paradise Park	1,186,000	110,000	1,076,000	Carryforward of unspent 2021 Funds
CIP	Paradise Park			148,000	Increased cost due to remediation. Taken from K-8 SW Project
CIP	K-8 Stormwater Project			(148,000)	Decrease to fund increase costs of Paradise Park
CIP	Utility Undergrounding	500,000	178,000	322,000	Carryforward of unspent 2021 Funds for Village-Wide survey
CIP	Mast Solar Energy	40,000	-	40,000	Carryforward of unspent 2021 Funds
CIP	Crandon Blvd. Complete St.	787,000	-	787,000	Carryforward of unspent 2021 Funds
CIP	St. Agnes Field Improvements	100,000	39,000	61,000	Carryforward of unspent 2021 Funds
CIP	IT Masterplan			50,000	Village-wide assessment and master plan
CIP	Rickenbacker Causeway Plan			175,000	Professional Services to develop concept plan
Stormwater	Bond Proceeds			(18,830,826)	The Village will not be issuing SW Debt in FY 22
Stormwater	Principal Expense			(362,944)	The Village will not be issuing SW Debt in FY 22
Stormwater	Interest Expense			(655,930)	The Village will not be issuing SW Debt in FY 22

ORDINANCE NO. 2022-_____

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE,
FLORIDA, AMENDING ORDINANCE NO. 2021-07 WHICH
ADOPTED THE BUDGET FOR FISCAL YEAR 2021-2022 BY
REVISING THE 2021-2022 FISCAL YEAR BUDGET;
PROVIDING FOR IMPLEMENTATION; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, in accordance with Section 200.065, Florida Statutes, on September 22, 2021, the Village Council of the Village of Key Biscayne (the “Village”) adopted Ordinance No. 2021-07 approving the Fiscal Year 2021-2022 Budget; and

WHEREAS, upon the periodic review and analysis of current budgetary commitments and obligations, and based upon the projected needs and requirements of the Village and upon the recommendations of the Village Manager, it is deemed necessary to adjust, amend and implement the Fiscal Year 2021-2022 Budget as set forth in Exhibit “A,” attached hereto; and

WHEREAS, the Village Council finds that adoption of this Ordinance is in the best interest and welfare of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS: ¹

Section 1. **Recitals.** That the above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. **Amending Ordinance No. 2021-07.** That the Village Council hereby authorizes the amendment of Ordinance No. 2021-07, which Ordinance adopted a budget for the 2021-2022 fiscal year, by revising the 2021-2022 Budget as set forth in Exhibit “A,” which exhibit is deemed incorporated by reference as though set forth in full herein.

¹ Coding: ~~Strikethrough~~ words are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **highlighted** ~~double strikethrough~~ and double underline.

Section 3. **Implementation.** That the Village Manager is hereby authorized to take any and all action necessary to implement the purpose of this Ordinance.

Section 4. **Effective Date.** That this Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the _____ day of _____, 2022.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2022

MICHAEL W. DAVEY
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY

EXHIBIT A

Village of Key Biscayne
General Fund FY2022 Budget
Consolidated Summary

	FY2019 Actual	FY2020 Actual	FY2021 Amended Budget	FY2022 Adoped	FY 2022 Amendment	FY 2022 Amended
Non-Spendable	914,616	1,289,443	588,364	588,364		588,364
Restricted	1,254,841	869,868	214,093	214,093		214,093
Committed	4,090,000	4,000,000	4,000,000	4,000,000		4,000,000
Assigned	10,962,611	8,948,193	10,381,551	10,381,551		10,381,551
Total Beginning Fund Balance	17,222,068	15,107,504	15,184,008	15,184,008	-	15,184,008
Operating Revenues						
Property Taxes	25,400,645	25,532,172	24,953,204	25,130,245		25,130,245
Utility Taxes	2,128,389	2,224,417	2,127,596	2,382,768		2,382,768
Communication Services Tax	681,648	651,615	600,000	620,000		620,000
Franchise Fees	192,753	837,835	1,189,629	1,224,000		1,224,000
Licenses & Permits	1,658,676	1,251,238	1,548,458	1,800,000		1,800,000
Intergovernmental	2,006,651	1,846,525	1,812,908	1,879,089		1,879,089
Charges for Services	3,155,092	3,095,796	1,784,756	2,350,000		2,350,000
Interest Income	146,174	193,369	22,518	20,000		20,000
Contributions	4,700	1,150	-	-		-
Miscellaneous Revenue	257,811	120,614	112,238	99,908		99,908
Total Revenues	35,632,539	35,754,731	34,151,307	35,506,010	-	35,506,010
Operating Expenditures						
Council	130,491	102,296	78,984	22,984		22,984
Council Initiatives	99,547	84,988	243,800	37,800	123,000	160,800
Clerk	387,395	364,561	386,956	407,309		407,309
Administration	2,164,653	2,665,805	2,509,084	2,850,436		2,850,436
Attorney	654,133	542,687	590,000	590,000		590,000
Debt Service	4,259,117	4,152,212	3,313,326	2,051,917		2,051,917
Planning, Zoning & Code	658,106	532,349	456,021	550,976		550,976
Building Division	1,788,741	1,804,410	1,553,401	1,756,006		1,756,006
Public Works	2,094,389	2,187,424	3,027,500	3,455,151		3,455,151
Police	7,682,898	8,576,831	8,240,862	8,932,062	125,000	9,057,062
Fire Rescue	8,210,230	8,866,498	8,691,335	8,910,504		8,910,504
Parks & Recreation	1,567,683	1,178,303	1,605,388	1,802,111		1,802,111
Community Center	2,881,563	2,249,502	2,952,420	3,111,013		3,111,013
Athletic Division	563,859	474,720	544,865	577,709		577,709
Community Groups	120,085	138,636	198,730	198,730		198,730
Total Operating Expenditures	33,262,890	33,921,222	34,392,672	35,254,708	248,000	35,502,708
Other Sources / (Uses)						
Transfer In from Fund Balance			1,615,897	-		-
Transfer to PROS Land Trust	(254,006)	(255,322)	(249,532)	(251,302)		(251,302)
Grant Revenue	62,174	323,185	-	3,316,983		3,316,983
Transfer to Capital Improve. Fund	(4,292,381)	(208,971)	(1,125,000)	(3,316,983)		(3,316,983)
Total Other Sources / (Uses)	(4,484,213)	(141,108)	241,365	(251,302)	-	(251,302)
Change in Fund Balance	(2,114,564)	1,692,401	-	-	(248,000)	(248,000)
Remaining Resources	15,107,504	16,799,905	15,184,008	15,184,008		14,936,008
Non-Spendable	1,289,443	588,364	588,364	588,364		588,364
Restricted	869,868	214,093	214,093	214,093		214,093
Committed	4,000,000	3,378,792	4,000,000	4,000,000		4,000,000
Assigned	8,948,193	12,618,656	10,381,551	10,381,551	(248,000)	10,133,551
Total Ending Fund Balance	15,107,504	16,799,905	15,184,008	15,184,008	(248,000)	14,936,008

EXHIBIT A

Council Initiatives
Fiscal Year 2021-2022

Description	FY2019 Actual	FY2020 Actual	FY2021 YTD 5/30	FY2021 Amended Budget	FY2022 Adopted	FY 2022 Amendment	FY 2022 Amended
Discretionary							
(31.215) VISION	-	-	-	165,000	-	123,000	123,000
(48.101) ART IN PUBLIC PLACES	17,900	8,600	-	35,000	-	-	-
(48.202) EDUCATION	81,647	76,388	-	43,800	37,800	-	37,800
Grand Total	99,547	84,988	-	243,800	37,800	123,000	160,800

