



VILLAGE OF KEY BISCAYNE

Village Council

Joe I. Rasco, Mayor
Oscar Sardinas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

REGULAR COUNCIL MEETING

TUESDAY, MAY 13, 2025
6:30 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

REVEREND FELIPE ASSIS
CROSSBRIDGE CHURCH

4. BRIEF COMMENTS BY COUNCIL

5. PUBLIC COMMENTS:

If you would like to speak during public comments, please fill out a blue request form available at the Council Chamber entrance and submit it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium and state your name and address. (If applicable, please state if you are a hired consultant or Village employee and/or engaged in lobbying activities and/or representing an organization.) Unless otherwise provided by Council, members of the public will have three (3) minutes to speak.

6. AGENDA:

APPROVAL/DEFERRALS/ADDITIONS/DELETIONS/SUBSTITUTIONS/WITHDRAWALS

7. SPECIAL PRESENTATIONS:

7.A. SPECIAL RECOGNITION FOR IT TAKES A VILLAGE - FAMILY FUN DAY
(PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

- 7.B. SITE PLAN REVIEW WORKSHOP FOR TERRA GROUP ENTRY BLOCK
(BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS
GAUGER)

TAB 1

- 7.C. KEY BISCAYNE LIBRARY UPDATE GIVEN BY MIAMI-DADE COUNTY PUBLIC
LIBRARY SYSTEM DIRECTOR RAY BAKER (BUILDING, ZONING AND
PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

- 7.D. HISTORIC VIRGINIA KEY BEACH PARK PRESENTATION GIVEN BY
EXECUTIVE DIRECTOR ATHALIE EDWARDS (PARKS, RECREATION AND
OPEN SPACES DIRECTOR TODD HOFFERBERTH)

- 7.E. PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL PUBLIC
WORKS WEEK (MAYOR RASCO)

TAB 2

- 7.F. PRESENTATION OF A PROCLAMATION RECOGNIZING CORAL
APPRECIATION DAY (MAYOR RASCO)

TAB 3

- 7.G. AD HOC COMMITTEE UPDATE TO COUNCIL (COUNCILMEMBER BRACKEN)

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 Councilmember 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. APRIL 8, 2025 MINUTES
(REGULAR COUNCIL MEETING)

TAB 4

- 8.B. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY
BISCAYNE, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO APPLY
FOR A TRANSIT DEVELOPMENT GRANT FROM THE FLORIDA
DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE VILLAGE'S
FREEBEE PUBLIC TRANSIT SERVICE;** AND PROVIDING FOR AN EFFECTIVE
DATE. (CIP AND GRANTS MANAGER COLLEEN DURFEE)

RECOMMENDATION: APPROVAL

TAB 5

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

9.A.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING ORDINANCE NO. 2024-16 WHICH ADOPTED THE BUDGET FOR FISCAL YEAR 2024-2025 BY REVISING THE 2024-2025 FISCAL YEAR BUDGET;** PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

SECOND READING
PUBLIC HEARING REQUIRED

RECOMMENDATION: APPROVAL

TAB 6

9.B.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING SECTION 30-11, "DEFINITIONS," AND ARTICLE VIII, "SIGNS," OF CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES RELATING TO DEFINITIONS, NON-COMMERCIAL STRUCTURAL SYMBOLS, AND MONUMENT SIGNS;** PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

FIRST READING
PUBLIC HEARING REQUIRED

RECOMMENDATION: APPROVAL

TAB 7

9.C.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING SECTION 25-31, "BUSINESS TAX SCHEDULE," OF CHAPTER 25 OF THE VILLAGE CODE OF ORDINANCES TO INCREASE THE BUSINESS TAX RECEIPT SCHEDULE RATES;** PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)

FIRST READING
PUBLIC HEARING REQUIRED

RECOMMENDATION: APPROVAL

TAB 8

9.D.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **AMENDING CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES, BY CREATING SECTION 30-62, TO ESTABLISH AN ADVISORY BOARD TO REVIEW REGULATORY VARIANCES; AMENDING SECTION 30-63, "VARIANCE PROCEDURES," AND SECTION 30-66 "REGULATORY VARIANCES," RELATING TO THE ADVISORY BOARD;** PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (COUNCILMEMBER STONER)

FIRST READING

PUBLIC HEARING REQUIRED

TAB 9

10. RESOLUTIONS:

10.A.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING A JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY TO RECEIVE \$1,915,059 IN COUNTY ROAD IMPACT FEES FOR THE HARBOR DRIVE IMPROVEMENTS PROJECT;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.(CIP AND GRANTS MANAGER COLLEEN DURFEE)

RECOMMENDATION: APPROVAL

TAB 10

10.B.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES, INC.;** PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR CHRISTOPHER MIRANDA)

RECOMMENDATION: APPROVAL

TAB 11

10.C.

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **APPROVING THE PURCHASE OF TWO FIRE VEHICLES FROM GARBER CHEVROLET BUICK**

GMC, INC. IN AN AMOUNT NOT TO EXCEED \$120,990; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; DECLARING CERTAIN FIRE VEHICLES AS SURPLUS PROPERTY; AUTHORIZING THE SALE OR DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (FIRE RESCUE CHIEF JOE FERNANDEZ)

RECOMMENDATION: APPROVAL

TAB 12

11. REPORTS AND RECOMMENDATIONS:

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

MANAGER'S REPORT

TAB 13

1. COUNCIL STRATEGY SESSION (VILLAGE MANAGER)
2. CIP FY25 MONTHLY REPORT (CIP AND GRANTS MANAGER COLLEEN DURFEE)
3. SOLID WASTE & RECYCLING SURVEY RESULTS (CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)
4. STREET LIGHT PROJECT UPDATE (CIP AND GRANTS MANAGER COLLEEN DURFEE)
5. STORMWATER SYSTEM MAINTENANCE & REPAIR STATUS (PUBLIC WORKS DIRECTOR CHRIS MIRANDA)
6. BUILDING DEPARTMENT METRICS (BUILDING, ZONING AND PLANNING DIRECTOR JEREMY CALLEROS GAUGER)
7. COMMUNITY PROGRAM & EVENTS - SEASON HIGHLIGHTS (PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)
8. WEBSITE UPDATE (COMMUNITY ENGAGEMENT AND COMMUNICATIONS MANAGER JESSICA DROUET)

B. MAYOR AND COUNCILMEMBERS

1. ZONING ORDINANCE REVIEW COMMITTEE (ZORC) APPOINTMENTS (MAYOR RASCO)
2. PUBLIC SAFETY ISSUE- BIKE LANE AT CRANDON BOULEVARD AND HARBOR DRIVE (COUNCILMEMBER BRACKEN)
3. HIGH WATER, EMERGENCY VEHICLES (COUNCILMEMBER BRACKEN)
4. ADVISORY BOARD ASSIGNMENTS (COUNCILMEMBER STONER)
5. IDENTIFYING HOUSES THAT FLOOD AND KEEPING TRACK OF THOSE HOUSES. CREATING A VILLAGE DATA BASE THAT IS AVAILABLE TO THE PUBLIC. (MAYOR RASCO)
6. DEVELOP BUILDING DEPARTMENT REPORTS (MONTHLY/QUARTERLY) THAT WOULD GIVE US BETTER UNDERSTANDING OF HOW VILLAGE IS DOING WITH RESIDENTS' PERMITTING. (MAYOR RASCO)
7. BEGINNING DISCUSSION ON SWALE POLICY ON KEY BISCAYNE. NEED FOR A WORKSHOP TO DISCUSS AT LENGTH. (MAYOR RASCO)
8. INSTITUTIONAL ZONING (COUNCILMEMBER STONER)

C. VILLAGE ATTORNEY

D. VILLAGE CLERK

1. SUPPLEMENTAL OPEN MEETING REQUIREMENTS

TAB 14

12. OTHER BUSINESS/GENERAL DISCUSSION

13. SCHEDULE OF FUTURE MEETINGS/EVENTS:

COUNCIL STRATEGY SESSION

THURSDAY, MAY 22, 2025, 9:00 A.M.

PANKEY INSTITUTE, 1 CRANDON BOULEVARD

REGULAR COUNCIL MEETING

TUESDAY, JUNE 10, 2025, 6:30 P.M., COUNCIL CHAMBER

BUDGET WORKSHOP

TUESDAY, JUNE 17, 2025, 6:30 P.M., COUNCIL CHAMBER

REGULAR COUNCIL MEETING

TUESDAY, JULY 29, 2025, 6:30 P.M., COUNCIL CHAMBER

14. 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.

VIA EMAIL

May 2, 2025

Mr. Jeremy Calleros Gauger
Building, Zoning, and Planning Director
Village of Key Biscayne
88 West McIntyre Street
Key Biscayne, FL 33149

**Re: Letter of Intent in Support of Application for Site Plan
Approval (“Application”)**

Dear Jeremy:

On behalf of Environmental Resilient Communities LLC (“Applicant”), we submit the following in support of a workshop and site plan application for the properties located at 12, 22 and 24 Crandon Boulevard and consisting of approximately 1.42 acres (the “Property”).

Overview

The Property is currently vacant and sits at the entry to the Village on the West side of Crandon Boulevard and is commonly referred to as the “Entry Block.” The Applicant proposes activating this gateway property with a site plan that includes approximately 5,000 sqft. of new commercial/office space and a Padel Court Facility that will provide additional entertainment and recreational opportunities to the Village through three (3) indoor, air conditioned padel courts; two (2) outdoor padel courts; and indoor amenities such as a Padel Pro Shop and Café (the “Project”).

The proposed plan spreads the uses across two structures with surface parking for both golf carts and cars; Raymond Jungles designed landscaping; and an outdoor courtyard for leisure between padel matches. The Applicant is pleased to announce that the first tenant of the new office space will be the Sales Center and Office for the recently approved residential development project located at 301 Ocean Drive.

The Project Satisfies the Village’s Site Plan Review Criteria

The Property is located within the Village’s Low Intensity Commercial (“C-1”) Zoning District and is designated Commercial under the Village’s Master Plan. The C-1 Zoning District permits the development of land in a low intensity manner and uses that provide for the sale of goods and services that primarily serve the residents of the Village. § 30-101, Village Code. The development of office and recreational structures and uses to serve the Village meets the primary purpose of the zoning district and is consistent with both the Village Code and Comprehensive Master Plan.

Pursuant to Section 30-73(g) of the Code, the Applicant provides the following analysis confirming that the proposed Project satisfies the Village's Site Plan review criteria:

Criterion 1. *Natural environment.* All proposed Development shall be designed in such a manner as to preserve, perpetuate and improve the existing natural character of the site. Existing trees and other landscape features shall, to the maximum extent possible, be preserved in their natural state; and additional landscape features shall be provided to enhance architectural features, to relate structural design to the site, to conceal unattractive Uses, and to improve the tree canopy in the Village. In all instances the Village's tree protection, landscaping and all other applicable Regulations shall be fully complied with as minimum standards.

Analysis: The Project satisfies the Natural Environment Criteria. The proposed Project has been designed in a manner to redevelop a vacant lot that currently contains little to no existing landscape features. The proposed landscape plan will utilize native species and introduce shade trees, improving the tree canopy in the Village. The additional landscape features will enhance the proposed architectural design and comply with the Village's tree protection, landscaping and all other applicable Regulations.

Criterion 2. *Open space.* Adequate landscaped open space shall be provided which meets the particular needs and demands of the proposed Development and all specific zoning district requirements. Legal methods assuring the continued preservation and maintenance of required open space shall be submitted to and approved by the Building, Zoning and Planning Director and Village Attorney. The type and distribution of all open space shall be determined by the character, intensity and anticipated residential or User composition of the proposed Development.

- a. Passive open spaces (those areas not planned for intensive activity) shall be arranged as to enhance internal spatial relationships between proposed Structures, to provide buffers between the project and adjacent Uses, to facilitate pedestrian movements within the Development, and to improve the overall visual quality of the site and neighboring area.
- b. Active open spaces (those areas containing activities such as playgrounds, tennis courts, swimming pools and other active recreational facilities) shall be located so as to permit easy Access to all residents or Users within a Development. Private recreational facilities and activities within specific projects shall, wherever possible, complement, rather than duplicate, nearby public recreational activities.

Analysis: The Project satisfies the Open Space Criteria. With 20,546 sqft. of pervious area (approximately 35% where 35% is permitted) and a lot coverage of 36,457 sqft. (approximately 62% where 65% is permitted), the Project provides

the required pervious and landscaped open space to meet the demands of a commercial development. The Project also includes passive open spaces to connect the uses between the proposed structures and active commercial and recreational areas. Adequate buffers from adjacent uses have been provided, where applicable.

Criterion 3. *Circulation and Parking.* All circulation systems and Parking facilities within a proposed Development shall be designed and located in such a manner as to comply with the following:

- a. A clearly defined vehicular circulation system shall be provided which allows free movement within the proposed Development while discouraging excessive speeds and reasonably accommodating pedestrian and bicycle traffic. Said systems shall be separated or buffered insofar as practicable from pedestrian circulation systems. Pavement widths and Access points to peripheral Streets shall be provided which adequately serve the proposed Development and which are compatible and functional with circulation systems outside the Development.
- b. Whenever possible in proposed residential Developments, living Units should be located on residential Streets or courts that are designed to discourage nonlocal through traffic.
- c. Off-Street Parking areas shall be provided which adequately accommodate maximum vehicle storage demands for the proposed project and are located and designed in such a manner so as to conveniently serve the Uses to which they are accessory and not create incompatible visual relationships.
- d. Safe and efficient Access to all areas of the proposed Development shall be provided for emergency and service vehicles, as required by Chapter 52.11 of the Florida Building Code.
- e. Sidewalks shall be provided as required by the Village Regulations. f. Handicapped accessibility shall be provided as required by all applicable regulations.

Analysis: The Project satisfies the Circulation and Parking Criteria. The Project's circulation and parking facilities meet the Village's minimum parking requirements and are designed in a way that clearly defines the vehicular circulation system and are buffered from pedestrian circulation systems while also providing adequate access points to Crandon Boulevard. Safe and efficient access is provided for emergency vehicles through primary points of ingress/egress to Crandon Boulevard and all parking facilities are accessible as required by Village regulations.

Criterion 4. *Community services and utilities.* All proposed Developments shall be designed and located in such a manner as to ensure the adequate provision, Use and compatibility of necessary community services and utilities.

- a. An adequate sanitary sewer collection system including all necessary extensions and connections, shall be provided in accordance with Village standards for location and design. Where necessitated by the size of the Development and/or by the unavailability of Village treatment facilities, sanitary sewage treatment and disposal systems must be provided in accordance with Village and State standards and Regulations.
- b. An efficient solid waste collection system, including the provisions of an adequate number of properly screened local receptacles in locations which afford maximum Use and collection convenience, shall be provided in accordance with all applicable Village standards.
- c. A well designed internal system for fire protection, including the provisions of an adequate number of properly located fire hydrants and an efficient Access arrangement for emergency fire vehicles, shall be provided to insure the safety of all Persons within the project.

Analysis: The Project satisfies the Community Services and Utilities Criteria. The Project has been designed to provide adequate services and utilities, including sanitary sewer collection and solid waste collection. The Project provides well-designed fire protection and access for emergency fire vehicles.

Criterion 5. *Building and other Structures.* All Buildings and Structures proposed to be located within a Development shall be oriented and designed in such a manner as to enhance, rather than detract from, the overall quality of the site and its immediate environment. The following guidelines shall be followed in the review and evaluation of all Buildings and Structures:

- a. Proposed Buildings and Structures shall be related harmoniously to the terrain, other Buildings and the surrounding neighborhood, and shall not create through their location, style, color or texture incompatible physical or visual relationships.
- b. All Buildings and Structures shall be designed and oriented in a manner insuring maximum privacy of Residential Uses and related activities both on the site being developed and property adjacent thereto.
- c. All permanent outdoor identification features which are intended to call attention to proposed projects and/or Structures shall be designed and located in such a manner as to be an integral part of the total project and/or structural design and shall not exceed a size and scale necessary for the recognition from vehicles moving along adjacent Streets at prescribed legal speeds.

Analysis: The Project satisfies the Building and Other Structures Criteria. The Project's design enhances the overall quality of what is currently a vacant site and improves the pedestrian experience and entrance to the Village.

Criterion 6 *Level of service standards.* For the purpose of the issuance of Development orders and permits, the Village has adopted level of service standards for public facilities and services which include roads, sanitary sewer, schools, solid waste, drainage, potable water, and parks and recreation. All applicants are required to prove Concurrency pursuant to the Land Development Regulations.

Analysis: Levels of Service, i.e., concurrency, will be satisfied prior to the issuance of Site Plan approval pursuant to section 30-73(f)(8), Village Code.

Criterion 7 *Density standards.* No Site Plan shall be approved which would permit any Development which would result in an increase in residential Density in excess of the Density previously approved for the subject property by a valid Development Order. For purposes of this section, existing development approved and constructed with hotel Density may be approved as apartment Density provided that the apartment Density does not exceed the previously approved hotel Density.

Analysis: The Project satisfies the Density standards Criteria. No residential density is proposed.

Criterion 8 *Other requirements.* Requirements and recommendations as provided in the Village tree and landscape Regulations shall be observed as will the requirements of all applicable standards and Regulations.

Analysis: Requirements and recommendation as provided in the Village tree and landscape Regulations and all applicable standards and regulations have been observed.

Conclusion

Based on the findings and relevant background information, it is respectfully requested that the Village Council approve the proposed site plan Application. Thank you in advance for your consideration of this request. If you have any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian E. DeMello', with a stylized flourish extending to the right.

Ian E. DeMello, Esq.

ZONING DATA - KEY BISCAYNE C1 DISTRICT

		ALLOWED	PROPOSED
CURRENT ZONING CLASSIFICATION	C1 - LOW INTENSITY COMMERCIAL DISTRICT		
LOT AREA	58,815 SQFT (1.35 ACRES)	----	----
FLOOD ELEVATION	FLOOD ZONE AE, BFE 9'	DESIGN FLOOD 10'	DESIGN FLOOD 10'

DEVELOPMENT REGULATIONS

FAR (FLOOR AREA RATIO)	.20-.50	11,763 SQFT - 29,407.5 SQFT	SALES CENTER: 4,489 SQFT PADEL: 21,573.97 SQFT = 26,063 SQFT
LOT COVERAGE	LOT AREA = 58,815 SQFT	35% = 20,585 SQFT	20,546 SQFT
OPEN SPACE	PERVIOUS = 12,674 SQFT IMPERVIOUS = 30,006 SQFT	65% = 38,229 SQFT	36,457 SQFT

BUILDING SETBACKS

STREET FRONTAGE	First and second floor shall be 10 ft. Third floor shall be greater than 20 ft.	10'	----
SIDE, INTERIOR	0-5 ft. based on Site Plan Review for sideyard facing a street; 0-30 ft. based on Site Plan Review for interior sideyard. If adjacent to land zoned Institutional or adjacent to a park, the sideyard setback is 35 ft.	35'	----
REAR	25 ft. facing Fernwood Rd., Village Green Way or adjacent to single- family district; 35 ft. if adjacent to land zoned Institutional or adjacent to a park. 0 ft. in all other situations.	00'	----

BUILDING HEIGHT

		3 stories not to exceed 35'	30'
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PARKING REQUIREMENTS

SALES CENTER	RETAIL - 1 SPACE PER 250 SQFT	4,489 SQFT = 18 SPACES	21 SPACES
PRO SHOP	RETAIL - 1 SPACE PER 250 SQFT	= 14 SPACES	16 SPACES
COURTS	5 COURTS - 2 SPACES PER		
			37 SPACES TOTAL

FOR AHJ USE ONLY:

OWNER

ARCHITECT

O'DONNELL, DAMWOLF AND PARTNERS ARCHITECTS INC.
AA20000203
2402 HOLLYWOOD BLVD
HOLLYWOOD, FL 33020
T: (954) 515-0533

STRUCTURAL ENGINEER

COMPANY NAME (2)
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (202) 000-0000

MEP ENGINEER

COMPANY NAME (3)
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CIVIL ENGINEER

COMPANY NAME 04
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 800-0000

LANDSCAPE ARCHITECT

COMPANY NAME OS
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

7. (800) 608-0880 **INTERIOR DESIGN**

COMPANY NAME 06
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

LIFE SAFETY CONSULTANT

COMPANY NAME OF
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

CONSULTANT 08

COMPANY NAME OR
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

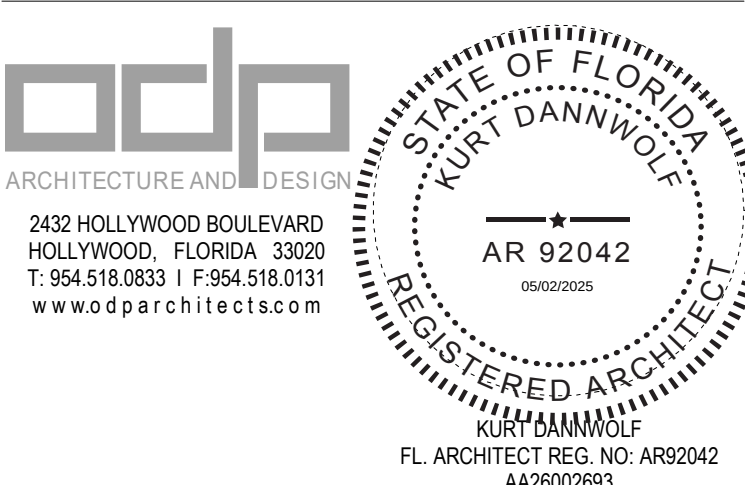
CONSULTANT 09

COMPANY NAME IS
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

CONSULTANT 10

COMPANY NAME 10
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
P. 0000.000.0000

7. (200) 808-0080



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KURT DANNWOLF LICENSE
ON THE DATE ADJACENT TO THE SEAL

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ALL SIGNED AND SEALED ARCHITECTURAL PLANS AND SPECIFICATIONS, TO THE BEST OF THE ARCHITECTS KNOWLEDGE, COMPLY WITH THE MINIMUM REQUIREMENTS OF THE FLORIDA BUILDING CODE AND THE APPLICABLE FIRE-SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY AND FLORIDA STATUTES.

PROJECT REVIT TEMPLATE R23 V00

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

REVISIONS

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SCALE:
SHEET SIZE, ARCH E (OPTION) DO NOT SCALE DRAWINGS
DATE: 11/25/04
STARTED BY: COP
SHEET NAME:

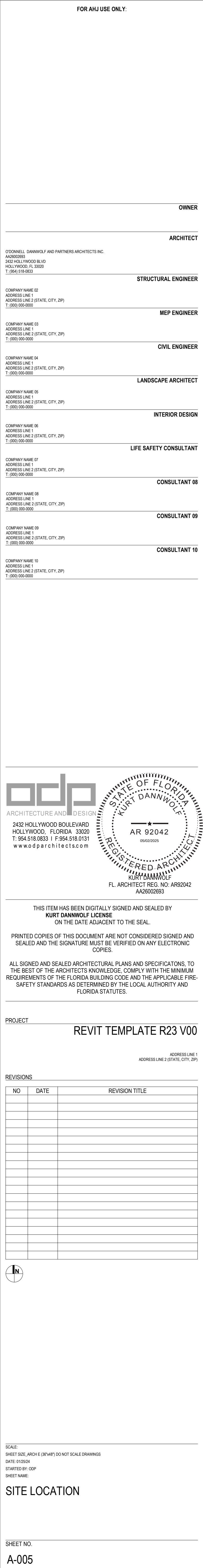
ZONING DATA

SHEET NO. _____

A-003

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PARCEL ID:
2442320020030





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OWNER

ARCHITECT

O'DONNELL, DAMWOLF AND PARTNERS ARCHITECTS INC.
AA26002693
2432 HOLLYWOOD BLVD
HOLLYWOOD, FL 33020
T: (954) 518-0833

STRUCTURAL ENGINEER

COMPANY NAME 02
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 800-0000

MEP ENGINEER

COMPANY NAME 03
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CIVIL ENGINEER

COMPANY NAME 04
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (360) 600-0000

LANDSCAPE ARCHITECT

COMPANY NAME OS
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 000-0000

INTERIOR DESIGN

COMPANY NAME 06
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 605-0080

DREW ETT CONSETANI

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 000-0000

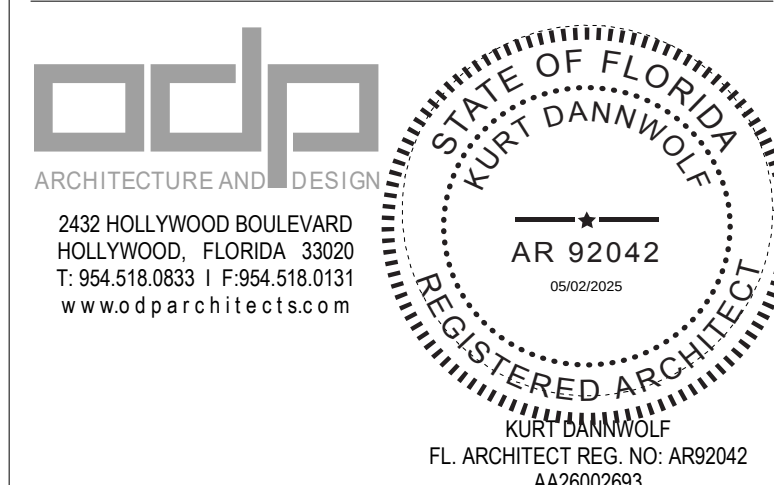
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

COMPANY NAME 00

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (202) 280-8000

COMPANY NAME TO
ATTENTION: J. J. J.

ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (380) 808-0080



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REVISIONS

[illegible]

SCALE:
SHEET SIZE, ARCH E (36"x48") DO NOT SCALE DRAWINGS
DATE: 9/15/2014
STARTED BY: OOP
SHEET NAME:

SITE PHOTOS

SHEET NO.
A-007



LOT COVERAGE %		
LOT AREA	MAX LOT COVERAGE ALLOWED	LOT COVERAGE PROVIDED
58,815 SQFT (1.35 ACRES)	35% = 20,585.25 SQFT	13,109 SQFT (COURTS/CAFE) + 7,437 SQFT (SALES) = 20,546 SQFT



OPEN SPACE %		
LOT AREA	REQUIRED OPEN SPACE	LOT COVERAGE PROVIDED
58,815 SQFT (1.35 ACRES)	65% = 38,229 SQFT	PERVIOUS = 10,021 SQFT + IMPERVIOUS = 26,436 SQFT = 36,457 SQFT

FOR AHJ USE ONLY:

OWNER

ARCHITECT

O'DONNELL, DAMWOLF AND PARTNERS ARCHITECTS INC.
AA20002093
2432 HOLLYWOOD BLVD
HOLLYWOOD, FL 33300
T: (305) 578-0933

STRUCTURAL ENGINEER

COMPANY NAME 02
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (303) 600-0000

SENIOR ENGINEER

COMPANY NAME (O)
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CIVIL ENGINEER

COMPANY NAME 04
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 600-0000

LANDSCAPE ARCHITECT

COMPANY NAME 05
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 608-0800

INTERIOR DESIGN

COMPANY NAME 06
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 600-0000

LIFE SAFETY CONSULTANT

COMPANY NAME OR
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 600-0000

CONSULTANT 08

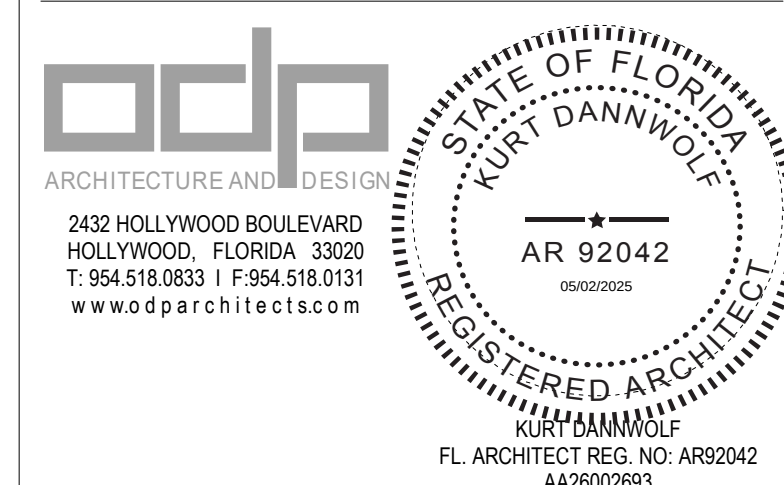
COMPANY NAME OR
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (XXX) XXX-XXXX

CONSULTANT 03

COMPANY NAME SS
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (XXX) XXX-XXXX

CONSULTANT 10

COMPANY NAME TO
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (303) 805-0000



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PROJECT REVIT TEMPLATE R23 V00

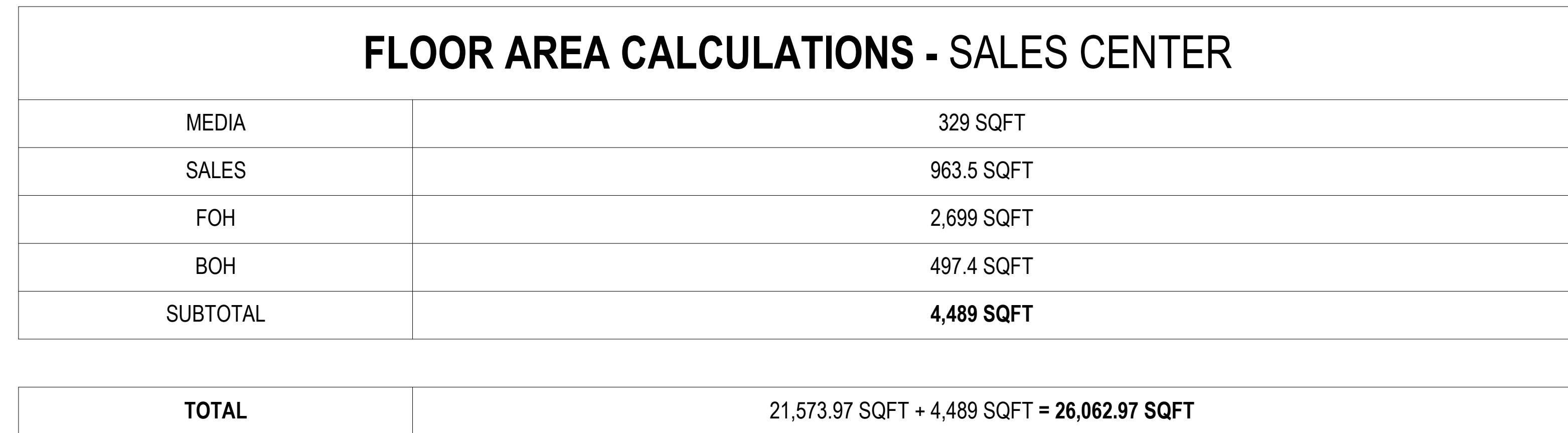
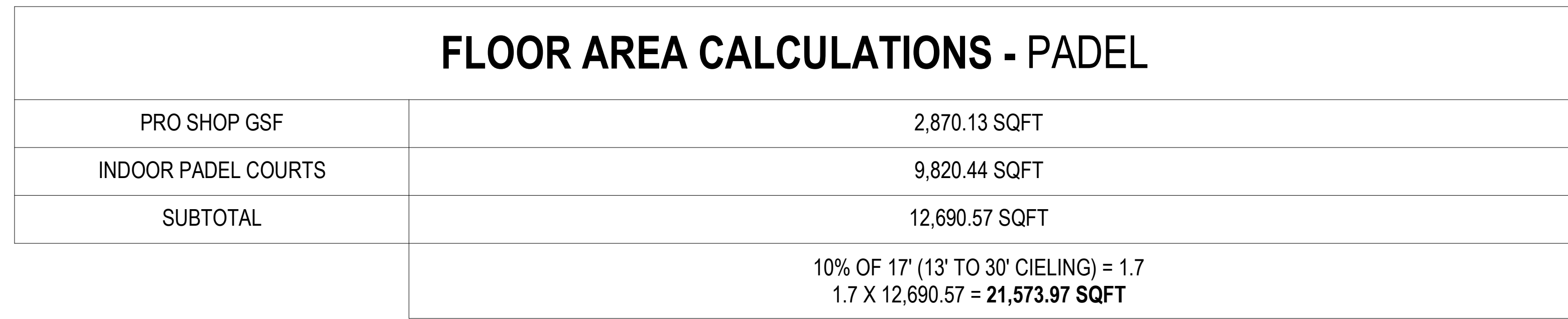
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SHEET SIZE, ARCH E (36"x48") DO NOT SCALE DRAWINGS
DATE: 01/25/04
STARTED BY: COP
SHEET NAME:

LOT COVERAGE & OPEN SPACE

SHEET NO.
A-008

FOR A/HJ USE ONLY		
OWNER		
ARCHITECT		
STRUCTURAL ENGINEER		
MEP ENGINEER		
CIVIL ENGINEER		
LANDSCAPE ARCHITECT		
INTERIOR DESIGN		
LIFE SAFETY CONSULTANT		
CONSULTANT #1		
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CONSULTANT #172		
CONSULTANT #173		
CONSULTANT #174		



 ARCHITECTURE AND DESIGN
2432 HOLLYWOOD BOULEVARD
HOLLYWOOD, FL 33021
T: 954 518-0833 / F: 954 518-0131
www.parchitect.com

STATE OF FLORIDA
KURT BANNOFF
REGISTERED ARCHITECT
FL 92042
06/06/2008
KURT BANNOFF
FL ARCHITECT REG. NO. AP92042
000420083

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REQUIREMENTS OF THE FLORIDA BUILDING CODE AND THE APPLICABLE FIRE,
SAFETY STANDARDS AS SET FORTH BY THE LOCAL AUTHORITY AND
FLORIDA STATUTES.