EXHIBIT A

Police
Fiscal Year 2021-2022

Description	FY2019 Actual	FY2020 Actual	FY2021 YTD 6/30	FY2021 Budget	FY2022 Adopted	FY 2022 Amendment	FY 2022 Amended
Non-Discretionary (Personnel)							
(12.000) REGULAR SALARIES	3,917,185	4,213,526	3,017,116	4,268,340	4,542,000		4,542,000
(14.000) OVERTIME	432,605	368,433	400,770	342,354	334,000		334,000
(15.000) SPECIAL PAY	542,702	344,419	409,268	422,906	413,000		413,000
(21.000) PAYROLL TAXES	355,142	367,361	275,349	377,489	397,000		397,000
(22.000) RETIREMENT CONTRIBUTIONS	658,678	1,144,082	364,887	699,431	777,000		777,000
(23.000) LIFE AND HEALTH INSURANCE	432,726	609,472	240,567	558,281	621,000		621,000
(24.000) WORKERS' COMPENSATION	146,221	145,032	90,093	146,689	80,000		80,000
Subtotal	6,485,259	7,192,325	4,798,050	6,815,490	7,164,000	-	7,164,000
Discretionary							
(31.000) PROFESSIONAL SERVICES	8,463	12,085	4,630	33,675	112,295		112,295
(33.000) COURT REPORTER SERVICES	500	-		1,000	1,000		1,000
(34.000) CONTRACT SERVICES	264,954	160,827	199,976	228,120	257,466		257,466
(35.000) INVESTIGATIONS	1,755	(1,490)	3,012	3,000	3,000		3,000
(40.000) TRAVEL & PER DIEM	17,156	13,094	3,534	24,780	51,805		51,805
(41.000) COMMUNICATIONS	82,767	61,218	53,997	78,750	76,825		76,825
(42.000) FREIGHT & POSTAGE SERVICES	805	1,890	87	1,604	1,604		1,604
(43.000) UTILITY SERVICES	42,130	40,560	32,919	41,801	47,236		47,236
(44.000) RENTALS & LEASES	15,018	31,252	41,035	43,225	29,797		29,797
(45.000) PROPERTY & LIABILITY INSURANCE	116,460	143,841	134,767	132,200	116,106		116,106
(46.000) REPAIR & MAINTENANCE SERVICES	182,473	131,398	100,386	188,944	197,194		197,194
(47.000) PRINTING & BINDING	1,755	8,162	3,644	15,000	13,500		13,500
(48.000) PROMOTIONAL ACTIVITIES	17,102	23,218	7,686	13,455	34,455		34,455
(51.000) OFFICE SUPPLIES	11,954	12,792	9,046	15,000	14,500		14,500
(52.000) OPERATING SUPPLIES	227,164	199,396	208,503	214,760	270,601		270,601
(54.000) SUBSCRIPTIONS & MEMBERSHIPS	146,289	169,539	11,000	293,717	355,998		355,998
(55.000) TRAINING	34,652	30,534	12,870	66,341	64,680		64,680
(64.000) CAPITAL OUTLAY	26,242	205,650	47,328	30,000	120,000	125,000	245,000
(91.000) CONTINGENCIES / EMERGENCIES		140,540			-		-
Subtotal	1,197,639	1,384,506	874,420	1,425,372	1,768,062	125,000	1,893,062
Grand Total	7,682,898	8,576,831	5,672,470	8,240,862	8,932,062	125,000	9,057,062

EXHIBIT A

CAPITAL IMPROVEMENT PROGRAM	FY2022		
	Adopted	Amendment	Amended
GENERAL SERVICES			-
FLEET	300,000	275,000	575,000
FACILITY REPAIRS & RENOVATIONS	150,000		150,000
INFORMATION TECHNOLOGY MASTER-PLAN	-	50,000	50,000
GENERAL SERVICES - TOTAL	450,000	325,000	775,000
PUBLIC SAFETY			-
FIRE ENGINE REPLACEMENT	-	70,000	70,000
VESSEL EXCLUSION ZONE IMPROVEMENTS	48,500		48,500
PUBLIC SAFETY - TOTAL	48,500	70,000	118,500
RESILIENCY			-
*RESILIENT INFRASTRUCTURE INTEGRATION STRATEGY/ IMPLEMENTATION PLAN	474,000	-	474,000
UTILITY UNDERGRONDING - VILLAGEWIDE SURVEY	-	322,000	322,000
*UTILITY UNDERGROUNDING PHASE 1	200,000		200,000
STORMWATER INFRASTRUCTURE IMPROVEMENTS	-		-
*Area 1 - K-8 School Central Basin	1,556,130	(148,000)	1,408,130
SHORELINE PROTECTION: BEACH RENOURISHMENT & DUNE RESTORATION (2021) PHASE 1	100,000		100,000
FACILITIES LIGHTING RETROFIT			-
Community Center	260,000		260,000
Village Hall	-		-
Fire Station	-		-
FACILITIES SOLAR ENERGY CONVERSION	-		-
Community Center	-		-
Village Hall	-		-
Fire Station	-		-
MAST ACADEMY	-	40,000	40,000
VILLAGE WIDE IRRIGATION RETROFIT	-		-
VILLAGE WIDE EV CHARGING STATIONS	60,000		60,000
RESILIENCY TOTAL	2,650,130	214,000	2,864,130
QUALITY OF LIFE - TRANSPORTATION			-
CRANDON BLVD BIKE AND PEDESTRIAN IMPROVEMENTS	900,000	787,000	1,687,000
RICKENBACKER CAUSEWAY CONCEPT PLAN	-	175,000	175,000
Access point at Sands	70,000		70,000
QOL - TRANSPORTATION	970,000	962,000	1,932,000
QUALITY OF LIFE - BEAUTIFICATION			-
QOL - BEAUTIFICATION	-	-	-
QUALITY OF LIFE - FACILITIES			-
COMMUNITY CENTER ROOF REPLACEMENT	200,000		200,000
COMMUNITY CENTER RTU REPLACEMENT	45,000		45,000
COMMUNITY CENTER SPIN BIKE REPLACEMENT	60,000		60,000
QOL - FACILITIES	305,000	-	305,000
QUALITY OF LIFE - PARKS & OPEN SPACE			-
PARADISE PARK - REMEDIATION & CONSTRUCTION	400,000	1,224,000	1,624,000
BEACH PARK IMPROVEMENTS	650,000		650,000
BEACH PARK SEWER EXTENSION	42,000		42,000
LAKE PARK IMPROVEMENTS - CONSTRUCTION	77,000		77,000
HAMPTON PARK IMPROVEMENTS	50,000		50,000
VILLAGE HALL COURT YARD LANDSCAPE/HARDSCAPE IMPROVEMENTS	50,000		50,000
MAST ACADEMY ARTIFICIAL TURF REPLACEMENT	-		-
ST. AGNES LIGHTING REPLACEMENT & LED RETRO-FIT	240,000		240,000
SPLASH PAD REPLACEMENT	150,000		150,000
FIELD IMPROVEMENTS - ST. AGNES	-	61,000	61,000
CALUSA PARK TENNIS COURT SURFACING, NETS & WINDSCREENS REPLACEMENT	60,000		60,000
VILLAGE GREEN INTERIOR SIDEWALK RENOVATION	60,000		60,000
QOL - PARKS & OPEN SPACES	1,779,000	1,285,000	3,064,000
	6,202,630	2,856,000	9,058,630

EXHIBIT A

Village of Key Biscayne
Adopted Stormwater Enterprise Fund Budget
Fiscal Year 2022

	FY2019 Actual	FY2020 Actual	FY2021 Adopted	FY2021 YTD 06/30/21	Adopted	FY2022 Amendment	Amended
Revenues							
344.00300 STORMWATER FEES	934,959	1,563,529	1,776,422	906,405	1,821,903		1,821,903
361.00300 INTEREST INCOME	22,584	9,540	15,000		5,000		5,000
384.00384 BOND PROCEEDS STORMWATER UTILITY	-		19,028,930		18,830,826	(18,830,826)	-
Total Revenues	957,543	1,573,069	20,820,352	906,405	20,657,729	(18,830,826)	1,826,903
Expenditures							
538.12000 ALLOCATION OF SALARY + BENEFITS	83,740	101,862	216,857	107,502	336,000		336,000
538.31211 PROFESSIONAL SERVICES	90,328	22,555	-				-
538.34110 OPERATIONS & MAINTENANCE	219,518	437,629	455,000	208,469	455,000		455,000
538.34432 ADMINSTRATIVE EXPENSES	14,147	11,907	28,500	4,384	28,500		28,500
538.46100 STRUCTURAL IMPROVEMENTS	-	33,947	-	84,000			-
538.63141 APPROPRIATED FOR YEAR 1 MASTERPLAN	-		4,170,350	147,385			-
538.63144 APPROPRIATED FOR YEARS 2&3 MASTERPLAN	-		14,558,580				-
538.71100 PRINCIPAL EXPENSE 2016 UTILITY REFUNDING	-		371,482		380,212		380,212
538.72100 INTEREST EXPENSE 2016 UTILITY REFUNDING	116,675	108,145	103,781	49,708	94,948		94,948
538.72110 PRINCIPAL EXPENSE NEW STORMWATER BOND	-		-		362,944	(362,944)	-
538.72110 INTEREST EXPENSE NEW STORMWATER BOND	-		615,802		655,930	(655,930)	-
TRANSFER OUT TO CIP			300,000		237,000		237,000
Total Expenditures	524,408	716,045	20,820,352	601,448	2,550,534	(1,018,874)	1,531,660
Excess (Revenues)/Expenditures	\$433,135	\$857,024	\$0	\$304,957	\$18,107,195	-\$17,811,952	\$295,243

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CREATING SECTION 2-105, "CAMPAIGN FINANCE REPORTS," OF CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES TO ESTABLISH CAMPAIGN FINANCE REPORT FILING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 106.0705, Florida Statutes, all candidates for state offices are required to file their campaign treasurer reports electronically with the Florida Department of State; and

WHEREAS, similarly, Chapter 12 of the Miami-Dade County ("County") Code of Ordinances requires all candidates for County office to file campaign treasurer reports electronically with the County Supervisor of Elections; and

WHEREAS, Section 106.07, Florida Statutes, permits municipalities to require the filing of electronic campaign treasurer reports; and

WHEREAS, the Village Council desires to require the electronic filing of campaign finance reports requirements; and

WHEREAS, the Village Council finds that adoption of this Ordinance is in the best interest and welfare of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:¹

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

Section 2. **Creating Section 2-105, "Campaign Finance Reports" of the Village Code.** That the Code of Key Biscayne, Florida, is hereby amended by adding a section to be numbered 2-105, which section reads as follows:

CHAPTER 2 – ADMINISTRATION

Article V. – ELECTIONS

¹ Coding: ~~Strikethrough~~ words are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double-strikethrough~~ and double underline.

Section 2-105. – Campaign Finance Reports.

- (a) *Electronic reporting.* Candidates for the offices of Councilmember and Mayor shall file their Campaign Treasurer's Reports electronically with the Village Clerk. The Village Clerk shall determine the required format for the Campaign Treasurer's Reports and shall provide copies upon request. For purposes of this section, "Campaign Treasurer's Reports" shall mean the reports required of the campaign treasurers of candidates pursuant to Section 106.07, Florida Statutes, as amended.
- (b) *Electronic posting.* Campaign Treasurer's Reports submitted by candidates for the offices of Councilmember and Mayor shall be posted on the Village's website by the Village Clerk within one business day from the report due date. The Village reserves the right, prior to posting, to review all filings and redact any material that would violate any copyright, trademark, patent, or other proprietary rights of others, or any language, pictures or symbols that would be considered pornography, obscenity, nudity, libelous, or which in any way violates any federal, state or local law.
- (c) *Penalties.* Any violation of this section shall be subject to the penalties provided in Chapter 106, Florida Statutes.
- (d) *Informational materials.* The Village Clerk shall provide informational materials to candidates regarding the Village's electronic filing requirements contained herein.

Section 3. **Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. **Codification.** That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

Section 5. **Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. **Effective Date.** That this Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the _____ day of _____, 2022.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2022.

MICHAEL W. DAVEY
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY

RESOLUTION NO. 2022- _____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENGAGE PLANNING AND DESIGN PROFESSIONAL(S) FROM THE VILLAGE'S CONTINUING PROFESSIONAL SERVICES PROVIDERS LIST TO DEVELOP A CONCEPT PLAN FOR THE RICKENBACKER CAUSEWAY, INCLUDING THE BEAR CUT BRIDGE, IN AN AMOUNT NOT TO EXCEED \$175,000; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 19, 2022, the Miami-Dade County Board of County Commissioners adopted Resolution R-75-22 directing the County Mayor or County Mayor's designee, within 60 days after the effective date of the resolution, to develop a plan to prioritize the replacement of the Bear Cut Bridge, including the use of all available federal infrastructure funds for the replacement of Bear Cut Bridge; and

WHEREAS, on February 8, 2022, the Village Council adopted a Motion directing, in part, the Village staff to begin working with key stakeholders and the public to develop a scope of work to potentially contract with a planning & design professional to create a Rickenbacker Causeway concept that portrays the Village's interests and facilitates coordination and further engagement with Miami-Dade County and other potential collaborators; and

WHEREAS, on February 22, 2022, the Village held a Rickenbacker Causeway Community Meeting for the public to give input and share ideas to help develop the scope of work for the design concept; and

WHEREAS, the Village Council desires to authorize the Village Manager to engage planning and design professional(s) from the Village's continuing professional services providers list to develop a concept plan for the Rickenbacker Causeway, including the Bear Cut Bridge, consistent with the scope of services attached hereto as Exhibit "A" and the continuing services agreement previously executed in an amount not to exceed \$175,000; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Authorization.** That the Village Manager is hereby authorized to issue a work order to engage planning and design professional(s) from the Village's continuing professional services providers list to develop a concept plan for the Rickenbacker Causeway, including the Bear Cut Bridge, consistent with the scope of services attached hereto as Exhibit "A" and the continuing services agreement previously executed in an amount not to exceed \$175,000. The Village Manager shall notify the Village Council prior to the execution of a work order implementing the intent and purpose of this Resolution.

Section 3. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2022.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY

Village of Key Biscayne
88 W McIntyre St,
Key Biscayne, Florida 33149
305-365-5511

Name of Project: Rickenbacker Concept
Village Contact: Jeremy Calleros Gauger
jgauger@keybiscayne.fl.gov
305-365-5512

1.1 Project Goals

Assemble planning, design and engineer professionals and partners to create a Rickenbacker Causeway concept that portrays the village, its residents, and local stakeholders' interests. This concept plan, both visual and written, will serve as a basis to inform, inspire and facilitate coordination and further engagement with Miami-Dade County and other potential collaborators.

1.2 Project Location

The project begins at the edge of the mainland within the City of Miami, includes the causeway over Hobie Island Beach Park, the William M. Powell Bridge over the intracoastal waterway, (including the fishing piers), the roadway through Virginia Key, and the Bear Cut bridge and bridge landing on Key Biscayne past the Crandon Marina.



Figure 1: Rickenbacker Causeway from mainland Miami to Virginia Key at Crandon Marina.

1.3 Project Definition

- Identify, define and categorize project requirements
 - Essential elements
 - Focus on the bridges as critical infrastructure
 - Emphasize transportation mobility to facilitate safe and effective traffic flow along the entire causeway
 - Enhance and harmonize all existing, planned and projected access points
 - Plan for future requirements and anticipated developments
 - Enable safe vehicle movement in concert with bicycles and pedestrians
 - Significant elements

- Address maintenance of level-of-service in-general and during projected sea-level rise scenarios
 - Create intersections that enable access and the safe and free flow of traffic
 - Enhance levels-of-service for through traffic and access to special events
- Secondary elements
 - Provide safe access to significant scenic, historic, and recreational points.
 - Create a memorable bicycling experience
 - Add and improve park and recreation elements
- Document additional requirements and interests as public engagement proceeds.
- Produce a high-level concept plan and drawings
 - Plan will incorporate identified requirements
 - Create a rendered base plan with identified detailed components
 - Provide detailed additional drawings and examples
 - Sections or elevations of portions of the plan
 - Provide 2-3 sketched 3-d renderings
 - Outline a sustainable governing, operating, and financial framework
- Solicit public input on initial concept plan
 - Stakeholders include, but are not limited to:
 - Village of Key Biscayne Council and Administration – 2 meetings
 - Village of Key Biscayne residents – 2 meetings
- Coordinate with stakeholders
 - Florida Department of Transportation
 - Miami-Dade County
 - Leadership: Mayor's Office, District 7 Commissioner's Office
 - Department of Transit & Public Works
 - Department of Parks, Recreation, and Open Spaces
 - Internal Services Department
 - Water & Sewer Department
 - Department of Regulatory and Economic Resources
 - City of Miami
 - Virginia Key Advisory Board
 - Departments of Planning, Real Estate and Asset Management, and Parks and Recreation
 - MAST Academy
 - Local leaseholders or owners requiring access
 - Rickenbacker Marina and other City of Miami leaseholders
 - Seaquarium
 - NOAA Southeast Fisheries Science Center National Marine Fisheries Service
 - University of Miami Rosenstiel School of Marine and Atmospheric Science
 - Historic Virginia Key Beach Park
 - Public interest groups and non-profit organizations
 - Environmental organizations
 - Cycling advocates
- Evolve concept plans and drawings
 - Adapt the concept plan based on iterative feedback
 - Additional options for portions of the plan may be required
 - Provide additional sections, elevations, and renderings as required to illustrate the concept
 - Include table of quantities to simplify future cost estimation
 - Estimated square footage or linear footage of differing roadway types.

- Itemization of elements when appropriate.

1.4 Work Completed to Date

- Base drawings and surveys from Miami-Dade County to be provided.
- Plan Z ([links](#)) created a basis for a project that was
- by Miami-Dade County for both an unsolicited bid and potential RFP.
- The City of Miami has an adopted [Virginia Key masterplan](#), including a more developed design for the adjacent Flex-Park.
- FDOT District 6 plans for intersection with The Underline & Commodore Trail to the west of the Rickenbacker.