[illegible]

 SCALE: 1" = 4' - 0"

SHEET TITLE: ARCHIT. (DWG) (DO NOT SCALE DRAWINGS)

DATE: 11/20/20

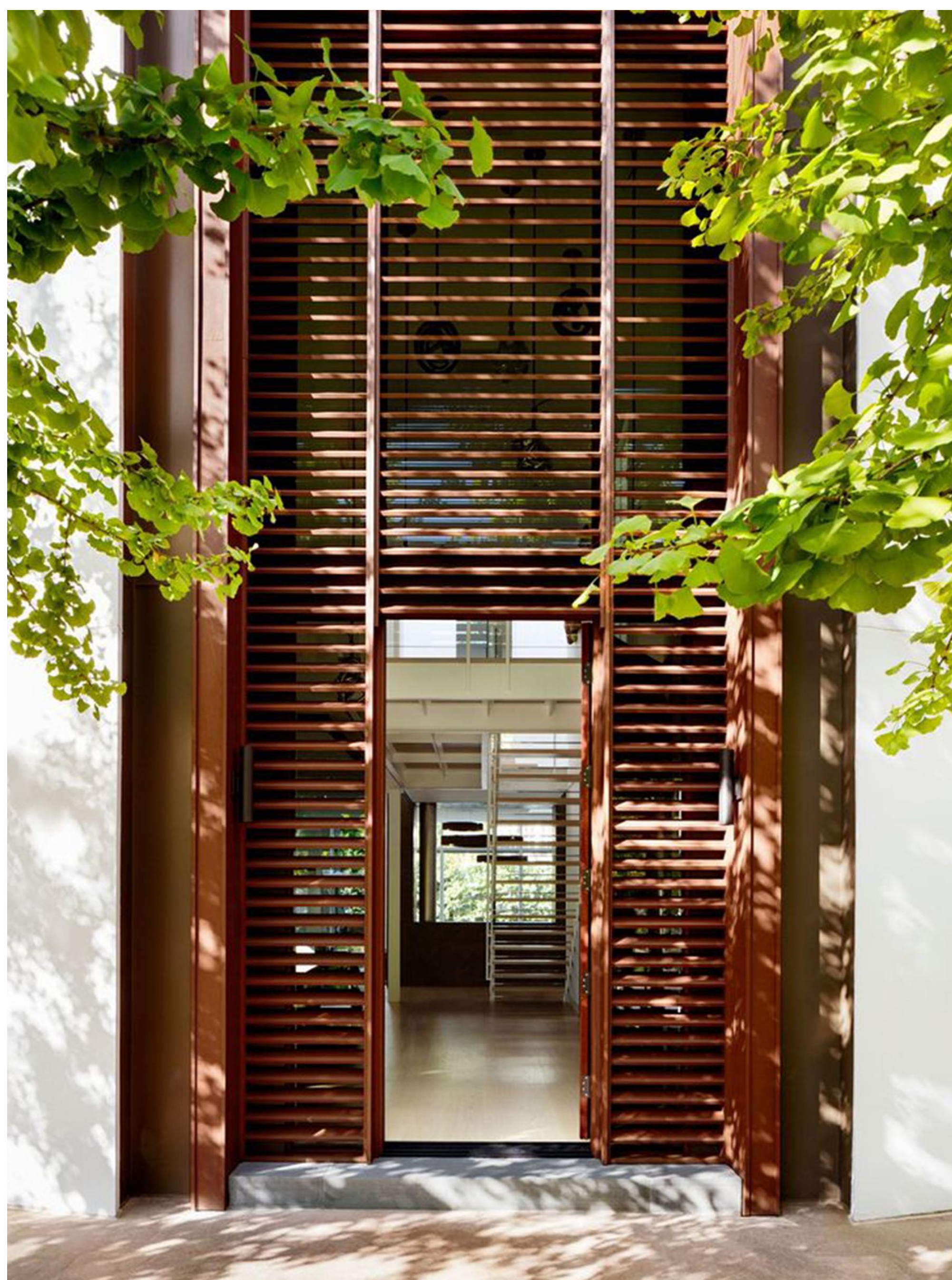
STARTED BY: GGP

SHEET NAME:

FAR DIAGRAMS

SHEET NO.

A-010



FOR ARCH USE ONLY

OWN

ARCHITECT

MEP ENGINEER

CIVIL ENGINEER

LANDSCAPE ARCHITECT

INTERIOR DESIGNER

LIFE SAFETY CONSULTANT

CONSULTANT

CONSULTANT

CONSULTANT

COONELL, DANAWOLF AND PARTNERS ARCHITECTS INC.
ADDRESS: 3300 HOLLYWOOD BLVD
HOLLYWOOD, FL 33020
T: 305.185.0000

CONFIRM NAME 02
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 03
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 04
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 05
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 06
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 07
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 08
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 09
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

CONFIRM NAME 10
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (000) 000-0000

AR 92042

ISSUED 01/05

REGISTERED ARCHITECT

KURT DANAWOLF

FL ARCHITECT REG. NO. AR20042

A00000993

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REQUIREMENTS OF THE FLORIDA BUILDING CODE AND THE APPLICABLE FIRE
SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY AND
FLORIDA STATUTES.

PROJECT

REVIT TEMPLATE R23 V0

ADDRESS LINE 1 (STATE, CITY, ZIP)

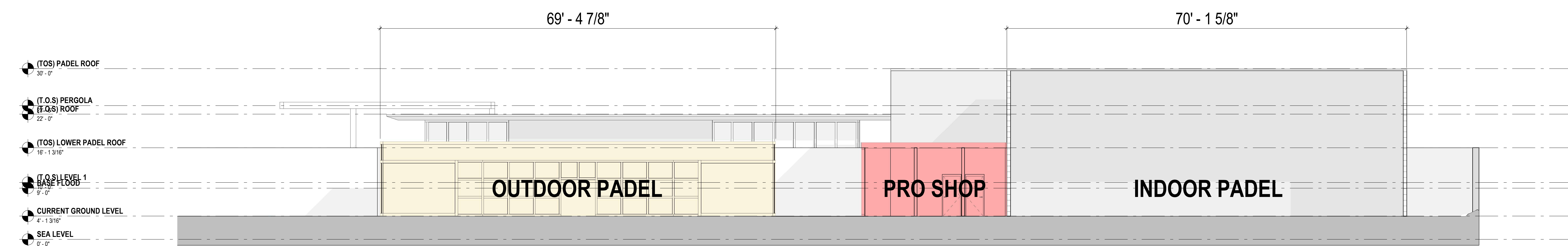
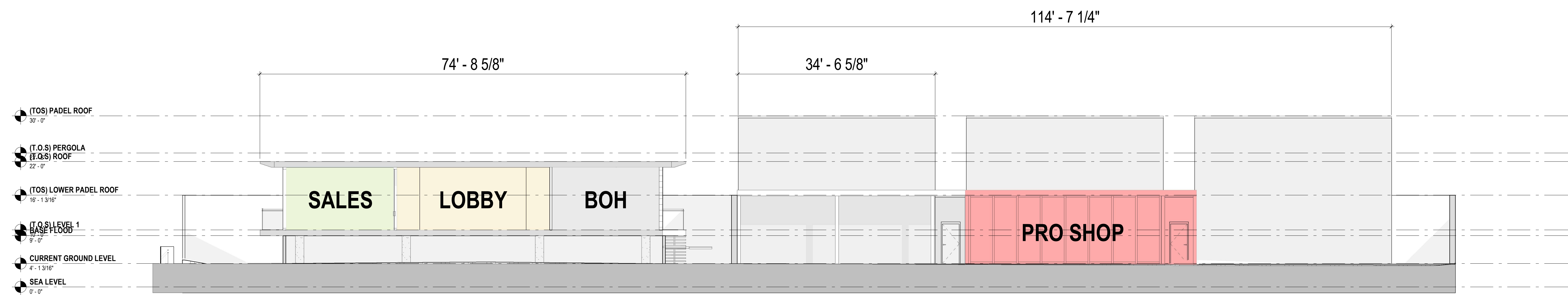
REVISIONS

NO	DATE	REVISION TITLE

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SHEET SIZE: ARCH D (OTHER) DO NOT SCALE DRAWINGS
DATE: 1/10/24
DRAWN BY: CDF
SHEET NAME:

INSPIRATION IMAGES - SALES

SHEET NO:
A-011



FOR AHJ USE ONLY:

NER

ECT

DOCKWELL, DAMWOLF AND PARTNERS ARCHITECTS INC.
28002893
32 HOLLYWOOD BLVD
HOLLYWOOD, FL 33020
(754) 515-0633

STRUCTURAL ENGINEER

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

ENGINEER

COMPANY NAME (3)
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

ENGINEER

COMPANY NAME C6
ADDRESS LINE 1
ADDRESS LINE 2 / STATE CITY ZIP

LANDSCAPE ARCHITECT

COMPANY NAME 05
ADDRESS LINE 1

● ● ● ● ● ● ● ● ● ●

COMPANY NAME OF
ADDRESS LINE 1

COUNTRY NAME OF

[illegible]

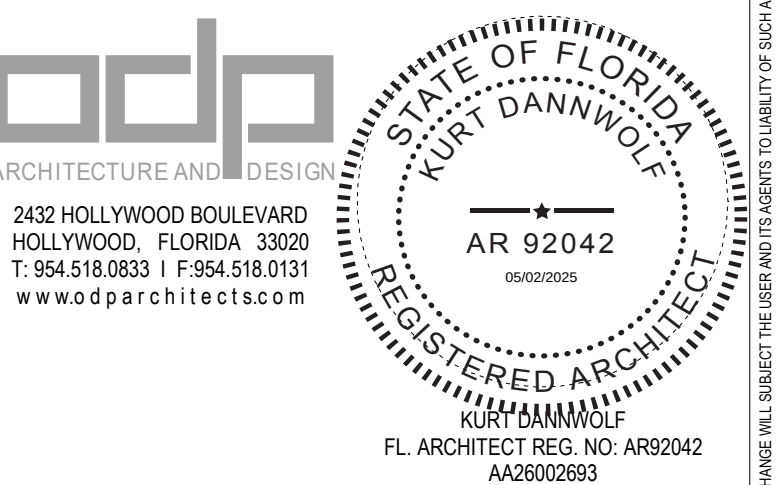
COMPANY NAME OR

[illegible]

COMPANY NAME: 28

[illegible]

PROPERTY NAME TO



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KURT DANNWOLF LICENSE
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PROJECT REVIT TEMPLATE R23 V00

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

REVISIONS

[illegible]

SCALE: 1/8" = 1'-0"
SHEET SIZE: ARCH E (36"x48") DO NOT SCALE DRAWINGS
DATE: 01/25/04
DRAWN BY: CDP
SHEET NAME:

SITE SECTIONS

HEET NO.
A-013

OWNER

ARCHITECT

STRUCTURAL ENGINEER

COMPANY NAME 02
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
TEL. (AREA) NO. EXT.

COMPANY NAME (O)
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

COMPANY NAME 04
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

COMPANY NAME 05
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

INTERIOR DESIGN

COMPANY NAME OF ADDRESS LINE 1

CONSULTANT 08

CONSULTANT 09

CONSULTANT 10

DOI: 10.1002/9781118466366.ch10

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PROJECT REVIT TEMPLATE R23 V00

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

REVISIONS

SITE ELEVATION

SALES CENTER

MURAL OPPURTUNITY
BY LOCAL ARTIST

EXISTING
WALL & FENCE

EXISTING
WALL & FENCE

 (TOS) PADEL ROOF
30' - 0"

(T.O.S) PERGOLA

(T.O.S) ROOF

 (TOS) LOWER PADEL ROOF

 (T.O.S) LEVEL 1

BASE FLOOR

 CURRENT GROUND LEVEL
4' - 1 3/16"

 SEA LEVEL
cc cc

OVERALL SITE ELEVATION - 1/8" = 1'

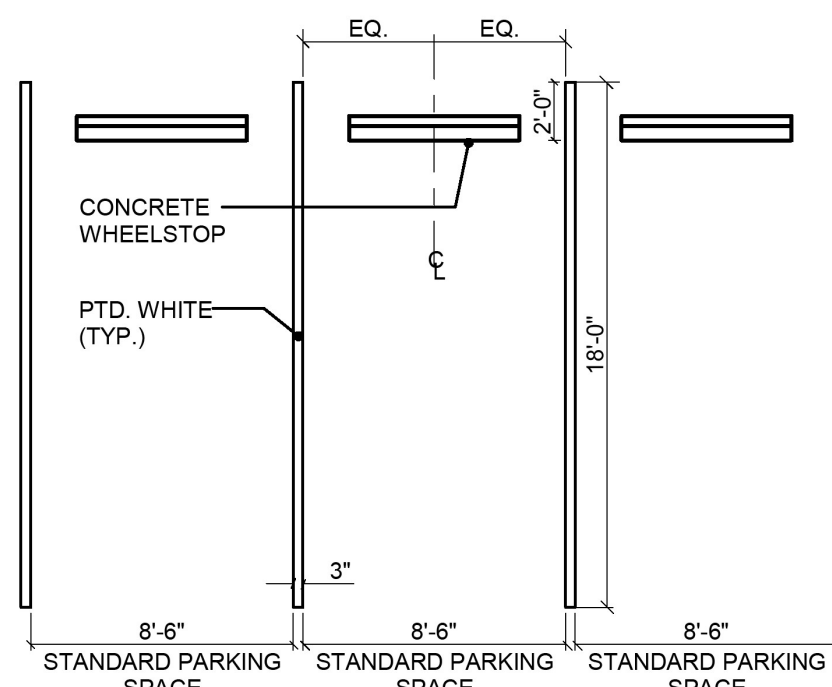


MOBIL
Exxon Mobil Gas Station

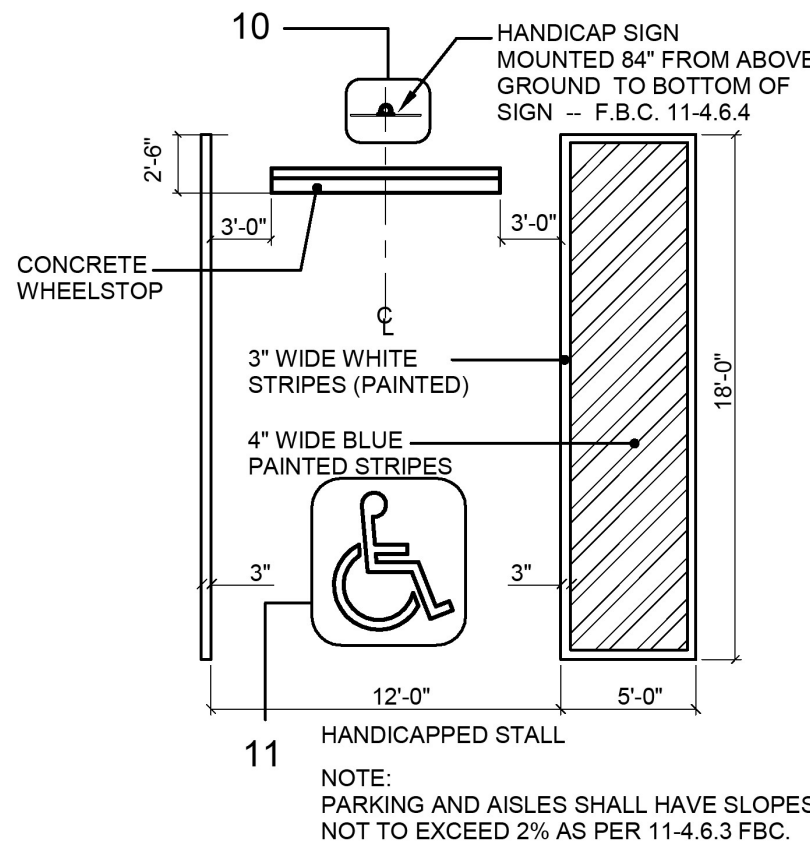
CRANDON BOULEVARD

PARKING COUNT				
SPACE	CLASSIFICATION	SQUARE FOOTAGE	REQUIRED	PROVIDED
SALES CENTER	RETAIL	4,489 SQFT	1/250 SQFT = 18 SPACES	21
PRO SHOP	RETAIL	1,042 SQFT	14 SPACES	16 SPACES
COURTS		5 COURTS (2 PER)		
TOTAL				37 SPACES

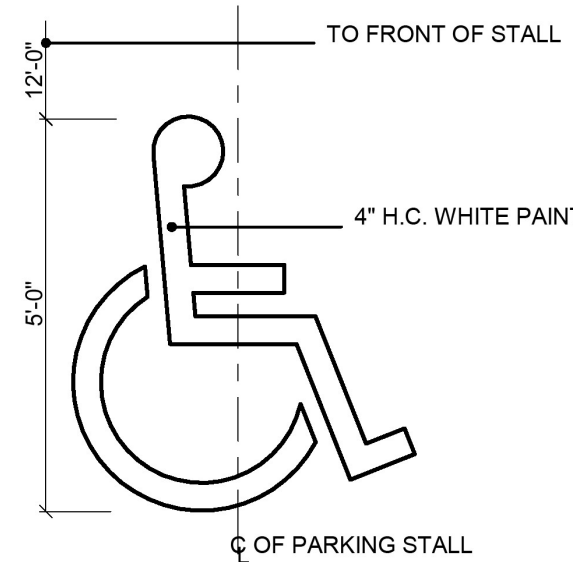
ADA	1 PER SIDE = 2 SPACES TOTAL
GOLF CART	3 GOLF CART SPACES TOTAL



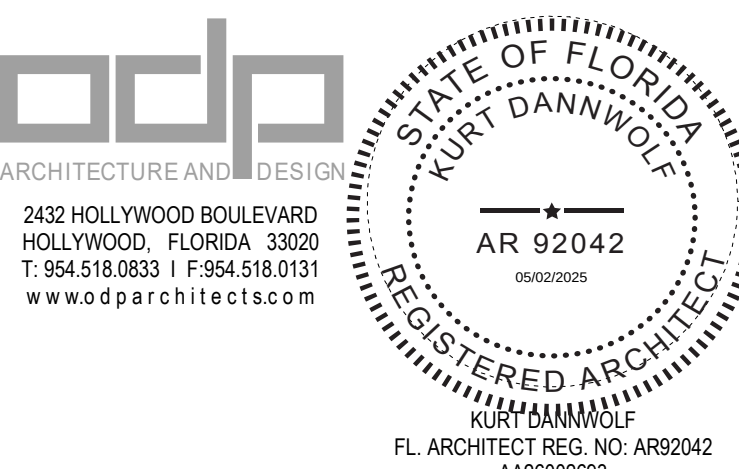
PARKING STRIPE DETAIL



HANDICAPPED DETAIL



HANDICAP SYMBOL

[illegible]

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SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY AND
FLORIDA STATUTES.