1.5 Work Outside of Scope

- Survey drawings
- Construction documentation
- Cost estimates

1.6 Deliverables

All deliverables will be submitted in editable document formats in the highest available resolution whenever applicable.

- Final concept plan
 - Requirement list, definitions, and categories
 - Divide elements into categories
 - Essential – elements which must be included at minimum to function
 - Significant– elements which should be included to minimally satisfy Village of Key Biscayne stakeholders
 - Secondary- elements outside of previous categories
- Supporting drawings depicting essential, significant and secondary elements and amenities
- Framework for governance, operations and financial requirements
- Final renderings
- Table of estimated quantities.

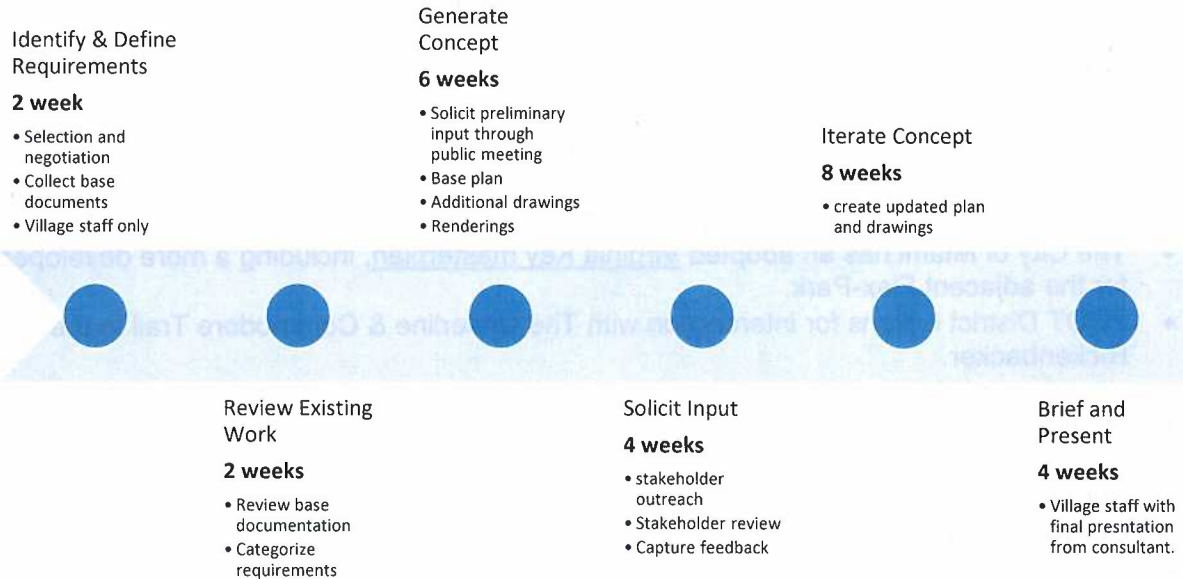
1.7 Acceptance Criteria

Staff must approve work prior to consultant proceeding with each milestone as described in Project Definition.

2.1 Timeline and Milestones

Overall Timeline: 26 weeks (6 months)

Projected Timeline for consultants: 20 weeks (4.5 months)



3.1 Project Team

Lead consultant: Designer, landscape designer, or planner with experience in three-dimensional road design.

Additional required expertise:

Roadway and bridge engineer to confirm feasibility of all designs and identify dimensional requirements for roadway and bridge elements.

Economic and management analysis expertise required to create governance, operating and financial framework.

Public engagement expertise to consolidate comments of previous proposals and capture new stakeholder comments on concept plan.

3.2 Required Qualifications

Project team must include a registered architect or landscape architect as well as a licensed civil engineer with expertise in roadway design.

4.1 Estimated of Cost of Work

Estimated hours: 800 (40/week)

Est. avg. rate: \$200

Est. Cost: \$160,000

4.2 Negotiated Fees

Negotiated Fee: TBD



VILLAGE OF KEY BISCAINE

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Frank Caplan

Luis Lauredo

Edward London

Allison McCormick

Ignacio J. Seguro

Village Manager

Steven C. Williamson

MEMORANDUM

DATE: March 8, 2022
TO: Honorable Mayor and Village Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: St. Agnes Sports Lighting Retrofit Project

RECOMMENDATION

I recommend that the Village Council authorize the Village Manager to purchase lighting equipment from Musco Sports Lighting LLC for the Sports Lighting Retrofit project at St. Agnes Academy for an amount not to exceed \$249,900 and subject to the approval to the approval of a ten (10) year extension of the agreement with the Archdiocese of Miami for the use of the St. Agnes Catholic Church athletic field.

This fiscal year, \$240,000 has been budgeted in the Capital Improvement Plan (CIP) for the "St. Agnes Lighting Replacement & LED Retrofit" for this purpose. The balance of \$9,000 will be paid from the PROS Capital Improvement Plan Budget line-item "Community Center RTU Replacement". This fiscal year, \$45,000 was budgeted for this purpose. The low bidder completed the roof top unit (RTU) replacement on February 16, 2022, at a total project cost of \$27,888 resulting in a balance of \$17,112.

The new fixtures will generate a seventy two percent (72%) savings in energy consumption, reduce spill and glare light by fifty percent (50%), carry a warranty that eliminates one hundred percent (100%) maintenance costs for twenty-five (25) years (including labor and materials), and guaranteed constant light levels for twenty-five (25) years.

BACKGROUND

In 2004 the Village entered into an agreement with the Archdiocese of Miami for the use of the athletic fields at St Agnes Catholic Church. As part of that agreement, the Village agreed to install and maintain lighting for the athletic fields. The intent of this project is to retrofit the three (3) existing poles on the western portion of the field with new energy efficient LED fixtures, installing two new poles and fixtures on the eastern portion of the field, build and connect to a new FPL service, and a lighting control system will be installed providing the PROS Department with total remote access and control of the lighting system. Approval at this time will afford the time required to fabricate and deliver the lighting system so it may be installed this summer.

Clay County issued Request for Proposals 18/19-2 for Various Equipment and Amenities for Parks and Playgrounds in February 2019 and received twenty-two proposals (Exhibit A). The pricing



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Clay County obtained from Musco through their RFP process was identified by the PROS Department as a potential contract to utilize under Section 2-86 of the Village Code that would provide the Village with the best pricing for the equipment. The Procurement Division reviewed several cooperative agreements, including Sourcewell, BuyBoard, and TIPS, to confirm that piggy-backing the Clay County RFP would provide the greatest value for the Village. Musco has held its 2019 pricing for the quote on this project (Exhibit B). Due to the economies of scale involved, the Village is unlikely to receive better pricing if it were to conduct its own competitive solicitation process, particularly in today's volatile market.

RESOLUTION NO. 2022-_____

**A CAPITAL PROJECT AUTHORIZING RESOLUTION OF
THE VILLAGE COUNCIL OF THE VILLAGE OF KEY
BISCAYNE, FLORIDA, APPROVING THE PURCHASE OF
LIGHTING POLES FROM MUSCO SPORTS LIGHTING,
LLC IN AN AMOUNT NOT TO EXCEED \$249,900 FOR THE
ST. AGNES LIGHTING RETROFIT PROJECT;
PROVIDING FOR AUTHORIZATION; PROVIDING FOR
IMPLEMENTATION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, pursuant to Resolution No. 2004-28, the Village Council of the Village of Key Biscayne (the “Village”) approved and authorized an Agreement with the Archdiocese of Miami (the “Agreement”) for the use of the St. Agnes Catholic Church Athletic Field; and

WHEREAS, on April 30, 2019, the Village Council adopted Resolution No. 2019-26, approving a Third Amendment to the Agreement to extend the term of the Agreement through September 30, 2024, among other things; and

WHEREAS, pursuant to Section 3.07(b) of the Village Charter, the Village Council desires to authorize the expenditure of Village funds to implement the St. Agnes Lighting Retrofit Project, which consists of retrofits and upgrades to lighting poles at the athletic field (the “Equipment”), subject to the approval of a 10 year extension to the term of the Agreement by the Archdiocese of Miami; and

WHEREAS, the type of purchase contemplated by the Village has been competitively bid by Clay County, Florida, which awarded Musco Sports Lighting, LLC (the “Vendor”) a contract pursuant to Request for Proposal No. 18/19-2 (the “Clay County Contract”); and

WHEREAS, in accordance with Section 2-86 of the Village’s Code of Ordinances (the “Code”), the Village Council seeks to authorize the Village Manager to purchase the Equipment from the Vendor consistent with the Clay County Contract and the Vendor’s Quote, attached hereto as composite “Exhibit “A” (the “Quote”); and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AS FOLLOWS:

Section 1. **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Approval.** That the Village Council approves the purchase of the Equipment.

Section 3. **Authorization.** Subject to the approval of a 10 year extension to the term of the Agreement by the Archdiocese of Miami, the Village Council hereby authorizes the Village Manager to purchase the Equipment from the Vendor consistent with the terms and conditions of the Clay County Contract and the Quote, attached hereto as composite Exhibit "A," in an amount not to exceed \$249,900.

Section 4. **Implementation.** That the Village Council hereby authorizes the Village Manager to execute any purchase order or required documentation for the purchases described in this Resolution, subject to approval by the Village Attorney as to form, content, and legal sufficiency, and to take any action which is reasonably necessary to implement the purpose of this Resolution.

Section 5. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2022.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY

Quote

Date: February 4, 2022
To: Village of Key Biscayne

Project: St. Agnes Retrofit
Key Biscayne, FL

Quotation Price – Materials Delivered to Job Site and Installation

Soccer – 310' x 160' \$ 249,900.00 Includes Bonding

Sales tax and permitting fees are not included.

Pricing furnished is effective for 30 days unless otherwise noted and is considered confidential.

All purchase orders should note the following:
Clay County RFP 18/19-2

Field Description	Quantity	Pricing Per Clay County	Extended Price
(Section I) Soccer – 330' by 200' – 30' Setback – 30 Footcandles – Light Structure	1	\$166,000.00	\$166,000.00
(Section II C) Miami Dade County HVHZ wind zone adder – 30%	1	\$49,800.00	\$49,800.00
Deduct: East Side Only	1	-\$107,900.00	-\$107,900.00
(Section I) Soccer – 330' by 200' – 30' Setback – 30 Footcandles – Light Structure	1	\$90,600.00	\$90,600.00
(Section II C) Broward County HVHZ wind zone adder – 30%	1	\$27,180.00	\$27,180.00
Deduct: East Side Only	1	-\$58,890.00	-\$58,890.00
(Section III A) Pole Installation – 70' Pole Height	2	\$5,300.00	\$10,600.00
(Section III C) Removal of Existing Concrete Poles	1	\$4,600.00	\$4,600.00
(Section III G) Installation of Fixtures on Existing Poles	3	\$6,000.00	\$18,000.00
(Section IV A Option A) 200 Amp Electrical Service	1	\$12,650.00	\$12,650.00
(Section IV B 2 a) Copper Conductors	750'	\$30.00	\$22,500.00
(Section IV B 3 c) Copper Conductors	5400'	\$11.50	\$62,100.00
(Section IV B 4 a) Pull Boxes	2	\$600.00	\$1,200.00
(Section IV C a) Installation of Contactor Cabinet	1	\$5,750.00	\$5,750.00
(Section IV D 1) Lightning Protection – Surge Arrestor	5	\$1,200.00	\$6,000.00
(Section IV E 1) Pole Grounding	5	\$900.00	\$4,500.00
(Section V A 1) Electrical Engineering	1	\$6,600.00	\$6,600.00
(Section V B 1) Structural Engineering	1	\$1,350.00	\$1,350.00
(Section V D) Bonding	1	\$5,000.00	\$5,000.00
(Section V F) Project Management	1	\$6,000.00	\$6,000.00
Deduct / Design Parameters / Labor			\$-83,740.00
Total			\$249,900.00



System Description (Poles S4, S5)

- Pre-cast concrete bases with integrated lightning grounding
- Galvanized steel poles
- Factory wired and tested remote electrical component enclosures
- Pole length, factory assembled wire harnesses
- Factory wired poletop luminaire assemblies
- Factory aimed and assembled luminaires
- UL Listed assemblies

System Description (Poles S1, S2, S3, S4)

- Factory wired poletop luminaire assemblies
- Factory aimed and assembled luminaires
- Factory wired and tested remote electrical component enclosures
- Pole length, factory assembled wire harnesses
- Mounting hardware for poletop luminaire assemblies and electrical components enclosures
- UL Listed assemblies

Environmental Light Control

- Spill light minimized
- Off-site glare light minimized

Control Systems and Services

- Control-Link® control and monitoring system to provide remote on/off and dimming (high/medium/low) control and performance monitoring with 24/7 customer support

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years
- Support from Musco's Lighting Services Team – over 170 Team members dedicated to operating and maintaining your lighting system – plus a network of 1800+ contractors

Installation Services Provided

Customer Responsibilities:

1. Complete access to the site for construction utilizing standard 2-wheel drive rubber tire equipment.
2. Locate existing underground utilities not covered by your local utilities. (i.e. water lines, electrical lines, irrigation systems, and sprinkler heads). Musco or Subcontractor will not be responsible for repairs to unmarked utilities.
3. Locate and mark field reference points per Musco supplied layout. (i.e. home plate, center of FB field)
4. Pay for extra costs associated with foundation excavation in non-standard soils (rock, caliche, high water table, collapsing holes, etc.) or soils not defined in geo-technical report. Standard soils are defined as soils that can be excavated using standard earth auguring equipment.
5. Pay any power company fees and requirements.
6. Pay all permitting fees and obtain the required electrical permitting.
7. Provide area on site for disposal of spoils from foundation excavation.
8. Provide area on site for dumpsters.



Musco Responsibilities:

1. Provide required foundations, poles, electrical enclosures, luminaires, wire harnesses, and control cabinets.
2. Provide pole-top luminaire assemblies for 3 poles.
3. Provide layout of pole locations and aiming diagram.
4. Provide Project Management as required.
5. Provide stamped foundation designs based on soils that meet or exceed those of a Class 5 material as defined by 2018 IBC Table 1806.2.
6. Assist our installing subcontractor and ensure our responsibilities are satisfied.

Subcontractor Responsibilities

General:

1. Obtain any required permitting.
2. Contact 811 for locating underground public utilities and then confirm they have been clearly marked.
3. Contact the facility owner/manager to confirm the existing private underground utilities and irrigation systems have been located and are clearly marked to avoid damage from construction equipment. Notify owner and repair damage to marked utilities. Notify owner and Musco regarding damage which occurred to unmarked utilities.
4. Provide labor, equipment, and materials to off load equipment at jobsite per scheduled delivery.
5. Provide storage containers for material, (including electrical components enclosures), as needed.
6. Provide necessary waste disposal and daily cleanup.
7. Provide adequate security to protect Musco delivered products from theft, vandalism, or damage during the installation.
8. Keep all heavy equipment off playing fields when possible. Repair damage to grounds which exceeds that which would be expected. Indentations caused by heavy equipment traveling over dry ground would be an example of expected damage. Ruts and sod damage caused by equipment traveling over wet grounds would be an example of damage requiring repair.
9. Provide startup and aiming as required to provide complete and operating sports lighting system.
10. Installation to commence upon delivery and proceed without interruption until complete. Notify Musco immediately of any breaks in schedule or delays.

Demolition:

1. Remove and dispose of the existing fixtures, pole top fitters, and electrical enclosures on 3 existing LSS poles. This will include the recycling of lamps, aluminum reflectors, ballast, and steel, as necessary.
2. Leave existing ground wires and power feed in place for connection to new lighting equipment.
3. Remove and dispose of the existing lighting poles, fixtures, and electrical enclosures on 1 existing pole. This will include the recycling of lamps, aluminum reflectors, ballast, and steel, as necessary.
4. Demolish existing foundations to 2 ft (0.6 m) below grade.

Retrofit Musco Equipment to Existing Poles:

1. Provide labor, materials, and equipment to assemble and install Musco TLC for LED® equipment on existing poles and terminate grounding and power feed. Power feed may need to be reworked to adapt to the new Musco equipment.
2. Ensure grounding components meet minimum standards required by NEC and NFPA780.
3. For steel poles provide new ground rod and pole bonding conductor per NFPA Annex A.1.6.
4. Down conductor shall be converted to copper wire for any underground runs and bonded to ground rod(s).
5. Ensure all Musco components are bonded to both equipment and lightning grounds. No upward sweeps allowed for lightning down conductor or bonding jumper(s). See installation instructions for further information.
6. Test ground resistance with 3-point megger and confirm 25 ohms or less for each pole. Install additional ground rods or create grounding grid until resistance of 25 ohms or less is achieved.