PROJECT REVIT TEMPLATE R23 V00

[illegible]

SCALE: As Indicated
SHEET SIZE: ARCH E (36"x48") DO NOT SCALE DRAWING
DATE: 01/25/04
STARTED BY: CDP
SHEET NAME:

PARKING DETAILS

SHEET NO.
A-014



CRANDON BOULEVARD

FOR AHJ USE ONLY:

OWNER

ИТЕСТ

DOONELL, DAMWOLF AND PARTNERS ARCHITECTS INC.
 1A20002000
 1032 HOLLYWOOD BLVD
 HOLLYWOOD, FL 33020
 T: (354) 515-0833

STRUCTURAL ENGINEER

COMPANY NAME (3)
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

SENIOR ENGINEER

COMPANY NAME 04
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
TEL: (800) 800-0000

LANDSCAPE ARCHITECT

INTERIOR DESIGN

PRIOR DESIGN

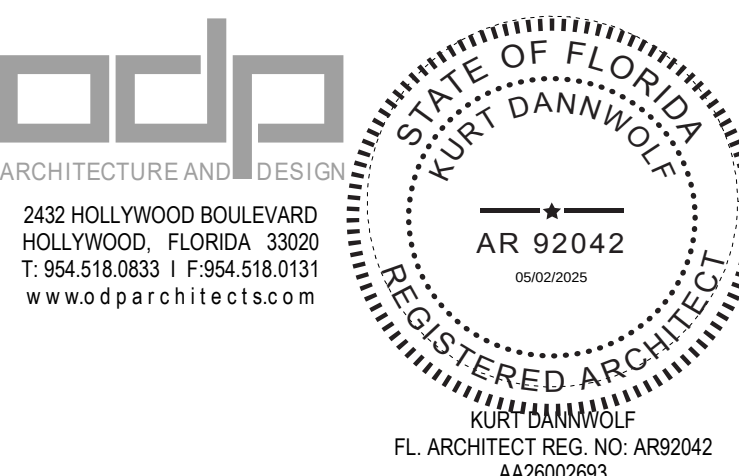
COMPANY NAME OF
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 000-0000

CONSULTANT OF

CONSULTANT 09

CONSULTANT OF RECORD

COMPANY NAME 10
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
TEL: (800) 800-0000



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PROJECT REVIT TEMPLATE R23 V00

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

REVISIONS

[illegible]

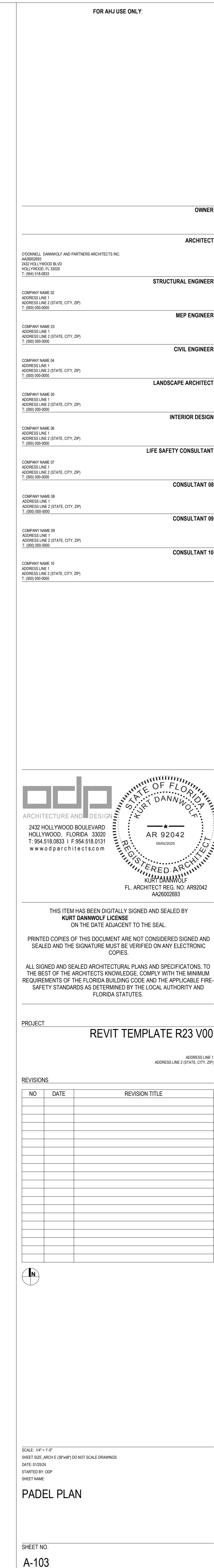
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STARTED BY: CDP
SHEET NAME:

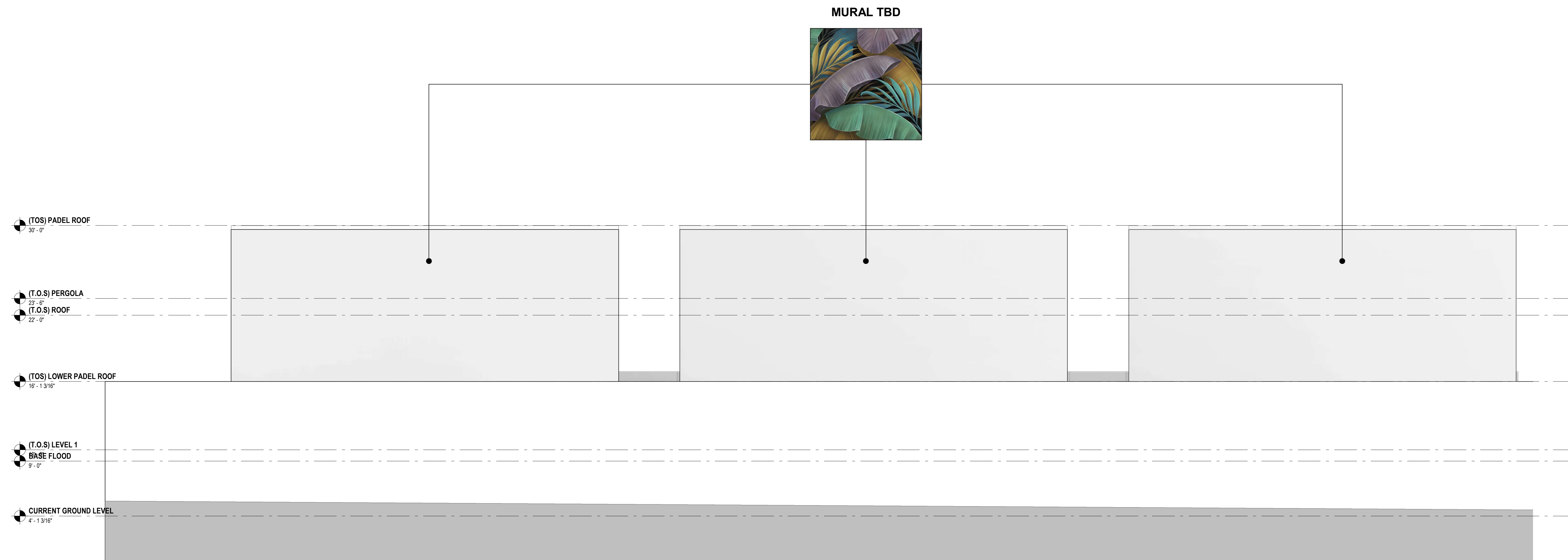
SALES CENTER PLAN

SHEET NO.

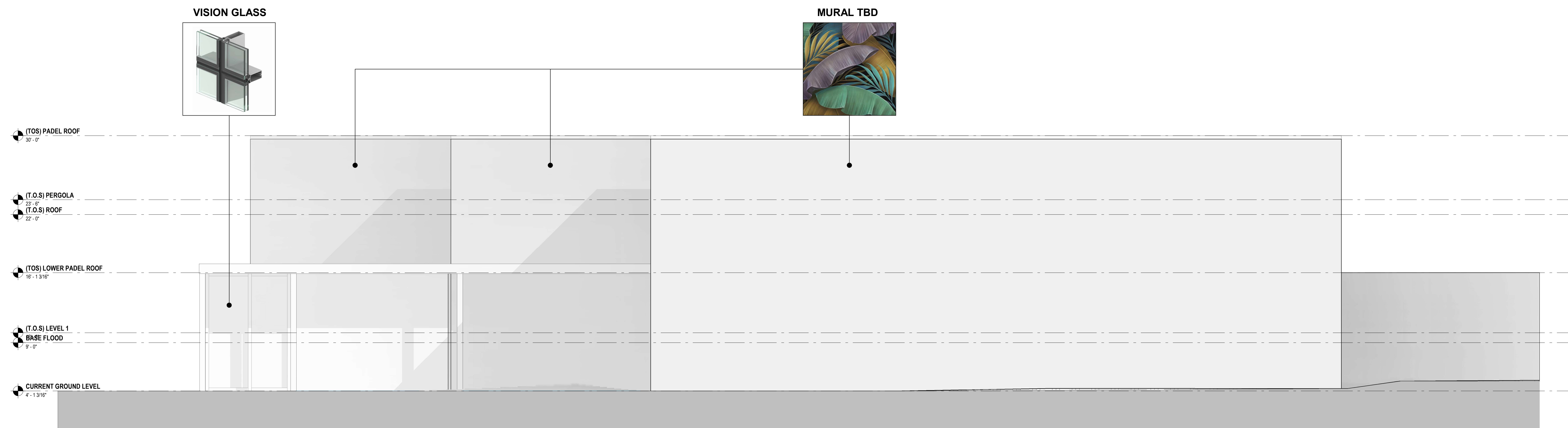
A-102

[illegible]





PADEL FACILITY - SOUTHERN ELEVATION - 1/4" = 1'



PADEL FACILITY - WESTERN ELEVATION - 1/4" = 1'

FOR AHJ USE ONLY:

WNER

TECT

O'DONNELL, DANWOLF AND PARTNERS ARCHITECTS INC.
AA20002092
2402 HOLLYWOOD BLVD
HOLLYWOOD, FL 33020
T: (954) 918-0633

STRUCTURAL ENGINEER

COMPANY NAME 02
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 600-0000

MEP ENGINEER

CIVIL ENGINEER

LANDSCAPE ARCHITECT

COMPANY NAME 06
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

TANT

COMPANY NAME OF
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 600-0000

NT 08

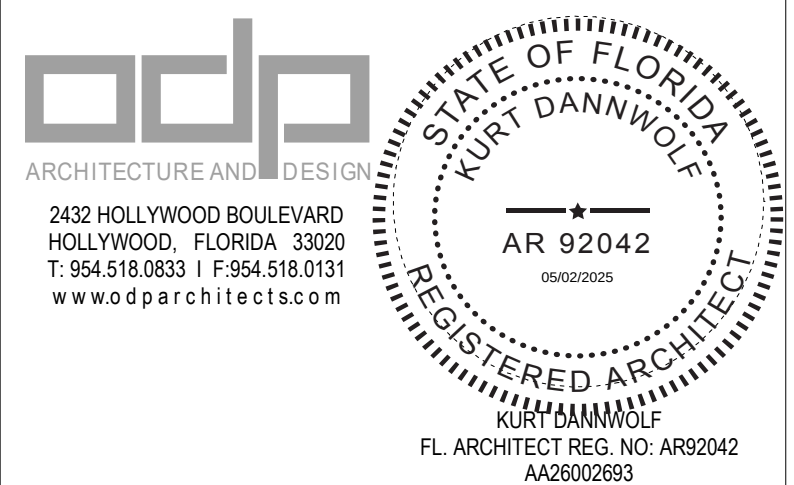
COMPANY NAME 08
ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (XXX) XXX-XXXX

CONSULTANT 09

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (XXX) XXX-XXXX

CONSULTANT 10

ADDRESS LINE 2 (STATE, CITY, ZIP)
T: (800) 800-0000



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ON THE DATE ADJACENT TO THE SEAL.

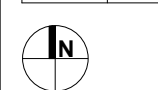
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PROJECT **REVIT TEMPLATE R23 V00**

ADDRESS LINE 1
ADDRESS LINE 2 (STATE, CITY, ZIP)

REVISIONS_____

[illegible]

SCALE: 1" = 1'-0"
SHEET SIZE: ARCH E (36"x48") DO NOT SCALE DRAWINGS
DATE: 01/25/04
STARTED BY: CDP
SHEET NAME:

PADEL ELEVATIONS II

SHEET NO. _____

A-103b

Proclamation

OFFICE OF THE MAYOR



WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of the Village of Key Biscayne; and

WHEREAS, these essential services—including transportation systems, water supply and treatment, solid waste management, public buildings, and emergency response infrastructure—could not be provided without the dedicated efforts of public works professionals, who serve as engineers, managers, and employees at all levels of government and the private sector; and

WHEREAS, the men and women of the Public Works Department in the Village of Key Biscayne are committed to delivering these services with professionalism and pride, often behind the scenes and in all conditions, thereby playing a critical role in protecting our community's health, safety, and quality of life; and

WHEREAS, it is in the public interest for citizens, civic leaders, and youth in the Village of Key Biscayne to gain knowledge of and maintain an ongoing interest in the vital work performed through public works programs in our community; and

WHEREAS, the year 2025 marks the 65th Annual National Public Works Week, sponsored by the American Public Works Association/Canadian Public Works Association, with the theme "PEOPLE PURPOSE PRESENCE," recognizing the essential role that public works plays in connecting communities and supporting day-to-day life;

NOW, THEREFORE, BE IT RESOLVED, THAT I, MAYOR JOE RASCO, DO HEREBY PROCLAIM THE WEEK OF MAY 18–24, 2025, AS NATIONAL PUBLIC WORKS WEEK IN THE VILLAGE OF KEY BISCAINE, AND URGE ALL CITIZENS TO RECOGNIZE THE HARD WORK AND COMMITMENT OF OUR PUBLIC WORKS PROFESSIONALS AND TO PARTICIPATE IN ACTIVITIES, EVENTS, AND OBSERVANCES THAT HONOR THEIR SERVICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED THE SEAL OF THE VILLAGE OF KEY BISCAINE TO BE AFFIXED THIS 6TH DAY OF MAY, 2025.



MAYOR JOE I. RASCO



Proclamation

OFFICE OF THE MAYOR



WHEREAS, Coral reefs are vital marine ecosystems that support an extraordinary diversity of life, including countless species of fish, invertebrates, and algae; and

WHEREAS, Coral reefs serve as natural barriers, protecting coastlines from storm surges and erosion, thereby safeguarding communities and infrastructure; and

WHEREAS, Coral reefs sustain the livelihoods of millions around the world by supporting industries such as fishing, tourism, and marine recreation; and

WHEREAS, Coral reefs face escalating threats from climate change, pollution, and unsustainable fishing practices, endangering their survival and the services they provide;

NOW, THEREFORE, BE IT RESOLVED THAT THE VILLAGE OF KEY BISCAINE, FLORIDA, AFFIRMS THE CRITICAL IMPORTANCE OF CORAL REEF ECOSYSTEMS AND ENCOURAGES ALL RESIDENTS AND VISITORS TO ENGAGE IN THEIR PROTECTION AND RESTORATION; AND

BE IT FURTHER RESOLVED THAT THE VILLAGE SUPPORTS RESPONSIBLE TOURISM, IMPROVED WASTE MANAGEMENT, AND ACTIVE CONSERVATION TO ENSURE CORAL REEFS THRIVE FOR GENERATIONS TO COME.

IN WITNESS WHEREOF, I, JOE I. RASCO, MAYOR OF THE VILLAGE OF KEY BISCAINE, FLORIDA, DO HEREBY PROCLAIM MAY 13, 2025, AS CORAL APPRECIATION DAY IN KEY BISCAINE.

MAYOR JOE I. RASCO



MINUTES
REGULAR COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, APRIL 8, 2025

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:30 p.m. Present were Councilmembers Michael F. Bracken (attended via phone intermittently), Franklin H. Caplan, Edward London (arrived at 7:45 p.m.), Nancy Stoner, Fernando A. Vazquez, Vice Mayor Oscar Sardiñas, and Mayor Joe I. Rasco. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch, and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Councilmember Stoner led the Pledge of Allegiance.
3. **INVOCATION:** Father Juan Carlos Paguaga with St. Agnes Catholic Church gave an invocation.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Rasco addressed the public regarding Councilmember Bracken attending remotely due to a recent surgery and Myriam Restrepo, Village Clerk's assistant, who has been out of the office due to a car accident and wished them both a speedy recovery. Mayor Rasco congratulated the University of Florida Men's Basketball team on last night's National Championship win. Vice Mayor Sardiñas recognized the recent Family Fun Day event held a few weeks ago and the good work being done by It Takes a Village.

At this time a special presentation was given recognizing the Key Biscayne K-8 Center's student winners of the 2025 July 4th Parade Committee's T-shirt Design Contest: 1st Place was Juliette Gallo Poveda, 2nd Place was Elena Díaz, and 3rd Place was Zeynep Gondogdu.

At this time a special recognition for Key Biscayne Basketball Program Manager and Christopher Columbus High School Coach Andrew Moran was given by Parks, Recreation and Open Spaces Director Todd Hofferberth. The Council congratulated Coach Moran on his team winning their National Championship game.

At this time a Mast Academy update was given by Dr. Michael Lewis and Lourdes Diaz with Miami-Dade County Public Schools. There are less than 30 students currently on the waitlist and steps are being taken to correct a programmatic error which occurred. There was discussion from Council, Dr. Lewis, and Ms. Diaz regarding the Inter-Local Agreement, address verification, the Magnet school acceptance process, and meeting to review the current process.

At this time Miami-Dade County Commissioner Raquel Regalado addressed the Council regarding Mast Academy and the Cambridge, Advanced Placement, and International Baccalaureate education programs.

At this time Commissioner Regalado, Gene Stearns, and Juan Mullerat with Plusurbia gave a special presentation on a Rickenbacker Causeway concept plan. There was discussion from Council, Commissioner Regalado, Mr. Stearns, and Mr. Mullerat regarding the above presentation and Bear Cut Bridge. Commissioner Regalado announced a future presentation will be given on May 6th, 2025.

At this time Commissioner Regalado addressed the Council regarding water fluoridation. There was discussion from Council regarding the above item.

At this time Ritz Carlton General Manager Derek Flint and Gary Lake with Gencom gave a presentation regarding the upcoming Ritz Carlton renovation project. The Ritz Carlton will close May 1st, 2025 and reopen on December 7th, 2025. There was discussion from Council regarding the above presentation, their employees employment status, and traffic.

At this time the Annual Comprehensive Financial Report was given by Andrew S. Fierman with Caballero Fierman Llerena & Garcia LLP. There was discussion from Council and Mr. Fierman regarding the above presentation. Councilmember London requested that the financial report be provided in advance of the Council's meeting for review for next year. There was no objection to this request.

5. **PUBLIC COMMENTS:** The following residents addressed the Council: Jackie Kellogg with Miami-Dade County Council PTA, 115 Sunrise Drive; Patricia Romano, 361 Beechwood Drive; Luis de la Cruz, 646 Allendale Road; Brett Moss, 152 West Mashta Drive; Cordina Pacheco, 251 Crandon Boulevard and Malena Assing, 151 Crandon Boulevard with Meaningful Connections; Mike Davey, 50 Ocean Lane Drive, and Michele Estevez, 425 Grapetree Drive.