Foundations, Poles, and Luminaires:

1. Mark and confirm pole locations per the aiming diagram provided. If there are any issues, immediately notify your Musco Project Manager.
2. Provide labor, materials, and equipment to install 2 LSS foundations as specified on Layout and per the stamped foundation drawings, if applicable.
3. Remove spoils to owner designated location at jobsite.
4. Provide labor, materials, and equipment to assemble Musco TLC-LED luminaires, electrical component enclosures, poles, and pole harnesses.
5. Provide labor, equipment, and materials to erect 2 dressed LSS Poles and aim utilizing the pole alignment beam.

Electrical:

1. Provide sealed electrical plans.
2. Provide labor, materials, and equipment to install a new elevated platform for electrical service panels.
3. Provide labor, materials, and equipment to install new electrical service panels per electrical plans.
4. Provide labor, materials, and equipment to install all underground conduit, wiring, pull boxes etc. and terminate wiring per electrical plans. Existing conduit, wire, etc. will be reused where possible.
5. Provide as-built drawings on completion of installation.

Control System:

1. Provide labor, equipment, and materials to install Musco control and monitoring cabinet(s) at 1 service location and terminate all necessary wiring.
2. Provide a dedicated 120V 20A controls circuit or a step-down transformer for 120V control circuit.
3. Check all zones to make sure they work in both auto and manual mode.
4. Commission Control-Link® by contacting Control-Link Central™ at 877-347-3319.



Quote

Payment Terms

Net 30 days for materials and progressive payments for labor.

Delivery Timing

8 - 12 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole locations.

Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.

Notes

Quote is based on:

- Shipment of entire project together to one location.
- Includes supply and installation of Musco system including underground wiring and conduit, service entrance panel board, and controls by a licensed contractor.
- Standard soil conditions – rock, bottomless, wet or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Confirmation of pole locations prior to production.

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.



Jason Frucht
Sales Representative
Musco Sports Lighting, LLC
Phone: 954-732-5674
E-mail: jason.frucht@musco.com





VILLAGE OF KEY BISCAINE

Village Council
Michael W. Davey, Mayor
Brett Moss, Vice Mayor
Frank Caplan
Luis Lauredo
Allison McCormick
Edward London
Ignacio J. Segurola

Village Manager
Steven C. Williamson

MEMORANDUM

DATE: March 08, 2022
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: Manager's Report

Section 1: Safe and Secure Village

a) *COVID update (Fire Chief Eric Lang)*

The Village continues to respond to impacts of COVID-19. The current actions and data reported as of February 23, 2022, include:

1. The Village continues to monitor the positivity rate both in the Village and in Miami Dade County.
 - a. Miami Dade County COVID-19 dashboard is reporting a positivity rate of 7% based on a 7-day moving average
 - b. Village of Key Biscayne testing sites are estimated at 15% based on a 7-day average from both the Calusa Park and the Village Green locations
2. COVID-19 testing has been consistently occurring in two locations (kiosk on Village Green and van at Calusa Park) through Curative, Inc.
 - a. Demand for testing has stabilized with a peak testing day high in February of 307 vs the previous high day of 1000 in December 2021
 - b. Since February 1, 2022, the Village conducted 5,673 tests
 - i. 4,900 were performed at Village Green
 - ii. 773 were performed at Calusa Park
 - c. Both locations are open between 8am to 6pm every day except Sundays and major holidays
3. Vaccine Data for COVID Mitigation
 - a. Vaccines provided in the Village total 3,334 (as of February 23, 2022)
 - b. The next vaccine events are scheduled for March 10th at the Key Biscayne Community Center.
4. Vaccine percentages in the Village as reported by Miami Dade County on February 11, 2022, are as follows:



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- a. 5 to 11 years old @ 65.2% population of 1545
 - b. 12 to 17-year-old @ 71.7% population of 1569
 - c. 18 + @ 78.9% population of 9321
 - d. 65+ @ 77.5% population of 2183
5. The Village continues to closely monitor the below key performance indicators because the safety of residents and visitors remains our highest priority:
- Provide access to COVID testing and monitor positivity rates
 - Host vaccine events and monitor vaccine percentages
 - Monitor seniors and high-risk populations
 - Monitor local hospital capacities

Section 2: Thriving and Vibrant Local Community and Marketplace

a) Adopt a Circle program update (Plan Reviewer Olga Garcia)

The Public Works department oversees the maintenance and roadway conditions of traffic circles/roundabouts throughout the Village. The Adopt-A-Circle program creates a partnership between the Village and the community that encourages volunteer involvement and community service in the control and reduction of litter, and maintenance of traffic circle hardscapes.

The Village is researching implementation opportunities of an “Adopt-A-Traffic Circle Program” that would empower residents, local organizations and business, schools, and volunteer groups to take part in the beautification efforts of the Village’s traffic circles/roundabouts. Research is being performed with the support of legal counsel, to develop an agreement that will incorporate elements of litter removal, landscaping, and roundabout maintenance with the Village. Additional program details will be shared with the council and the community at the May 2022 council meeting.

Section 3: Engaging and Active Public Spaces and Programs

a) Beach Operations and Maintenance: Sargassum + Composting program update (CRO Roland Samimy)

The following options are being researched through a partnership with the offices of District Commissioner Raquel Regalado (District 7) and the Virginia Key Beach Part Trust (VKBPT) for the establishment of the county pilot composting program:

- Will a land use agreement be required with (VKBPT or the City of Miami)?
- What additional sites can accommodate additional or larger scale piloting efforts should this one be successful?

b) Solid Waste service update (PW Director Jake Ozyman)

On December 15, 2021, the Village launched a community survey to gain feedback related to the Village’s Solid Waste contract with Great Waste that serves single family homes and duplex properties. The survey measures the desire for specific services and the contractor’s performance.



VILLAGE OF KEY BISCAIYNE

The survey was originally distributed via Village Connect, social media and the Village website. In early 2022, the survey was mailed directly to residents along with the annual solid waste calendar.

As of February 22, 2022, we have received input from 108 residents. Results from this survey found that 61% of residents preferred curbside service; 39% indicated they prefer side yard service.

The survey showed that 66% of residents are aware that contract includes the options for both side yard and curbside pick-up. The results also indicate that 51% are satisfied with the contractor's timeliness, returning of bins, cleanliness and customer service.

Below is a summary of the survey questions and response percentages:

Do you currently use side-yard or curbside service?	Are you aware that the Village's Solid Waste contract with Great Waste includes the options for both side yard and curbside pick-up?	Is the service meeting your expectation(timeliness, returning of bins, cleanliness, customer service, etc.)?
Curbside 61%	Yes 66%	No 51%
Sidyard 39%	No 34%	Yes 49%

The Public Works department will continue to partner with Great Waste to ensure compliance and adherence to contract terms while attempting to minimize complaints.

Staff will ensure regular surveys are issued to residents to support the generation of periodic updates to council and ensure the highest level of customer service to the village community.

c) Youth Program update (PROS Director Todd Hofferberth)

2020 National census data shows that there are nearly 4,000 residents under the age of 18 residing within the Village of Key Biscayne. The Community has often discussed and expressed frustration around the lack of activities available to engage the diverse needs of our youth community. In response to this issue, the Village Manager has launched the creation of a Youth Engagement Task Force to discuss and bring forth ideas and solutions.

This task force is comprised of village staff and members of the community charged with establishing a comprehensive list of activities presently available throughout the Key Biscayne Community. The list will enable the task force to perform a gap analysis based on existing services inventory; its analysis will help better determine where the gaps are located and how to fill them. The goal of these programs will be to ensure that every child has an opportunity to be safe, nurtured, active, respected and involved.

d) Athletic field allocation and online registration update (PROS Director Todd Hofferberth)



VILLAGE OF KEY BISCAINE

Athletic Field Allocation

The Village's current field allocation schedule has been developed to maximize the opportunities for children of all ages and genders to participate in athletic programs. In six years, this Village has seen a 30% increase in athletic program participation while experiencing a 60% increase in girl's athletic participation.

During this same period, the field space available for these programs has remained fundamentally unchanged. The Village gained significant space when the MAST field became available but lost a similar sized area when the Crandon Park fields and lights were removed. Recently the Village gained accessible space when the Key Biscayne K-8 fields and courts were activated but lost the use of similar space when the St. Agnes court was removed, and field size was reduced. The increased demand combined with a non-expansive inventory has constrained or ability to provide additional field allocations to our existing programs.

This limitation was recently addressed when the Village Council approved the recommendation to freeze the larger sports at their current registration levels and eliminate non-residents from all athletic programs for athletes ten years old and younger. These actions combined with the Village's efforts to obtain additional field space as described in the January 18, 2022, report to Council, will provide the Village the opportunity to methodically review how fields will be allocated as participation is reduced and new space becomes available.

Online Registration Update

The Parks and Open Spaces department had intended to launch online registration during the 2022 Spring Baseball and Softball seasons. Unfortunately, key staff responsible to implement this task, were out of the office for an extended period due to illness. The Department plans to launch online registration for the Volleyball program starting on July 18, 2022.

Section 4: Accessible, Connected, and Mobile Village-Wide Transportation – *nothing to report*

Section 5: Resilient & Sustainable Environment and Infrastructure

a) Seawall Ordinance update (CRO Roland Samimy)

The Village needs to develop a seawall ordinance to:

- adapt to future threats from sea level rise,
- mitigate back bay inundation threat while addressing seawall modifications that will result from stormwater outfall redesign and,
- provide guidance to homeowners who are currently or planning on redeveloping existing seawalls.

While the Village does not own any seawalls, the seawall ordinance would be developed for the benefit of private owners and serve as a guide for the restoration and construction of seawalls threatened by sea level rise in the years to come while being a part of a broader back bay shoreline protection approach. Implementing a robust seawall ordinance would benefit the



VILLAGE OF KEY BISCAINE

broader Key Biscayne community as it would contribute to lowering the National Flood Insurance Program (NFIP) Community Rating System (CRS) with direct effect on lowering flood insurance premiums. Ideally, the ordinance would address minimum and maximum seawall heights, triggers for requiring modifications or upgrades, seawall construction (designed to be able to be raised further as needed) and the integration of living shoreline approaches as allowable by MD-DERM and FDEP.

Living shorelines are a nature based technique that uses native aquatic vegetation alone or in combination with natural lime rock riprap boulders and mangroves to provide a natural buffer that can bolster gray infrastructure (traditional seawalls) and attenuate storm surge and wave energy thus providing protection from coastal inundation. Although living shorelines are not suitable for protecting against a powerful hurricane, they are an appropriate technique for mitigating the effects of tidal events, sea-level rise, and some coastal events.

Village Staff is working with legal counsel to develop language for consideration and will be seeking input from stakeholders (waterfront residents and agency) for refinement. Will also be seeking technical justification for maximum seawall height as well as design criteria and standards as appropriate

Key factors framing the development of seawall ordinance:

- 1) Presently, the Village of Key Biscayne Building and Zoning department is receiving inquiries from waterfront property owners seeking input and guidance regarding the renovation of existing seawalls and recommended heights for factoring sea level rise into designs.
- 2) A seawall system is only as strong as its weakest link. Seawall elevation must be uniform
- 3) across a neighborhood or region to be effective. If there is a gap or low-height portion of the system, tidal or storm surge flow could breach the seawall at this location, causing potentially widespread flood impacts.
- 4) Private property necessitates public comment. Most seawalls are built on private property, so extensive public engagement in the ordinance refinement process will be critical for the ordinance to be functional.
- 5) Seawalls must be part of a broader system. Seawalls need to be designed in coordination with drainage and stormwater system modifications.
- 6) Elevating seawalls and incorporating living shorelines as guided by a robust seawall ordinance is in line with SLR adaptation strategies across the south Florida (e.g. City of Miami, City of Miami Beach, City of Ft. Lauderdale, Broward County) region and consistent with adaptation approaches that are the core of the Miami-Dade County Sea Level Rise Strategy.

Elements being considered for the ordinance:

- Definitions for seawall, riprap, and North American Vertical Datum (NAVD88),
- Minimum seawall height for all new or existing seawalls whose current height allows tidal waters to impact adjacent properties or public rights of way,
- Technically justified maximum seawall height ((on average 6.0' NAVD88) taking lot



VILLAGE OF KEY BISCAINE

elevation issues into consideration

- Requirements for property owners to maintain seawalls in good repair and to repair or elevate ineffective permeable erosion barriers, such as riprap,
- Timeline for property owners to complete repairs cited as necessary, within 365 days,
- Criteria that trigger the elevation of a seawall (e.g. property transaction, new construction, repair of an existing seawall),
- Height requirements for fixed docks and an allowance for floating docks

As the Village embarks on the first phase of its stormwater system upgrade, modifications to existing outfalls discharging to Biscayne Bay are being conceptualized. Modified stormwater outfalls will require the modification of the associated seawall structure starting with the outfalls associated with the redesign of the K-8 stormwater drainage system and taking into consideration Southeast Florida Regional Climate Change Compact (SFRCCC) updated (2019) sea level rise projections accepted by the Village Council (Resolution No. 2021-09, February 9, 2021) with NOAA Intermediate High projection being selected by Motion at the February 8, 2022 Council meeting. It would be the intent of the seawall ordinance to set robust standards for seawalls along the bayside of Key Biscayne to meet a range of resilience goals, namely enhancing shoreline protection and mitigating the effects of sea level rise and flooding.

b) Village wide electronic vehicle (EV) charging station update (CRO Roland Samimy)

Since the start of the EV pilot program on Fernwood Road, electronic vehicle usage has steadily increased. As a response to this change, the Manager has approved the consideration of two additional EV charging stations for a total of four stations on the island.

BLINK (provider) has also agreed to include 5G capabilities to two of the EV pedestals to be located at Beach Park on Ocean Lane and adjacent to St. Agnes / Presbyterian Church on Harbor Drive.

Village staff is currently working with legal counsel on the terms and conditions for the 5G agreement.

c) Resilient & sustainable infrastructure plan: 5 lines of effort + CRSM update (Village Manager Steve Williamson)

A presentation will be displayed

d) Grant program update (Village Manager Steve Williamson)

A presentation will be displayed; reference exhibit 6.e

Section 6: Effective and Efficient Government Services

a) Quarterly Financial updates (CFO Benjamin Nussbaum)

Reference attachment 6.a

b) Impact Fee analysis (CFO Benjamin Nussbaum)



VILLAGE OF KEY BISCAINE

A presentation will be made by Raftelis Financial Consultants, Inc

c) CIP project update (Chief of Staff Jocelyne Moussavou)

A presentation will be displayed; reference exhibit 6.b

d) Marine Stadium construction updates (Chief of Staff Jocelyne Moussavou)

A presentation will be displayed.

Village of Key Biscayne
Budget to Actuals report Q1 FY 2022

EXHIBIT 6.a

General Fund	Budget	Actual	Difference	Diff %
General	31,184,908	21,551,315	(9,633,593)	-30.9%
Planning	129,000	81,778	(47,222)	-36.6%
Police	20,000	3,101	(16,899)	-84.5%
Fire	228,000	37,005	(190,995)	-83.8%
Public Works	300	-	(300)	-100.0%
Community Center	1,810,000	706,421	(1,103,579)	-61.0%
Athletics	380,000	126,337	(253,663)	-66.8%
ARPA Grant	3,216,983	3,216,983	-	0.0%
Total Revenue	36,969,191	25,722,940	(11,246,251)	-30.4%
Council	22,984	314	(22,670)	-98.6%
Clerk	407,309	60,671	(346,638)	-85.1%
Admin	2,850,436	609,262	(2,241,174)	-78.6%
Attorney	590,000	26,096	(563,904)	-95.6%
Planning	550,976	81,759	(469,217)	-85.2%
Debt Service	2,051,917	1,645,067	(406,850)	-19.8%
Police	8,932,062	1,621,360	(7,310,702)	-81.8%
Fire	8,910,504	1,785,663	(7,124,841)	-80.0%
Public Works	3,455,151	359,462	(3,095,689)	-89.6%
Parks & Recreation	1,802,111	301,393	(1,500,718)	-83.3%
Community Center	3,111,013	564,957	(2,546,056)	-81.8%
Athletics	577,709	158,564	(419,145)	-72.6%
Community Groups	198,730	28,954	(169,776)	-85.4%
Advisory Boards	37,800	-	(37,800)	-100.0%
Transfer Out to CIP	3,316,983	3,216,983	(100,000)	-3.0%
Emergency Fund Expenses	-	2,030	2,030	100.0%
Total Expenditures & Transfers	36,815,685	10,462,535	(26,353,150)	-71.6%
Total Current Surplus / (Deficit)	153,506	15,260,405		
Transportation Fund	Budget	Actual	Difference	Diff %
Revenues	1,135,172	18,139	(1,117,033)	-98.4%
Expenses	1,135,172	235,399	(899,773)	-79.3%
Total Current Surplus / (Deficit)	-	(217,260)	(217,260)	
PROS Land Trust Fund	Budget	Actual	Difference	Diff %
Revenues	252,054	211,453	(40,601)	-16.1%
Expenses	252,054	-	(252,054)	-100.0%
Total Current Surplus / (Deficit)	-	211,453	211,453	
Building Fund	Budget	Actual	Difference	Diff %
Revenues	1,602,500	399,586	(1,202,914)	-75.1%
Expenses	1,756,006	351,368	(1,404,638)	-80.0%
Total Current Surplus / (Deficit)	(153,506)	48,218	201,724	
Capital Improvement Fund	Budget	Actual	Difference	Diff %
Revenues	6,484,243	3,216,983	(3,267,260)	-50.4%
Expenses	6,484,243	162,674	(6,321,569)	-97.5%
Total Current Surplus / (Deficit)	-	3,054,309	3,054,309	
Stormwater Enterprise Fund	Budget	Actual	Difference	Diff %
Revenues	20,657,729	1,063,840	(19,593,889)	-94.9%
Expenses	20,657,729	30,718	(20,627,011)	-99.9%
Total Current Surplus / (Deficit)	-	1,033,122	1,033,122	
Solid Waste Enterprise Fund	Budget	Actual	Difference	Diff %
Revenues	953,225	453,502	(499,723)	-52.4%
Expenses	953,225	595	(952,630)	-99.9%
Total Current Surplus / (Deficit)	-	452,907	452,907	