6. **AGENDA:** Councilmember Stoner made a motion to defer Item A. The motion was seconded by Councilmember London. There was discussion from Council regarding the above motion. The motion was approved by a 5-2 voice vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, and Vazquez voting Yes. Vice Mayor Sardiñas and Mayor Rasco voting No. There were no further changes to the agenda.

7. **SPECIAL PRESENTATIONS:** The Special Presentations were given earlier in the evening.

8. **CONSENT AGENDA:** Councilmember Caplan made a motion to approve the following

consent agenda. The motion was seconded by Councilmember London and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco voting Yes.

The minutes of the March 18, 2025, Regular Council Meeting.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING ORDINANCE NO. 2024-10 TO CHANGE THE NAME OF THE UNIQUE ABILITIES ADVISORY BOARD TO THE DISABILITY ADVISORY BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

The ordinance was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, CREATING THE ZONING ORDINANCE REVIEW COMMITTEE (ZORC); PROVIDING, AMONG OTHER THINGS, FOR THE NUMBER AND QUALIFICATIONS OF BOARD MEMBERS, RULES OF PROCEDURE, AND THE DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

There was discussion from Council regarding the above ordinance.

The ordinance was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES, BY AMENDING SECTION 30-191, "PROHIBITED SIGNS," AND SECTION 30-195, "NONRESIDENTIAL DISTRICT SIGNS," TO PERMIT MONUMENT SIGNS IN THE C-1 LOW INTENSITY COMMERCIAL DISTRICT AND THE INSTITUTIONAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Building, Zoning and Planning Director Jeremy Calleros Gauger addressed the Council regarding the above ordinance.

There was discussion from Council, Director Calleros Gauger, the Attorney, and the Manager regarding the above ordinance, removing the reference to institutional, and amending the definition regarding monument signs.

It was the consensus of Council to amend the ordinance to address only the C1 signs and remove all the institutional regulations and monument signs and to bring back those items at a future date.

The ordinance, as amended, was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco voting Yes.

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

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING CHAPTER 19, "PARK RULES AND REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES TO CREATE SECTION 19-19, "PARK HOURS," RELATING TO PARK HOURS WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Caplan made a motion to adopt the ordinance on second reading. The motion was seconded by Vice Mayor Sardiñas.

Chief of Police Francis J. Sousa addressed the Council regarding the above ordinance.

There was discussion from Council, Chief Sousa, Parks, Director Hofferberth, the Manager, and the Attorney regarding the above ordinance, noise nuisance, and bathroom locks and alarms.

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

closed the public hearing.

The ordinance was adopted on second reading by a 5-1 roll call vote. The vote was as follows: Councilmembers Caplan, London, Stoner, Vice Mayor Sardiñas, and Mayor Rasco voting Yes. Councilmember Vazquez voting No.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING ORDINANCE NO. 2024-16 WHICH ADOPTED THE BUDGET FOR FISCAL YEAR 2024-2025 BY REVISING THE 2024-2025 FISCAL YEAR BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Caplan made a motion to approve the ordinance on first reading. The motion was seconded by Councilmember Stoner.

There was discussion from Council, Public Works Director Chris Miranda, the Manager, Interim Fire Rescue Chief Joe Fernandez, and Chief Financial Officer Benjamin Nussbaum regarding the above ordinance, stamped asphalt, and replacing fire response vehicles.

The ordinance was approved on first reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco 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, DIRECTING THE VILLAGE MANAGER TO ELIMINATE THE DISTRIBUTION OF SINGLE-USE PLASTICS AND POLYSTYRENE ON VILLAGE PROPERTY AND INCLUDE A CONTRACTUAL PROVISION RELATING TO THE SAME IN ALL FUTURE CONTRACTS IN FURTHERANCE OF SECTIONS 7-1 AND 7-4 OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

There was discussion from Council, the Manager, the Attorney, and Chief Resilience Sustainability Officer Dr. Roland Samimy regarding the above resolution and a transition period for implementation.

It was the consensus of Council for the effective date of implementation for the Village Administration to be June 1st, 2025.

The resolution, as amended, was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco

voting Yes.

At this time the Clerk read Councilmember Caplan's motion by title: Action in support of a mayoral veto of the recently enacted county ordinance ending the city's drinking water fluoridation program. The motion was seconded by Councilmember London.

There was discussion by Council and the Attorney regarding the above motion. It was the consensus of Council that this item was determined to be time-sensitive.

The motion was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Bracken, Caplan, London, Stoner, Vazquez, Vice Mayor Sardiñas, and Mayor Rasco voting Yes.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA REQUESTING MAYOR DANIELLA LEVINE CAVA'S VETO OF THE RECENTLY ADOPTED COUNTY RESOLUTION ENDING MIAMI-DADE COUNTY'S DRINKING WATER FLUORIDATION PROGRAM; SUPPORTING EXCELLENCE AND PUBLIC CONFIDENCE IN PUBLIC HEALTH; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Village Manager. Director Calleros Gauger addressed the Council reporting on an update for Code Compliance. Three years ago there were 40 single-family active construction sites and today there are 74 active large scale single-family construction sites being monitored.

Councilmember London requested to receive a report on how many original Mackle homes there are and how many remodeled Mackle homes there are. There was no objection to the request.

There was discussion from Council, Director Calleros Gauger, and the Manager regarding the upcoming turtle season, non-permitted work in the condominiums, and wanting to see more management data and metrics from the BZP Department with average turnaround times for replying to applicants and initial time for providing comments for an application. Also discussed was possibly tasking the ZORC with working on Base Flood Elevation (BFE) as a first responsibility and reaching out to the Regional Planning Council to create visuals of future streetscapes.

Councilmember Stoner recognized retiring Fire Rescue Chief Eric Lang for his many years of service and contributions to the community. The Change of Command Ceremony will be held on April 30th, 2025.

Mayor Rasco requested that the Manager provide an update to Council on the street lighting and capital improvement project at the next Council meeting. There was no objection to the request.

Mayor and Councilmembers: The discussion item was addressed earlier in the evening.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

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

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

14. **ADJOURNMENT:** The meeting was adjourned at 10:02 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2025:

Joe I. Rasco
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 BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, Mayor
Oscar Sardiñas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager

Village Manager
Steven C. Williamson

RE: Resolution to Authorize the Village to apply for the Florida Department of Transportation Transit Development Grant

RECOMMENDATION

Recommend the Village Council authorize the Village Manager to apply for and accept a grant award from the Florida Transit Development Program (FDOT) in the amount of \$456,934.50, which would fund 50% of the cost for four of the nine vehicles in our Freebee transit fleet. The Village's 50% local match of \$456,934.50 would be funded through Citizen's Independent Transportation Trust (CITT) allocations.

BACKGROUND

The Village has successfully secured FDOT Transit Development Program funding for three consecutive years:

- Year 1 (2023): \$166,679 (50% cost share for three vehicles)
- Year 2 (2024): \$152,312 (50% cost share for three vehicles)
- Year 3 (2025): \$203,083 (50% cost share for four vehicles)

This application would apply for a fourth year (2026) requesting \$456,934.50 to 50% cost share all nine vehicles with the FDOT Transit Development Grant for a total cost of \$913,869. The Village's half of the cost share would be paid through the Village's CITT allocation, which is restricted for transportation purposes. In 2024, total rides increased to 82,696 from 60,580 since 2023, a 36.5% increase and total passengers increased to 113,596 from 85,601, a 32.7% increase.

CURRENT SERVICE STATUS

The Village's Freebee Public Transit Service currently consists of eight permanent 5-passenger electric vehicles, one temporary ninth vehicle. The service operates Sunday through Thursday from 8am to 8pm, Friday from 8am to 10pm, and Saturday from 10am to 10pm, with one vehicle serving as a quasi-circulator along Harbor Drive from 7:00-9:00am Monday through Friday to provide last-mile service to county bus riders.

This Freebee transit service allows users to request rides from anywhere in the Village to travel freely within Village boundaries, as well as Bill Baggs State Park and Crandon Beach Park. The



VILLAGE OF KEY BISCAINE

service also connects passengers to Miami-Dade County's public transit system, functioning as a critical first and last mile connection.

GOALS OF EXPANDED TRANSIT SERVICE

The expanded nine-vehicle fleet has enabled us to:

- Reach and exceed our ridership goal of 10,000+ rides per month
- Reach and exceed our ridership goal of \$120,000+ rides per year
- Reduce average wait times for passengers
- Service increased trip demand generated by the three new beach access paths

FINANCIAL IMPACT

The total annual cost for the operation of nine Freebee vehicles is projected to be \$913,869, with the grant covering 50% (\$456,934.50) of the cost of four vehicles. The 50% local match required (\$456,934.50) will be funded through the Village's CITT allocation, which is restricted for transportation purposes.

The CITT funding comes from the People's Transportation Plan Municipal Transportation Program, which was approved by County referendum in 2002 and allocates a portion of the ½ cent county sales surtax to municipalities for local transportation projects.

CONCLUSION

The Freebee transit service has proven to be an essential component of our Village's transportation infrastructure, helping reduce traffic congestion, providing convenient mobility options for residents and visitors, and supporting our sustainability goals. The FDOT Transit Development Program grant would enable us to maintain the expanded service level that has already demonstrated significant benefits to our community.

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR A TRANSIT DEVELOPMENT GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE VILLAGE'S FREEBEE PUBLIC TRANSIT SERVICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (the "Village") desires to apply for a Transit Development Grant ("Grant") from Florida Department of Transportation ("FDOT") for the Village's Freebee Public Transit Service (the "Services"); and

WHEREAS, if awarded the Grant for the Services, the Village will be required to provide a 50% match cost share; and

WHEREAS, the Village Council supports the Village's Grant application for the Services and desires to authorize the Village Manager to apply for the Grant from FDOT in accordance with the Staff Memorandum accompanying this Resolution; 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 the Grant from FDOT for the Services.

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

PASSED and ADOPTED this _____ day of _____, 2025.

JOE I. RASCO, 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 BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, Mayor
Oscar Sardiñas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: FY 24-25 Budget Amendment #1 (2nd Reading)

Village Manager
Steven C. Williamson

RECOMMENDATION

Recommend the Village Council approve the attached Ordinance on 2nd reading to amend the Fiscal year 2024-2025 Budget to appropriate \$2,315,500 from Reserves into the Capital Improvement Fund to fund the highlighted capital projects in Exhibit A.

BACKGROUND

- I. On September 24, 2024 the Village Council passed and adopted Ordinance 2024-16 approving the Fiscal Year 2024-2025 Budget. Throughout the fiscal year the Council adopts budget amendments to best utilize revenues and taxpayer dollars to achieve Village operations. These amendments create a balanced budget for the current fiscal year by reallocating unspent funds to new or existing projects and initiatives based on changing priorities, needs, and resources, or by appropriating the surplus from the prior year as identified in the annual audit.
- II. The fiscal year 2023-2024 Annual Comprehensive Financial Report (ACFR) was issued on March 31, 2025, showing a General Fund surplus of \$1,650,347 and an ending General Fund reserve balance of \$29,539,567, which equals 68% of net operating expenditures.

This budget amendment requests an allocation of \$2,315,500 to fund critical infrastructure and service improvement projects that will advance our strategic priorities. The funding sources include:

- Utilizing the entire FY 2023-2024 General Fund surplus: \$1,650,347
- Drawing from the existing reserve balance: \$665,153

Following this amendment, the General Fund reserve balance will remain at \$27,224,067, representing more than 50% of net operating expenditures which maintains both our organization's fiscal stability and target reserve threshold

- III. During the FY 2024-2025 Budget Hearings, the Village Administration recommended a



VILLAGE OF KEY BISCAINE

reserve target of 50% of net operating expenditures that would provide the following benefits:

- a. Liquidity for economic downturns, emergencies, and unexpected expenses
- b. Hedge against significant risks associated with being a barrier island with one road in and one road out
- c. Maintain a strong credit rating
- d. Take advantage of higher than usual interest rates
- e. Serve as advanced investment for critical capital projects
- f. Provide matching funds for time-sensitive grants

IV. Therefore, we recommend appropriating \$2,315,500 into the additional projects:

Budget Amendment #1

Community Center Roof and Structural Repairs	\$645,000
Improve Harbor Drive (Additional Funding Needed for stamped asphalt)	\$655,000
Improve Neighborhood Traffic Calming Devices	\$550,000
Fire Chief & Deputy Fire Chief Vehicles (2)	\$150,000
Cool Play Surface & Baseball Diamond for the St Agnes field	\$65,500
RIAP Zone 1 Ad-Hoc Committee Studies & Analysis	\$250,000
Total	\$2,315,500

V. Project Descriptions

Community Center Roof and Structural Repairs

Amount: \$645,000

The Community Center roof has been leaking for almost eight years. This funding would go towards repairing the leaks to the roof to prevent them from damaging assets within the community center and the structure itself. The components are detailed as follows:

Mechanical, Electrical, Plumbing (MEP) Assessment	\$100,000
Repair and Reconstruct Expansion Joints	\$200,000
Repair Flat Roofs & Seal Windows	\$100,000
Repair Metal Roof	\$100,000
Repair Gym Office Space	\$45,000
Repair Water Damaged Areas Inside Community Center	\$100,000

Improve Harbor Drive (Additional Funding Needed for stamped asphalt)

Amount: \$655,000



VILLAGE OF KEY BISCAINE

The Improve Harbor Drive project will reconstruct Harbor Drive from Crandon Boulevard to Mashta Circle in partnership with Miami-Dade County through the Road Impact Fee program. Currently in the design phase, the project is being designed by Corradino, the selected engineering firm. Based on the latest design, the updated cost estimate is \$2,570,059, which includes several aesthetic enhancements that the County will not fund. These enhancements—stamped asphalt resembling brick pavers at traffic circles, lighting relocation, and landscaping—total \$655,000. The draft Joint Participation Agreement (JPA) with the County provides \$1,915,059, leaving a funding gap for the Village to cover.

Improve Neighborhood Traffic Calming Devices

Amount: \$550,000

The Village of Key Biscayne is undertaking a critical infrastructure improvement project to enhance the durability, safety, and accessibility of its traffic calming features. The existing traffic circles and speed tables, originally constructed using sand-set brick pavers, have been experiencing significant deterioration. Over time, these pavers have shifted, settled unevenly, and become prone to failure under the weight of regular traffic. This degradation not only reduces the effectiveness of the traffic calming measures but also poses maintenance challenges and potential safety concerns for motorists, cyclists, and pedestrians.

To address these issues, the Village will be reconstructing the traffic circles and speed tables using decorative stamped asphalt. This modern alternative provides the aesthetic appeal of brick pavers while offering superior durability, reduced maintenance costs, and improved structural integrity. Additionally, the project will include necessary modifications to correct the steep slopes at transition points, ensuring compliance with the Americans with Disabilities Act (ADA) standards. By creating smoother and more accessible crossings, the Village aims to enhance mobility for all users, particularly those with disabilities, cyclists, and pedestrians.

4 Traffic Circles	\$95,000 - \$105,000 each
3 Speed Tables	\$16,000 - \$17,000 each
1 Raised Intersection	\$75,000 - \$79,000

Purchase Fire Chief & Deputy Fire Chief Vehicles (2)

Amount: \$150,000

The existing vehicles are beyond the Village's Fleet Replacement Policy (Reso 2019-06) of 7 years or 100,000 miles. The status of the existing cars is:

Chief Car #1 Year: 2018. Miles: 200,000+
Chief Car #2 Year: 2018. Miles: 156,122

One of the original Tahoe's has already been dead-lined and removed from the fleet. The other vehicles have exceeded their operational life, and experience continuous mechanical issues making them unsuitable for use. These vehicles support the emergency response, command and control and Fire Marshall functions of the Village. Currently two rental vehicles are being funded on a month-to-month basis to support the critical deficit of the existing light fleet.



VILLAGE OF KEY BISCAYNE

Cool Play surface & baseball diamond for the St Agnes field

Amount: \$65,500

Cool Play:

CoolPlay is engineered specifically to reduce surface temperatures on synthetic fields by incorporating a top layer of TPE (thermoplastic elastomer) infill, designed to stay cooler than traditional infills. In high heat environments like ours, this feature significantly enhances the year-round playability of the field. Natural infills such as cork, coconut husk, and other organic materials may appear attractive for their eco-friendliness, but they come with major drawbacks, especially in our region:

- **Biodegradability Issues:** Organic materials begin to break down over time, especially under high humidity and heat. This leads to performance degradation, odor, and eventual replacement needs.
- **Rainfall Challenges:** South Florida is prone to heavy rains and tropical weather. Natural infill tends to absorb water and float, which can result in infill displacement, field unevenness, and costly maintenance.
- **Mold and Bacterial Growth:** Organic materials can also harbor mold, mildew, and bacteria, creating potential health risks for users.

In contrast, Cool Play's TPE infill is non-absorbent, non-toxic, and non-biodegradable, providing a stable, consistent surface year-round, regardless of weather. It remains in place during heavy rain and does not break down over time, making it a more resilient and cost-effective choice in the long run. Most importantly it results in a lower surface temperature, up to 35 degrees, compared to traditional SBR rubber.

Baseball Diamond:

Historically, the St. Agnes field played a key role in supporting our youth baseball and softball programs. During years of higher participation, it served as a location for practices and younger division games especially T-Ball and coach-pitch divisions. As registration declined in previous years, the field was no longer required for those uses. However, we are now experiencing increased participation in our baseball and softball programs. This past season, we experienced a 20% increase in total baseball and softball registration. Notably, our youngest division, T-Ball—grew by 46%, indicating strong foundational growth that will continue to impact older divisions in coming years. Additionally, the softball program continues to grow, both in participation and the length of the season.

The baseball/softball diamond can be designed in a way that preserves the multipurpose nature of the field and ensures we are prepared to meet the growing needs of the community.

RIAP Zone 1 Ad-Hoc Committee Studies & Analysis

Amount: \$250,000

Funding available for the Resilient Infrastructure Adaption Program (RIAP) Zone 1 Ad-Hoc



VILLAGE OF KEY BISCAINE

Committee for additional studies and analysis.

Reviewed by Mr. Chad Friedman from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

ORDINANCE NO. 2025-_____

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE,
FLORIDA, AMENDING ORDINANCE NO. 2024-16 WHICH
ADOPTED THE BUDGET FOR FISCAL YEAR 2024-2025 BY
REVISING THE 2024-2025 FISCAL YEAR BUDGET;
PROVIDING FOR IMPLEMENTATION; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, in accordance with Section 200.065, Florida Statutes, on September 24, 2024, the Village Council of the Village of Key Biscayne (the “Village”) adopted Ordinance No. 2024-16 approving the Fiscal Year 2024-2025 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 2024-2025 Budget in accordance with 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. 2024-16.** That the Village Council hereby authorizes the amendment of Ordinance No. 2024-16, which Ordinance adopted a budget for the 2024-2025 fiscal year, by revising the 2024-2025 Budget (Budget Amendment No. 1) in

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.

accordance with Exhibit “A,” which exhibit is deemed incorporated by reference as though set forth in full herein.

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 _____, 2025.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2025.

JOE I. RASCO
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

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

EXHIBIT A

Fiscal Year 2024-2025

Budget Amendment #1

Community Center Roof and Structural Repairs	\$645,000
Improve Harbor Drive (Additional Funding Needed for stamped asphalt)	\$655,000
Improve Neighborhood Traffic Calming Devices	\$550,000
Fire Chief & Deputy Fire Chief Vehicles (2)	\$150,000
Cool Play Surface & Baseball Diamond for the St Agnes field	\$65,500
RIAP Zone 1 Ad-Hoc Committee Studies & Analysis	\$250,000
Total	\$2,315,500



VILLAGE OF KEY BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, Mayor
Oscar Sardiñas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

Village Manager
Steven C. Williamson

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
THRU: Jeremy Calleros Gauger, Director – Building,
Zoning, & Planning Department
RE: Zoning and Land Development Regulation Amendment
Regarding Institutional District Monument Signs

RECOMMENDATION

Recommend the Village Council approve an Ordinance which will allow improvements to new and existing, stand-alone monument signs in Institutional District as well as create a new category of non-commercial structural symbols which may be installed in the Institutional District with certain limitations.

BACKGROUND

On March 9, 1993, the Village of Key Biscayne adopted a Sign Code to regulate signage within the border of the Village. (Ordinance 93-4) which allowed monument signs for multi-family dwellings with certain conditions. This ordinance called for Nonconformities created by subsequent amendments to be completely removed within 5 years. Per the definitions of the original ordinance, non-commercial symbols were signs and were thus prohibited.

On 12th of October 2010, the Village of Key Biscayne modified the Sign Code and added monument signs to the list of prohibited signs.

Per provisions of the original Sign Ordinance, monument signs should have been removed by October of 2015. The Village did not enforce the provision of the code that requires removal of monument signs in the Institutional district.

Rather than enforce the existing ordinance and force the removal of signs, staff proposes modifying the ordinance to allow monument signs under certain circumstances and with restrictions which should ensure architectural and aesthetic compatibility. Additionally, staff proposes to create a new category for non-commercial symbols. Enforcement will begin two years after adoption.



VILLAGE OF KEY BISCAINE

REVIEW CRITERIA

The Village's procedures for a text change provides for the amendment of the Zoning and Land Development Regulations provided that such amendments are consistent with the following criteria per Sec. 30-71(b) of the Village Ordinances:

Criteria 1	The proposed amendment is consistent with the Comprehensive Plan.
Analysis	Goal 1 regarding community character. Shall limited (sic) signs to the minimum amount consistent with reasonable identification of retail and other non-residential uses. The changes proposed are consistent with the intent and purpose of the goals, objectives, and policies stated on the Village of Key Biscayne's Master Plan (Comprehensive Plan).
Finding	Consistent
Criteria 2	The proposed change will result in Buildings that are consistent in scale and otherwise compatible with those within 300 feet of the site.
Analysis	This ordinance limits improvements to signs and symbols which will not allow for expansion of monument signs but allows improvements to existing signs which will maintain consistent with buildings in the proximity.
Finding	Consistent
Criteria 3	The resulting boundaries of a zoning district are logically drawn.
Analysis	The changed regulations apply only to institutional districts.
Finding	Consistent
Criteria 4	The proposed change will enhance property values in the Village.
Analysis	This ordinance allows existing signs to be repaired and substantially improved which will enhance the value of those properties and improve aesthetics overall in the Village.
Finding	Consistent



VILLAGE OF KEY BISCAYNE

Criteria 5	The proposed change will enhance the quality of life in the Village.
Analysis	Improvements and repairs to existing signs will enhance the quality of life.
Finding	Consistent
Criteria 6	There are substantial and compelling reasons why the proposed change is in the best interests of the Village.
Analysis	A number of existing signs have not been repaired due to previous ordinances. Furthermore, it is desirable to create regulations which are consistently enforced and create the desired aesthetics and characteristics of the Village.
Finding	Consistent

ADVANTAGES AND DISADVANTAGES

Advantages

- Will allow existing aging signs to be repaired or replaced.
- New signs will be of a more consistent size and character.
- Will allow Institutional buildings which have larger setbacks to have presence on the street.

Disadvantages

- Will perpetuate a sign type which was previously limited.
- Will cause an expense if the property owner wishes to continue to have a monument sign and must update a sign to come into compliance.

CONCLUSION

Based on findings, relevant background information, and consistency with the review criteria under Chapter 30-71(b), staff recommends that Council approve requested changes.

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 30-11, "DEFINITIONS," AND ARTICLE VIII, "SIGNS," OF CHAPTER 30, "ZONING AND LAND DEVELOPMENT REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES RELATING TO DEFINITIONS, NON-COMMERCIAL STRUCTURAL SYMBOLS, AND MONUMENT SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Key Biscayne (the "Village") has adopted regulations regulating signage within the Village under Article VIII of Chapter 30 of the Village Code of Ordinances (the "Code"); and

WHEREAS, the Village Council finds it periodically necessary to amend its Code of Ordinances in order to update regulations and procedures to implement planning goals and objectives; and

WHEREAS, the Village Council desires to amend Article VIII, "Signs," of the Village Code relating to regulations governing monument signs and non-commercial structural symbols in the Institutional Zoning District and related changes to Section 30-11, "Definitions," of the Village Code; and

WHEREAS, the Village Council, sitting in its capacity as the Local Planning Agency, has reviewed this Ordinance and recommends approval; and

WHEREAS, the Village Council finds that this Ordinance is in the best interest of the Village's 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. **Amending Chapter 30 of the Village Code.** That Chapter 30, "Zoning and Land Development Regulations," of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

CHAPTER 30 – ZONING AND LAND DEVELOPMENT REGULATIONS

* * *

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 highlighted in yellow.

ARTICLE II. – DEFINITIONS

* * *

Section 30-11. - Definitions.

As used in this chapter, the following words and terms shall have the meanings respectively ascribed:

* * *

Non-Commercial Structural Symbol. A freestanding structure that is a non-commercial symbol and which is permanently affixed to the ground.

* * *

Sign, Monument. A freestanding Sign that is a self-supported structure permanently affixed to the ground with a concealed means of support with a maximum height of eight feet. Monument signs shall be an integral and complementary element of the overall architectural and streetscape composition and shall be integrated with the building and landscape design.

* * *

Structure. Anything constructed or Erected, which requires location on the ground or attached to something having a location on the ground.

* * *

ARTICLE VIII. – SIGNS

* * *

Section 30-195. - Nonresidential district Signs.

The following Signs are authorized in all nonresidential districts in the Village:

* * *

(8) *Monument Signs.* Monument signs shall be permitted only in the C-1 Low Intensity Commercial District and the Institutional District, subject to the following restrictions:

Location	Allowed within front setback area when the front setback exceeds 10 feet.
Number	One per property in the C-1 Low Intensity Commercial District <u>and the Institutional District.</u>
Area (maximum)	25 square feet
Height (maximum)	Five feet
Illumination	See definition of Reverse Channel Wall Sign

* * *

Section 30-202. – Non-Commercial Structural Symbols.

Non-Commercial Structural Symbols are permitted within the Institutional District, subject to the following regulations:

<u>Size</u>	<u>Faces visible from public rights-of-way for all Non-Commercial Structural Symbols on a property shall not exceed 25 square feet in the aggregate.</u>
<u>Maximum Height</u>	<u>Ten feet as measured from the Established Grade to the highest point of the structure.</u>
<u>Illumination</u>	<u>Externally or internally illuminated in accordance with Section 30-197(b)(6).</u>
<u>Setbacks</u>	
<u>Front</u>	<u>5 ft.</u>
<u>Side</u>	<u>10 ft.</u>
<u>Rear</u>	<u>5 ft.</u>
<u>Special Conditions</u>	<u>Any letter, figure, character, mark, logo, stroke, stripe, trademark, or reading matter other than a symbol is permissible provided that the total area of such matter does not exceed 10% of the surface area of the Non-Commercial Structural Symbol.</u>

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. Notwithstanding the foregoing, pursuant to Section 30-199, the Village Manager shall conduct a public education campaign relating to this Ordinance and commence amortization enforcement of this Ordinance against nonconforming monument signs Institutional District two years after adoption on second reading.

PASSED on first reading on the _____ day of _____, 2025.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2025.

JOE I. RASCO
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

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



VILLAGE OF KEY BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, Mayor
Oscar Sardiñas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

Village Manager
Steven C. Williamson

DATE: May 15, 2024
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
THRU: Jeremy Calleros Gauger, Director – Building, Zoning, & Planning Department
RE: Local Business Tax Receipt Rate Adjustment.

RECOMMENDATION

Recommend the Village Council approve a resolution to adjust Local Business Tax Receipt (LBTR) rates by 5% in order to enable the Village to provide the services and infrastructure benefiting local businesses.

BACKGROUND

A LBTR is similar to an Occupational License and is required by local and state law to conduct business within municipal limits. It is a tool used by Village staff to ensure compatibility between business uses and the zoning districts as well as compatibility between the business and building types.

The Village Administration proposes adjusting the fees an additional 5%, which is the maximum amount allowed by Village code. This increase is proposed to better cover costs of services, infrastructure, staffing, and the administrative costs of ensuring businesses comply with Village ordinances.

Key Biscayne rates were set via Ordinance 1992-13 in June of 1992. Per the Ordinance, rates may be increased by a maximum of 5% every two years. However, rates were not increased until 2023, (by 5%). Thus, the existing rates are significantly lower in Key Biscayne compared to other municipalities, as seen in Table 1 below.

Local Business Tax Receipts are an important aspect of overall code compliance. Tax receipts categorize businesses, which allows Code Compliance and Zoning staff to ensure that businesses are operating in appropriate locations and premises. Tax receipts are used in conjunction with Certificates of Use which associate businesses to specific properties. Certificates of Use are in turn related to Certificates of Occupancy issued by the Building Department to ensure the use and building are compatible, (i.e., adequate egress at an educational facility or requiring grease traps in a restaurant). Tax receipts, certificates of use, and certificates of occupancy are interdependent in ensuring health, safety, and welfare of commercial operations.



VILLAGE OF KEY BISCAINE

Adjusting rates will transfer some additional cost of regulating business from general funds (ad valorem taxes) to direct fees provided by the businesses. In 2024, the Village collected \$103,196 from Local Business Tax revenues while spending an estimated \$210,000 in ensuring code compliance in businesses.

Local Business Tax categories and rates are regulated at the state level through Florida Statute Chapter 205. The schedule of fees is in Chapter 25 of the Village Ordinances.

Increases in rates are regulated through section (c) of Chapter 25:

"Effective for and from the receipt period commencing on October 1, 2002, each Tax amount set forth above shall be increased by five percent. Further, pursuant to F.S. 205.0535(4), which allows biennial review, the Council may again review and revise the Tax rates in 2008 for the Receipt period commencing on October 1, 2008."

BUSINESS ACTIVITY	Current Rate	2025 Proposed	Comparable Municipality Avg.	Comparable v. Proposed
Professional License	\$39.37	\$41.33	\$ 123.03	(\$81.70)
Offices	\$28.87	\$30.31	\$ 97.50	(\$68.63)
	\$70.87	\$74.41	\$ 140.53	(\$69.66)
Home Based Business	\$39.37	\$41.33	\$ 123.03	(\$83.66)
Vacation Rentals	\$105.00	\$110.25	\$ 562.99	(\$457.99)
Schools, Education, Training	\$39.37	\$41.33	\$ 57.33	(\$117.96)
Retail	\$39.37	\$41.33	\$ 118.83	(\$79.46)

Table 1: A comparison between Village of Key Biscayne Rates and an average of comparable municipalities, (Pinecrest, Miami Shores, and North Bay Village)

CONCLUSION

Based on pertinent background information, staff recommends that the Council approve the proposed ordinance to establish a broader source of revenue for the Village and to more equitably shift the cost of regulatory compliance from Ad Valorem taxpayers to the businesses subject to regulation.

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 25-31, “BUSINESS TAX SCHEDULE,” OF CHAPTER 25 OF THE VILLAGE CODE OF ORDINANCES TO INCREASE THE BUSINESS TAX RECEIPT SCHEDULE RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 205.042, Florida Statutes, the Village of Key Biscayne (the “Village”) is authorized to levy a local business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction; and

WHEREAS, the Village currently levies a local business tax pursuant to Article II, “Local Business Tax Receipt,” of Chapter 25 of the Village Code of Ordinances (the “Code”); and

WHEREAS, Section 205.0535(4), Florida Statutes, and Section 25-31(c) of the Village Code, provides that municipalities may, every other year, increase or decrease by ordinance the rates of business taxes by up to five percent; and

WHEREAS, the Village desires to amend Section 25-31, “Business Tax Schedule,” of the Village Code to increase the business tax schedule rates by five percent in accordance with Section 205.0535(4), Florida Statutes, and Section 25-31(c) of the Village Code; 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:

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

Section 2. Amending Section 25-31 of Chapter 25 of the Village Code. That Section 25-31, “Business Tax Schedule,” of Chapter 25, “Taxation,” of the Code of Key Biscayne, Florida, is hereby amended to read as set forth in Exhibit “A” attached hereto and incorporated 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. However, the business tax schedule rates adopted as part of Exhibit “A” shall not become effective until October 1, 2025.

PASSED on first reading on the _____ day of _____, 2025.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2025.

JOE I. RASCO
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

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

EXHIBIT "A"

CHAPTER 25 – TAXATION

* * *

ARTICLE II. – LOCAL BUSINESS TAX RECEIPT

* * *

Section 25-31. - Business Tax schedule.

(a) Taxes for the following Businesses, occupations or professions are hereby levied and imposed as follows:

Business Type	Unit	Rate	
Advertising space renters	per space	\$3.93	<u>\$4.12</u>
Amusement, game or recreational device, (not otherwise licensed by some other law of this State)	per device	\$19.68	<u>\$20.66</u>
Cafes, restaurants and other eating establishments:	0—30 seats	\$39.37	<u>\$41.33</u>
	31—74 seats	\$78.75	<u>\$82.68</u>
	75—149 seats	\$118.12	<u>\$124.02</u>
	150+ seats	\$157.50	<u>\$165.37</u>
Drive-in restaurants where customers are served while seated in their cars.	in addition to seats	\$78.75	<u>\$82.68</u>
Contractors, subcontractors or journeymen (principals shall be deemed employees)	1—10 employees	\$23.62	<u>\$24.80</u>
	11—20 employees	\$47.25	<u>\$49.61</u>
	21-30 employees	\$70.87	<u>\$74.41</u>
	31-40 employees	\$94.50	<u>\$99.22</u>
	41—50 employees	\$118.12	<u>\$124.02</u>
	51—100 employees	\$295.31	<u>\$310.07</u>
	101—150 employees	\$442.94	<u>\$465.08</u>
	151—200 employees	\$590.62	<u>\$620.15</u>
	201 or more employees	\$615.19	<u>\$645.94</u>
Dancehalls or places where entertainment is provided for a charge		\$295.31	<u>\$310.07</u>
One night only		\$196.87	<u>\$206.71</u>

ORDINANCE NO. 2025-_____

Financial institutions, which shall include insurance companies, banks, bankers, trust companies, savings companies, building and loan associations, and savings and loan associations and other financial institutions which are regulated by State or federal law.		\$157.50	<u>\$165.37</u>
Hotels, motels and apartment hotels (for the purpose of determining the number of rooms, every room that can be leased or rented shall be included):	per room	\$1.94	<u>\$2.03</u>
	Minimum Tax	\$19.68	<u>\$20.66</u>
Intangible or tangible personal property (every Person engaged in the Business of trading, bartering, serving, buying, lending or selling intangible or tangible personal property, whether as owner, agent, broker or otherwise)		\$98.43	<u>\$103.35</u>
Liquefied petroleum gas, dealers and installers: Installation of equipment to be used with liquefied petroleum gas.		\$65.62	<u>\$68.9</u>
Dealer in liquefied petroleum gas, in appliances and equipment for use of such gas and in the installation of appliances and equipment.		\$164.06	<u>\$172.26</u>
Manufacturing and/or processing (principals shall be deemed employees):	1—10 employees	\$39.37	<u>\$41.33</u>
	11-20 employees	\$78.75	<u>\$82.68</u>
	21-30 employees	\$118.12	<u>\$124.02</u>
	31-40 employees	\$157.50	<u>\$165.37</u>
	41-50 employees	\$236.25	<u>\$248.06</u>
	51 or more employees	\$295.31	<u>\$310.07</u>
Professional License (every Person engaged in the practice of any profession who offers services for consideration, whether or not such endeavor is regulated by law)		\$39.37	<u>\$41.33</u>
Professional management		\$39.37	<u>\$41.33</u>
Retailer, retail stores (includes every Person or Business engaged in the Business of selling tangible personal property to consumers or to any Person for any purpose other than for resale).		\$39.37	<u>\$41.33</u>

ORDINANCE NO. 2025-_____

EXHIBIT "A"

CHAPTER 25 – TAXATION

* * *

ARTICLE II. – LOCAL BUSINESS TAX RECEIPT

* * *

Section 25-31. - Business Tax schedule.