	Total Projects:		Project Value	Planning	Design	Procurement	Permitting	Construction	Completed	Not started	Project Timeline (estimated)																								
	29		\$ 7,570,401.57	7	3	6	2	2	4	4																									
PROJECT PROGRESS										BUDGET														2022											
Project #	PRI	Project Name	Category	Project Phase	Phase Status	ESD	ASD	ECD	ACD (project close out)	TOTAL Funds Available	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec													
2215QP	1	Paradise Park - remediation & construction	Parks	Permitting	90%	Oct-21		Dec-22		\$ 1,747,976.57	●																								
2205R	1	Utility undergrounding design - phase 1	Resiliency	Planning	10%	Jan-22				\$ 200,000.00				●																					
2206RS	1	SW infrastructure improvements design - K8 basin	Resiliency	Planning	80%	Oct-21		May-25		\$ 1,556,130.00				●																					
2204RS	1	Resilient infrastructure int stg design/imp plan	Resiliency	Procurement	50%	Oct-21				\$ 474,000.00				●																					
2210QT	1	Crandon Blvd Traffic Flow & Safety	Transportation	Design	15%	Oct-21		Apr-23		\$ 900,000.00						●																			
2217QP	2	Beach park sewer extension	Parks	Completed	100%	Nov-21	Nov-21	Feb-22	Feb-22	\$ 42,000.00																									
2218QP	2	Lake Park improvements - construction	Parks	Construction	50%	Oct-21		Mar-22		\$ 77,000.00																									
2211QP	2	Public beach access improvements - Sands	Parks	Design	62%	Oct-21		Sep-22		\$ 70,000.00				●																					
2216QP	2	Beach park improvements	Parks	Design	61%	Oct-21		Dec-22		\$ 650,000.00				●			●																		
2212QF	2	Community center roof replacement	Facilities	Planning	15%	Jan-22		Sep-22		\$ 200,000.00					●																				
2213QF	2	Community center RTU replacement	Facilities	Completed	100%	Nov-21	Oct-21	Feb-22		\$ 45,000.00																									
2215QF	2	Fire Station women's restroom renovation and repair	General Services	Planning	20%	Feb-21		Oct-22		\$ 70,000.00				●																					
2203PS	3	Vessel exclusion zone improvements	Public Safety	Permitting	95%	Oct-21		May-22		\$ 48,500.00																									
2202GS	3	Facility repairs & renovations	General Services		0%	Jan-22		Sep-22		\$ 150,000.00				●																					
2207R	3	Shoreline Prot.: beach renovation & dune restoration design (phase 1- 2021)	Resiliency		0%	Jul-22				\$ -							●																		
2221QP	3	St. Agnes lighting replacement & LED retro-fit	Parks	Planning	0%	Jan-22		Sep-22		\$ 240,000.00						●																			
2223QP	3	Calusa Park tennis court repair	Parks	Procurement	60%	Feb-22		Aug-22		\$ 60,000.00				●																					
2224QP	3	Community Center pool deck repair (FY23)	Parks	Planning	35%	Nov-21		Sep-22		\$ -				●																					
2225QP	3	Village Hall gutter replacements	Facilities	Planning	30%	Nov-21		Jun-22		\$ -				●																					
	3	CCTV & SECURITY SYSTEM INTEGRATION & UPGRADE	General Services							\$ 50,000.00																									
2222QP	3	Splash pad replacement	Parks	Procurement	40%	Nov-21	Oct-21	Oct-22		\$ 150,000.00				●																					
2201GS	3	Procurement of 6 fleet vehicles	General Services	Procurement	45%	Oct-21	Oct-21	Jul-22		\$ 300,000.00			●																						
2227QP	3	Village Green interior sidewalk renovation	Parks	Procurement	99%	Oct-21	Oct-21	May-22		\$ 60,000.00	●																								
2219QP	4	Hampton Park improvements	Parks		0%	Mar-22		Sep-22		\$ 50,000.00				●																					
2208R	4	Community Center Facilities lighting retrofit	Resiliency	Procurement	0%	Feb-22		Jul-22		\$ 260,000.00				●																					
2226QP	4	Calusa Park pathway replacement	Parks	Completed	100%		Oct-21	Nov-21	Dec-21	\$ 9,795.00																									
2214QF	4	Community Center Spin Bike replacement	Facilities	Completed	100%	Dec-21		Mar-22	Feb-22	\$ 60,000.00																									
2228QP	5	MAST Solar Panels	Capital Expense	Construction	0%	Nov-21		Jul-22		\$ 40,000.00																									
2209R	5	Village wide EV charging stations	Resiliency	Planning	73%	Oct-21		Jul-22		\$ 60,000.00				●																					

Legend

Planning

Design

Permitting

Procurement

Construction

Close-out

Council review

Bold

* may include delivery time for materials and/or equipment

●

Quick Win



Village of Key Biscayne
Funding Opportunities

March 8, 2022



Sources

Village

County

State

Federal

Village

- **General Fund (GF)** → CIP (~\$2-3M)
- **Enterprise/Special Revenue Funds**
 - Stormwater Fund - \$1.8M/YR, fund balance of \$1.5M → Bond Capacity = ~\$10M
 - Transportation Special Revenue Fund - \$750K/YR from CITT (PTP) and LOGT
 - Parks, Recreation & Open Space Land Trust Special Revenue Fund – 1% of GF
- **Resilient Infrastructure GOB** - \$100M
- **ARPA (Stormwater and Pay-Go Programs)** - \$6.434M [commit by 2024; spend by 2026]



County

- **Citizens' Independent Transportation Trust** (PTP)- \$650K (FreeBee and minor transportation projects)
- **Road Impact Fees** (RIF) – Crandon Blvd, Harbor & W Mashta Drives → Mobility oriented
- **Transportation Planning Organization** (TPO) – Clearing house for County & FDOT transportation and transit grants (TAP*, LAP*, SRTS*)
- **Local Mitigation Strategy** (Office of Emergency Management) – Validates HMGP, BRIC, FMA grants
- **Appropriations**

* - State Programs



State

- **FDEP**

- Resilient Florida (planning + construction)
- Beach Management Funding Program
- CPI –protection of coastal resources
- Water Quality Restoration Grant
- FRDAP – outdoor recreation
- LWCF** – outdoor recreation
- RTP** - recreational trails
- FCT – protecting natural resources and providing recreation opportunities

- **FDOT** – Through Local TPO

- **FIND** – Waterways Assistance Program -
intercoastal access, recreational and safety

- **FDEM** – BRIC**, HMGP**, FMA**, PAGP, Post
Disaster Funding

- **FDEO**

- Rebuild Florida (post disaster)

- **CWSRF** – 20 YR loan (0.2% int. rate) **

- **Appropriations**

- Transportation
- Infrastructure
- Environmental
- Tourism & Economic Development
- Human Services

** - Federal Programs



Federal

- **USACE**

- Coastal Storm Risk Management
- Planning Assistance to States
- Small Flood Risk Management

- **EPA**

- WIFIA – similar to SRF
- Overflow & Stormwater Grants – formula to states
- LWCF – formula to states

- **NOAA**

- Natural Coastal Resilience Fund

- **FEMA/FDEM**

- **USDOT**

- LAP
- SRTS

- **IIJA/BIL**

- USDOT - Safe Streets and Roads for All +\$5B
- USDOT – RAISE +\$7.5B
- EPA – State CWSRF +\$500M to FL
- DOI - Water & Groundwater Storage and Conveyance +\$1B
- FEMA – BRIC +\$1B
- EPA - Brownfields Remediation Program +\$1.2B
- DHS - Cyber Security Grant +\$1B

- **Appropriations** – stormwater and CSRM



Overview of Funding Sources