(a) Taxes for the following Businesses, occupations or professions are hereby levied and imposed as follows:

Business Type	Unit	Rate	
Advertising space renters	per space	\$3.93	<u>\$4.12</u>
Amusement, game or recreational device, (not otherwise licensed by some other law of this State)	per device	\$19.68	<u>\$20.66</u>
Cafes, restaurants and other eating establishments:	0—30 seats	\$39.37	<u>\$41.33</u>
	31—74 seats	\$78.75	<u>\$82.68</u>
	75—149 seats	\$118.12	<u>\$124.02</u>
	150+ seats	\$157.50	<u>\$165.37</u>
Drive-in restaurants where customers are served while seated in their cars.	in addition to seats	\$78.75	<u>\$82.68</u>
Contractors, subcontractors or journeymen (principals shall be deemed employees)	1—10 employees	\$23.62	<u>\$24.80</u>
	11—20 employees	\$47.25	<u>\$49.61</u>
	21-30 employees	\$70.87	<u>\$74.41</u>
	31-40 employees	\$94.50	<u>\$99.22</u>
	41—50 employees	\$118.12	<u>\$124.02</u>
	51—100 employees	\$295.31	<u>\$310.07</u>
	101—150 employees	\$442.94	<u>\$465.08</u>
	151—200 employees	\$590.62	<u>\$620.15</u>
	201 or more employees	\$615.19	<u>\$645.94</u>
Dancehalls or places where entertainment is provided for a charge		\$295.31	<u>\$310.07</u>
One night only		\$196.87	<u>\$206.71</u>

ORDINANCE NO. 2025-_____

Financial institutions, which shall include insurance companies, banks, bankers, trust companies, savings companies, building and loan associations, and savings and loan associations and other financial institutions which are regulated by State or federal law.		\$157.50	<u>\$165.37</u>
Hotels, motels and apartment hotels (for the purpose of determining the number of rooms, every room that can be leased or rented shall be included):	per room	\$1.94	<u>\$2.03</u>
	Minimum Tax	\$19.68	<u>\$20.66</u>
Intangible or tangible personal property (every Person engaged in the Business of trading, bartering, serving, buying, lending or selling intangible or tangible personal property, whether as owner, agent, broker or otherwise)		\$98.43	<u>\$103.35</u>
Liquefied petroleum gas, dealers and installers:			
Installation of equipment to be used with liquefied petroleum gas.		\$65.62	<u>\$68.9</u>
Dealer in liquefied petroleum gas, in appliances and equipment for use of such gas and in the installation of appliances and equipment.		\$164.06	<u>\$172.26</u>
Manufacturing and/or processing (principals shall be deemed employees):	1—10 employees	\$39.37	<u>\$41.33</u>
	11-20 employees	\$78.75	<u>\$82.68</u>
	21-30 employees	\$118.12	<u>\$124.02</u>
	31-40 employees	\$157.50	<u>\$165.37</u>
	41-50 employees	\$236.25	<u>\$248.06</u>
	51 or more employees	\$295.31	<u>\$310.07</u>
Professional License (every Person engaged in the practice of any profession who offers services for consideration, whether or not such endeavor is regulated by law)		\$39.37	<u>\$41.33</u>
Professional management		\$39.37	<u>\$41.33</u>
Retailer, retail stores (includes every Person or Business engaged in the Business of selling tangible personal property to consumers or to any Person for any purpose other than for resale).		\$39.37	<u>\$41.33</u>

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING CHAPTER 30, “ZONING AND LAND DEVELOPMENT REGULATIONS,” OF THE VILLAGE CODE OF ORDINANCES, BY CREATING SECTION 30-62, TO ESTABLISH AN ADVISORY BOARD TO REVIEW REGULATORY VARIANCES; AMENDING SECTION 30-63, “VARIANCE PROCEDURES,” AND SECTION 30-66 “REGULATORY VARIANCES,” RELATING TO THE ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (the “Village”) has adopted regulations for variance requests under Article IV of Chapter 30 of the Zoning and Land Development Regulations of the Village (the “Zoning Code”); and

WHEREAS, Section 30-66, “Regulator Variances,” of the Zoning Code provides that the Village Council shall have jurisdiction regarding the disposition of Regulatory Variances and establishes procedures for the processing of applications for such variances; and

WHEREAS, the Village Council desires to establish an advisory board to review and provide recommendations on Regulatory Variances prior to consideration by the Village Council; 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 BISCAIYNE, 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 Sections 30-62 of the Village Code.** That Section 30-62, of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

CHAPTER 30 – ZONING AND LAND DEVELOPMENT REGULATIONS

ARTICLE IV. – ADMINISTRATION OF THE ZONING ORDINANCE

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 30-62. - ~~Reserved.~~ Review of Regulatory Variances by Advisory Board.

(a) Creation, composition and qualifications.

- (1) In accordance with Section 2-10, there is hereby created and established an advisory board for the review of Regulatory Variances (the "Board"). The Board shall be composed of five (5) members appointed by the Mayor, with the approval of the Village Council, pursuant to Section 2.02 of the Village Charter.
- (2) All members of the Board shall be residents of the Village, and if a Board member ceases to reside within the Village limits during his or her term of service, the Board member shall be deemed to have resigned as of the date of his or her change of residence from the Village. To the extent practicable, the Board shall be composed of at least one (1) member who is a registered architect or individuals with experience or professional credentials in land use, planning, urban design, or related fields requiring specialized expertise.
- (3) Each member of the Board shall serve at the pleasure of the Village Council as provided by Section 2-10.
- (4) Each member of the Board shall serve without compensation and shall not be reimbursed for travel, mileage, or per diem expenses.
- (5) In the event of the resignation or removal of any member of the Board, the Mayor shall appoint a person to fill the vacancy on the Board for the unexpired portion of the term of the member vacating such office, subject to approval of the Village Council.

(b) Term of Office. Members shall be appointed for a term of up to two (2) years. Members may be reappointed to additional terms of office by the Mayor for a maximum of eight years, subject to Village Council approval.

(c) Advisory Capacity; Standards of conduct. The powers and duties of the Board shall be solely of an advisory nature to the Village Council. Accordingly, Board members shall comply with the applicable requirements of the Code of Ethics for Public Officers and Employees as provided in Part III of Chapter 112, Florida Statutes, and any other standards of conduct set by federal, state, county, Village or other applicable law.

(d) Rules of Procedure; other requirements.

- (1) The Board may adopt rules of procedure as authorized by Section 2-10(k). In the absence of such rules of procedure, the fundamental parliamentary procedures of Roberts Rules of Order shall apply, subject to the provisions of Section 2-10.
- (2) During the first meeting of the Board, the members shall elect one of their members to act as Chairperson, Vice-Chairperson and Secretary.

(3) The Board shall be subject to and shall comply with the applicable provisions of Section 2-10.

(4) The Board shall not be required to submit an annual report to the Village Council.

(e) *Jurisdiction and Dissolution.*

(1) The Board shall review all applications for Regulatory Variances submitted pursuant to this Article and provide recommendations to the Village Council. The jurisdiction of the Board shall be solely advisory.

(2) The Board shall continue to exist until such time as the Board is dissolved by an ordinance adopted by the Village Council.

(f) *Procedures for Review of Regulatory Variances by the Board.*

(1) *Public notice and hearing requirements.* Upon receipt of a complete application, the Village Clerk shall schedule a public hearing before the Board pursuant to the procedures set forth in Section 30-68. All hearings of the Board shall be open to the public. Interested persons may appear and be heard in person or through counsel and may also submit written comments prior to the hearing.

(2) *Recommendation.* The Board shall consider the application and all public testimony and written comments received. The Board shall review the variance application in accordance with the criteria provided in Section 30-63 and shall recommend approval, approval with conditions, or denial of the application.

(3) *Transmittal to Council.* The recommendation of the Board shall be transmitted to the Village Council and included in the agenda materials for the Village Council's public hearing on the application pursuant to the procedures set forth in Section 30-66.

(4) *Quorum and Vote.* A majority of the voting members of the Board shall constitute a quorum. A recommendation shall require the affirmative vote of a majority of those members present and voting.

Section 3. Amending Section 30-63, "Variance Procedures," of the Village Code.

That Section 30-63, "Variance Procedures," of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

CHAPTER 30 – ZONING AND LAND DEVELOPMENT REGULATIONS

ARTICLE IV. – ADMINISTRATION OF THE ZONING ORDINANCE

Section 30-63. – Variance Procedures.

(f) ~~Building, Zoning and Planning Director~~ Recommendations for Variance applications. The Director of the Building, Zoning and Planning Department shall provide the Village Council with a recommendation for each application that is considered by the Council. For Regulatory Variances, the Board shall provide the Village Council with a recommendation in accordance with the procedures set forth in Section 30-62.

Section 4. Amending Section 30-66, “Regulatory Variances,” of the Village Code.

That Section 30-66, “Regulatory Variances,” of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

CHAPTER 30 – ZONING AND LAND DEVELOPMENT REGULATIONS

ARTICLE IV. – ADMINISTRATION OF THE ZONING ORDINANCE

Sec. 30-66. Regulatory Variances.

The Village Council shall have final jurisdiction regarding the disposition of Regulatory Variances. Pursuant to Section 30-62, the Board shall conduct a public hearing and provide a recommendation to the Village Council prior to the Village Council’s public hearing. The following procedures shall be used in the processing of applications for Regulatory Variances.

- (1) *Application forms.* The Building, Zoning, and Planning Department shall have the responsibility of assisting applicants in the filing of applications for Regulatory Variances.
- (2) *Public notice and hearing requirements.* A public hearing before the Board shall be scheduled in accordance with the procedures set forth in Section 30-62. After the Board issues its recommendation, the Village Clerk shall schedule a public hearing before the Village Council pursuant to the procedures set forth in section 30-68. An application for a Regulatory Variance requires one public hearing before the Village Council. All public hearings and meetings of the Council with regard to a Regulatory Variance are open to the general public. Interested parties shall have the right to appear at any meeting or public hearing, personally or by an attorney, and have the right to object or to express favor before the Council. Any interested Person may file their objection or approval In Writing prior to the time the Council makes a decision on the application.
- (3) *Vote.* Except as provided for in the Village Charter, a majority vote of the members of the Council in attendance is required to deny, approve or approve a request with conditions. Violations of the conditions shall be deemed to be a violation of this article.
- (4) *Modification of conditions.* Should the applicant request to modify any condition, said request must be approved by the Village Council. Public notice shall be the same as that which was required for the original request.

- (5) *Resolution.* The Village Council shall memorialize its decision in the form of a resolution or development order. The resolution or development order shall be recorded in the public records of Miami-Dade County and be considered as a covenant running with the land. No building permit, certificate of occupancy, certificate of use, or Local Business Tax Receipt shall be issued until the applicant provides evidence of the recordation. A copy of the proof of recordation shall be submitted to the Building, Zoning, and Planning Department prior to the issuance of any building permits.
- (6) *Conditions.* The Village Council may stipulate reasonable conditions and requirements in granting any application for a Regulatory Variance, when it is found by the Village Council to be necessary to further the purpose of the zoning district or compatibility with the surrounding neighborhood.
- (7) *Appeals.* Judicial review of a decision made by the Village Council shall be to a court of competent jurisdiction.

Section 5. **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 6. **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 7. **Effective Date.** That this Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the _____ day of _____, 2025.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2025.

JOE I. RASCO
MAYOR

ATTEST:

JOCELYN B. KOCH

VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

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



VILLAGE OF KEY BISCAYNE

MEMORANDUM

Village Council
Joe I. Rasco, *Mayor*
Oscar Sardiñas, *Vice Mayor*
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager

Village Manager
Steven C. Williamson

RE: Joint Participation Agreement with Miami-Dade County for Harbor Drive Improvements

RECOMMENDATION

Recommend the Village Council approve a resolution to authorize the Village Manager to execute a Joint Participation Agreement (JPA) with Miami-Dade County for the Harbor Drive Improvements project from Crandon Boulevard to W Mashta Drive, with County funding not to exceed \$1,915,059 through its Road Impact Fee (RIF) Program.

BACKGROUND

Harbor Drive is one of the main roadways within the Village and serves as a critical evacuation route for many residents. The roadway is experiencing deterioration that impacts both traffic flow and stormwater management, requiring comprehensive improvements to ensure the safety and resilience of this important corridor.

In an effort to address these needs, the Village has been working with Miami-Dade County to secure funding through the County's Road Impact Fee (RIF) Program. The proposed JPA will formalize this cost-sharing arrangement, with the County providing approximately 90% of the construction costs for eligible expenses through RIF funding while the Village contributes the remaining 10% for those eligible expenses, plus all design costs and ineligible expenses.

On December 17, 2024, the Village Council approved a work order with the Corradino Group in the amount of \$114,105 to complete the design of the Harbor Drive improvements from Crandon Boulevard to Mashta Circle. This design is now 80% complete and will serve as the basis for the construction project governed by this JPA.

The FY 2024-2025 Budget Amendment #1, presented to Council on first reading on April 8, 2025, includes an additional \$652,643 allocation for the Harbor Drive project specifically for roadway features that are not eligible for RIF reimbursement such as stamped asphalt, landscaping, and lighting.



VILLAGE OF KEY BISCAYNE

SCOPE OF WORK

The Harbor Drive Improvements project includes the following components:

1. Milling and resurfacing Harbor Drive from Crandon Boulevard to W Mashta Drive
2. Correcting slopes and adding a crown to the road to improve drainage
3. Reconstructing roundabouts, curbing, and chicanes to enhance traffic flow and safety
4. Striping roadway crosswalks and traffic markings
5. Modifying the Harbor Drive roadway from Fernwood Road to Crandon Boulevard to improve traffic conditions
6. Installation of stamped asphalt finishes, landscaping, and lighting (Village-funded enhancements)

JPA TERMS AND CONDITIONS

The JPA with Miami-Dade County establishes the following key provisions:

1. **Funding Structure:** The County will provide up to \$1,915,059 from its Road Impact Fee funds for eligible construction costs. The Village will be responsible for all design costs and approximately 10% of eligible construction costs.
2. **Village Responsibilities:** The Village will manage the project design, permitting, public involvement, construction administration, and inspection services.
3. **County Responsibilities:** The County will reimburse eligible construction costs on a quarterly basis upon submission of certified paid contractor invoices.
4. **Small Business and Workforce Compliance:** The project will adhere to applicable County regulations including Small Business Enterprise (SBE) programs and the Responsible Wages and Benefits Ordinance.

FINANCIAL IMPACT

The total project budget is \$2,682,894 with funding sources outlined below:

Item	County RIF	Village CIP	Total
Design (Village)	\$0	\$114,105	\$114,105
Construction			
Eligible Expenses (County)	\$1,651,042	\$165,104	\$1,816,146
Village Inputs (Ineligible)		\$652,643	\$652,643
Contingency (County)	\$90,909	\$9,091	\$100,000
Total	1,741,951	940,943	2,682,894



VILLAGE OF KEY BISCAYNE

ANTICIPATED PROJECT TIMELINE

Upon approval of this resolution and execution of the JPA, the following timeline is anticipated:

1. JPA Execution: July 2025
2. Procurement and Contractor Selection: August-October 2025
3. Notice to Proceed/Construction Start: November 2025
4. Construction Duration: 6-8 months
5. Project Completion: Summer 2026

This JPA and contract have been reviewed by Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

RESOLUTION NO. 2025 - _____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY TO RECEIVE \$1,915,059 IN COUNTY ROAD IMPACT FEES FOR THE HARBOR DRIVE IMPROVEMENTS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (“Village”) desires to construct road improvements to Harbor Drive, including milling and resurfacing Harbor Drive from West Mashta Drive to Crandon Boulevard (the “Project”); and

WHEREAS, Miami-Dade County (the “County”) has proposed entering into a Joint Participation Agreement (the “JPA”) to provide the Village \$1,915,059 in County road impact fees to support the construction of the Project, with the Village providing the balance of the total Project budget in the amount of \$652,643; and

WHEREAS, the Village Council desires to enter into the JPA, in substantially the form attached hereto as Exhibit “A,” to receive \$1,915,059 in County road impact fees for the Project; 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. Approval. That the Village Council hereby approves the JPA with the County in substantially the form attached hereto as Exhibit “A.”

Section 3. **Authorization.** That the Village Manager is hereby authorized to execute the JPA in substantially the form attached hereto as Exhibit “A,” and any required or related agreements, amendments, or documents which are required to implement the purposes of this Resolution and the JPA, subject to the approval of the Village Attorney as to form, content, and legal sufficiency.

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

PASSED and ADOPTED this _____ day of _____, 2025.

JOE I. RASCO, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE OF KEY BISCAYNE

This AGREEMENT, made and entered into this _____ day of _____, 2025, by and between the VILLAGE KEY BISCAYNE, FLORIDA, a municipal corporation of the STATE OF FLORIDA, hereinafter referred to as the "Village", and MIAMI-DADE COUNTY, a political subdivision of the STATE OF FLORIDA, hereinafter referred to as the "County".

WITNESSETH

WHEREAS, both parties herein wish to facilitate the construction of a road improvement project in MIAMI-DADE COUNTY, hereinafter referred to as the "Project" described as follows:

Milling and resurfacing Harbor Drive from W Mashta Drive to Crandon Boulevard; and

WHEREAS, the County wishes to utilize the resources of the Village to contract and construct the Project, subject to the terms and conditions of this Agreement:

NOW, THEREFORE, in consideration of the promises and covenants contained herein, the parties agree:

1. RESPONSIBILITIES OF VILLAGE:

1.1 Recitals: The recitals are true and correct and are incorporated herein by this reference to form a part of this Agreement.

1.2. Effective Date: This Agreement shall become effective on the date upon which the resolution adopted by the Board of County Commissioners approving this Agreement becomes effective.

- 1.3. Design:** The Village shall complete at its sole expense, the construction plans, technical specifications, special provisions, pay items and cost estimates for the Project in accordance with standard Florida Department of Transportation (FDOT), County, and/or Village, as applicable, design criteria, to the satisfaction of the County Department of Transportation and Public Works (DTPW) Director. The Village consultants shall be made available to the County at the Village's cost solely to review shop drawings and perform required post-design services limited to Project design.
- 1.4. Permits and Approvals:** The Village shall obtain all necessary permits, including any permits required by the County, and utility adjustments; and coordinate the review of construction documents by utilities and permitting agencies. The Village shall make all necessary adjustments as required for approval and/or permitting by those agencies. The Village shall obtain all necessary permits, and utility adjustments for the Project in accordance with applicable state, federal and local laws and ordinances. The Village shall not pay for any permits required by the County DTPW.
- 1.5. Right-of-Way:** The Village shall acquire at its sole expense, any right-of-way that is required to complete the construction of the Project.
- 1.6. Public Information and Involvement:** The Village will implement a Public Involvement Plan (PIP) during the design and construction of the Project to provide information to property owners, tenants, and area residents, including but not limited to: public meetings, Project documentation and flyers, business signs, directional parking signs, and schedules for major work to be performed

in the area. Appropriate investigation of the Project stakeholders shall be used to develop the goals and objectives to implement the PIP. The Village shall submit a copy of the PIP to the County DTPW Director for review and concurrence prior to its implementation.

Projects that exceed \$1,000,000.00 in construction costs shall comply with the process and guidelines for the preparation and implementation of PIPs as established by Miami-Dade County Implementing Order 10-13.

1.7. Publicity: By the acceptance of these funds, the Village agrees that the Project elements funded by this Agreement shall recognize and adequately reference the County as a funding source. The Village shall ensure that all publicity, public relations, advertisements and signs recognizes and references the County for the support of all contracted activities. This is to include, but is not limited to, all posted signs, pamphlets, wall plaques, cornerstones, dedications, notices, flyers, brochures, news releases, media packages, promotions, and stationery. The use of the official County logo is permissible for the publicity purposes stated herein. The Village shall submit sample or mock-up of such publicity or materials to the County for review and approval. The Village shall ensure that all media representatives, when inquiring about the activities funded by this Agreement, are informed that the County is its funding source.

1.8. Accounting: The Village shall at all times maintain separate accounting for the costs of the Project so those costs may be independently verified and audited by the County, at the request and cost of the County. The Village agrees to permit the County auditors to inspect the books, records and accounts of the

Project for five (5) years after completion of the Project. These records shall be made available to the County for inspection within ten (10) business days upon written receipt of a written request from the County.

1.9. Construction: The Village shall procure the services of a licensed contractor holding an engineering contractor's license to construct the Project. The Village may award the contract through any available lawful means, in accordance with Section 255.20, Florida Statutes, which in the Village discretion, affords the most competitive price for construction of the Project and which may include, but is not limited to, bid solicitation, request for proposals, the award of a change order on existing Village contract(s), or the extension of unit-prices provided in connection with prior competitive bid awards. Notwithstanding any provision to the contrary, the Village shall comply with all applicable County contract compliance and oversight measures relating to the expenditure of County funds, in accordance with Section 6 of this Agreement, and include such requirements in all solicitations. Prior to the advertisement to solicit a licensed contractor to construct the Project, the Village shall forward to the County DTPW Capital Division all necessary documentation to review for the application of Small Business Enterprises (SBE) measures, Wage and Workforce requirements. request concurrence to advertise. In turn DTPW, will contain concurrence from Small Business Development (SBD).

The construction contract shall also contain a requirement that the contractor(s) provide a payment and performance bond at least in the amount and form required by state law naming the County and Village as joint obligees

or joint contracting public entities. The construction contract shall contain a contingency amount to address unforeseen conditions and owner required changes which shall not exceed ten percent (10%) of the base amount of the contract, unless otherwise approved in writing by designated representatives of the County and Village. The commitment for the expenditures of any contingency funds shall not be made by the Village without the prior written approval of the County DTPW Director. The County shall respond, in writing, within thirty (30) business days of receiving written requests from the Village to approve the commitment of contingency funds.

Subsequent to the evaluation of bids or proposals by the Village and the Village determination of the advantageous bid or proposal, the Village shall provide said evaluation to the County DTPW Director for review and approval. SBD shall also be required to conduct a Pre-award Compliance review to determine the bidders' compliance with the SBE measures prior to Village awarding the contract. Final commitment of County funds for the Project shall occur upon approval of the contract award recommendation by the County DTPW Director. The County agrees that the selection, retention and discharge of such contractor shall be the responsibility of the Village.

1.10. Claims and Change Orders: The Village shall notify the County DTPW Director in writing when claims or change orders arise. The Village shall also invite the County to participate in negotiations of these claims and change orders. The County shall review and make a determination or approval of all change orders or supplemental agreements, permits, modifications of plans, or

other requests for approvals submitted by the Village. SBD shall also be notified of any change orders to evaluate the applicability of SBE measures.

1.11. Construction Administration and Inspection: The Village shall exercise all responsibilities of the owner under the construction contract, including construction administration and inspections. The Village may delegate this function to an authorized agent or Construction Engineering Inspection consultant. The County's inspector shall have an oversight role in the routine daily inspections. In the case of a disagreement over the interpretation of the plans, the County DTPW Director shall have final authority subsequent to an independent final inspection by the County. The Village representative and the County's designated representative shall jointly perform the inspection of the project which immediately precedes substantial completion. The Village shall certify upon completion that the project has been constructed pursuant to the design plans, specifications and approved change orders. Final payment to the Village and obligations of maintenance responsibilities and to the parties shall be subject to the final acceptance of the project by the County DTPW Director.

1.12. Coordination with Miami-Dade County Public Schools: Due to potential safety, operational and bus transportation impacts, the Village shall coordinate with Miami-Dade County Public Schools staff to implement maintenance of traffic measures.

1.13. Nondiscrimination: During the performance of this Agreement, the Village agrees to not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, sex, pregnancy, age,

disability, marital status, familial status, sexual orientation, gender identity or gender expression, status as victim of domestic violence, dating violence or stalking, or veteran status, and on housing related contracts the source of income, and will take affirmative action to ensure that employees and applicants are afforded equal employment opportunities without discrimination. Such action shall be taken with reference to, but not limited to: recruitment, employment, termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on the job training.

By entering into this Agreement, the Village attests that it is not in violation of the Americans with Disabilities Act of 1990 (and related Acts) or Miami- Dade County Resolution No. R-385-95. If the Village or any owner, subsidiary or other firm affiliated with or related to the Village is found by the responsible enforcement agency or the County to be in violation of the Act or the Resolution, such violation shall render this Agreement void. This Agreement shall be void if the Village submits a false affidavit pursuant to this Resolution or the Village violates the Act or the Resolution during the term of this agreement, even if the Village was not in violation at the time it submitted its affidavit. The provisions of Section 1.13 shall be included in any agreement between the Village and any consultant and/or contractor performing work on this Project.

2. RESPONSIBILITIES OF COUNTY:

2.1 Funding Amount, Reimbursement of Project Costs: The construction cost estimate for the Project is \$1,915,059 (this amount includes ten percent (10%) contingency). Subject to and contingent upon the Board of County Commissioners' and the Transportation Planning Organization's review and approval process pursuant to Chapter 33E of the Code of Miami-Dade County, Florida, the County agrees to provide funds up to \$1,915,059 for eligible costs, as defined herein, incurred by the Village for the construction of the Project. The County shall disburse to the Village funds for the Project in the manner set forth in Section 4. The County shall incur no liability for any costs in excess of said funding amount unless there has been a duly authorized increase approved by Miami-Dade Board of County Commissioners.

2.2. County Payments of Project Costs: The County funds provided for eligible costs as defined herein, incurred for the construction of the Project are specified below:

<u>Funding Amount</u>	<u>Funding Source</u>	<u>County Fiscal Year of Commitment</u>
\$1,915,059	Mobility Impact Fee Zone A	2024-2025

2.3. Project Cost Adjustments: The amount contributed by the County is based on the current estimated costs of the Project. The parties recognize that adjustments to the above-referenced cost may be required in the future, and that at the option of the parties, amendments may be entered into to revise the funds available for the Project.

3. ELIGIBLE COSTS: The parties agree that only the below identified costs that may be incurred by the Village and that are directly related to the Project are eligible for

reimbursement, provided adequate documentation accompanies the reimbursement request in the form of approved invoices, verified payment requests, documented journal entries, and/or check vouchers. For purposes of this Agreement, eligible costs are further defined as those pertaining to the construction of Project elements that are the standard items normally provided for by the County in County road improvement projects, and not the enhancement of standard items, or the incorporation of items which are in addition to those standard items. The County shall not be assumed to be liable to provide reimbursement for the design, construction or maintenance of such items that do not conform to this section of the Agreement. If enhancements to standard items are constructed in this Project, the Village may request County reimbursement only to a maximum amount corresponding to that which would be expended in providing the normal standard version of that item for a project of the same scope. The parties further agree that eligible costs will not include fees for construction management, construction inspections, and project management.

4. **SCHEDULE AND MANNER OF REIMBURSEMENTS:** Upon execution of the Agreement, the Village shall furnish the County with a copy of the estimated budget for the Project, and will similarly furnish the County with any and all revisions thereto. At the time of contract award for this Project, the Village shall submit the Estimated Quarterly Construction Payout Schedule for the Project to the County DTPW Director. Quarterly disbursement of County funds to the Village shall be based upon Village invoices with certified copies of paid contractor invoices attached and shall not include any other charges. The Village acknowledges that a delay in the County's

processing of invoices may occur if subcontractor reporting required by County Code is not current, as reflected in County's Business Management Workforce System (see Section 6 of this Agreement). Final invoice shall be submitted 120 working days after contractor receives final acceptance from the Village. The County may elect to terminate this Agreement due to the Village failure to invoice and close the project and any funds left from the County's funding commitment pursuant to Section 2.1 will become available to be redirected for any expenditure that the County shall determine.

5. **COMPLIANCE WITH LAWS:** The parties shall comply with applicable federal, state and local laws, codes, ordinances, rules and regulations in performing their respective duties, responsibilities, and obligations pursuant to this Agreement and with all applicable laws relating to the Project. The parties shall not unlawfully discriminate in the performance of their respective duties under this Agreement.
6. **SMALL BUSINESS, WAGE, AND WORKFORCE PROGRAMS COMPLIANCE AND OVERSIGHT:** Whenever federal or state funds are used, the Village agrees to comply with applicable County regulations, including but not limited to, the Small Business Enterprise (SBE) Goods Program, the SBE Services Programs, the SBE Architecture and Engineering Program, the SBE Construction Service Program, the Community Workforce Program (CWP), the Resident First Training and Employment Program (RFTE), and the Responsible Wages and Benefits Ordinance, Section 2-11.16 of the County Code. The program provisions are available <https://www.miamidade.gov/global/business/smallbusiness/business-development-legislation.asp>. Specifically, the Village agrees to abide by the applicable contract

measures recommendation(s) established by the County's SBD Division Project Worksheet for the participation of specified business entities and/or trades for Wage and Workforce requirements, as administered by SBD. The County's web-based Business Management Workforce System (BMWS) shall be utilized to comply with SBE, wage, and workforce program and Subcontractor reporting requirements (<https://mdcsbd.gob2g.com>). SBD shall have the right to oversee and perform compliance monitoring, including but not limited to, the right to audit and to require reports and documentation related to the Miami-Dade County Code and Implementing Orders. Failure to comply with the requirements of the executed Agreement by the Village, the County will withhold payment in the amount equivalent to the fines which will be assessed against a private contractor.

7. **PROJECT SIGNAGE**: The County shall furnish and install a Project sign in each direction of traffic indicating that this Project is being funded by Road Impact Fees, in coordination with the Village, in proximity to the start/end of the Project limits. Should Maintenance of Traffic (MOT) signage be required as part of the work, the Project sign shall be placed an appropriate distance before the MOT signage range. The Project signs shall remain in place for the duration of the work or as directed by the Project engineer.
8. **INDEMNIFICATION**: To the extent authorized by Florida law, the Village hereby agrees to indemnify, defend, save and hold harmless the County to the extend of all the limitations included in Section 768.28, Florida Statutes, from all claims, demands, liabilities and suits of any nature whatsoever arising out of, because of or due to the breach of this Agreement by the County, its agents or employees. It is specifically

understood and agreed that this indemnification clause does not cover or indemnify the County for its sole negligence or breach of contract.

In the event of breach or non-performance by the persons selected by the Village to perform the work, the Village shall, upon written request by the County, assign to the County any and all of its rights under the affected contract for purposes of the County's prosecution of claims, actions or causes of action resulting from such breach of non-performance unless the Village, at its option, pursues such claims, actions or cause of action through arbitration, administrative proceeding or lawsuit. The Village agrees to cooperate fully with the County in the prosecution of any such claim or action. Any damages recovered by the County which is attributable to an expenditure by the Village of Village funds (not otherwise reimbursed or funded by the County), shall be returned to the Village by the County, within sixty (60) business days of receipt.

9. **DISPUTE RESOLUTION, APPLICABLE LAW:** The parties shall resolve any disputes, controversies or claims between them arising out of this Agreement in accordance with the "Florida Governmental Conflict Resolution Act", Chapter 164, Florida Statutes, as amended. This agreement shall be governed by the laws of the State of Florida. Venue in any proceedings shall be in Miami-Dade, Florida. Each party will bear its own attorney's fees.

10. **TERMINATION AND DEFAULT:** If the Village fails to issue a Notice to Proceed (NTP) for the construction of the Project by **Month X, 202X** (NTP Deadline), the County shall have the option of (a) immediately terminating the Agreement, or (b) notifying the Village of a requirement that an NTP for the construction of the Project

be issued by a new date to be set by the County. If the County elects to terminate the Agreement due to the Village's failure to issue an NTP by the NTP Deadline, the funds provided in Section 2.1 for this Project will become available to be redirected for any expenditure that the County shall determine.

11. **JOINT PREPARATION**: The parties acknowledge that they have sought and received whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations herein and that the preparation of this Agreement has been their joint effort. The language agreed to expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties from other.

12. **SEVERANCE**: In the event a portion of this Agreement is found to be invalid by a court of competent jurisdiction, the remaining provisions shall continue to be effective unless the Village or County elects to terminate this Agreement. An election to terminate this Agreement based upon this provision shall be made within seven (7) business days after the finding by the court becomes final.

13. **NOTICES**: Any and all notices required to be given under this Agreement shall be sent by first class mail, addressed as follows:

To the County:

Attention: Director, Department of Transportation and Public Works
Miami-Dade County
701 NW 1 Court, Suite 1700
Miami, Florida 33136
(786) 469-5406

To the Village:

Attention: Steve Williamson

Village Manager
Village of Village of Key Biscayne

14. **ENTIRE AGREEMENT, AMENDMENTS**: This document incorporates and includes all prior negotiations, correspondence, conversations, agreements and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this agreement that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written. It is further agreed that no modification, amendment or alteration in the terms contained herein shall be effective unless set forth in writing in accordance with this section. No modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the parties.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto set their hands and official seals the day and year first above written,

ATTEST:
JUAN FERNANDEZ-BARQUIN

MIAMI-DADE COUNTY, FLORIDA,
BY ITS BOARD OF
COUNTY COMMISSIONERS

CLERK OF THE COURT, AND
COMPTROLLER

BY: _____ BY: _____
Deputy Clerk County Mayor or County Mayor's Designee

Approved by County Attorney
as to form and legal sufficiency _____
Assistant County Attorney

ATTEST: VILLAGE OF VILLAGE OF KEY BISCAYNE, a municipal
corporation of the State of Florida

BY: _____ BY: _____
Village Clerk Village Manager

(Affix Village Seal)

Approved by Village Attorney
as to form and legal sufficiency _____
Village Attorney



VILLAGE OF KEY BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, *Mayor*
Oscar Sardiñas, *Vice Mayor*
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

Village Manager
Steven C. Williamson

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: One-Year Extension of AECOM Contract for Stormwater Utility and Right-of-Way Improvements

RECOMMENDATION

Recommend the Village Council authorize the Village Manager to execute a one-year extension to the AECOM Technical Services, Inc., Stormwater Utility and Right-of-Way Improvements contract from June 4, 2025 to June 3, 2026.

DISCUSSION

Purpose: A contract extension provides the continued availability of AECOM for potential future modelling, engineering, and technical support for procurement, permitting, and construction administration for the Zone 1 Stormwater and Utility Undergrounding Project.

Background: The Village awarded the initial Stormwater Utility and Right-of-Way Improvements contract on June 4th, 2020, with a termination on June 03, 2025. Through a competitive process, the Village selected AECOM to engineer capital improvements to mitigate flood risks, improve stormwater reliability, and meet drainage priorities. During the five contract years, the Village issued AECOM six work orders to systematically analyze the village's drainage system and to design stormwater engineering solutions. As the term of the contract expires, AECOM is completing the Zone 1 Project 100% design and cost estimate.

Justification: Given AECOM's extensive study, analysis, and modelling of the village's stormwater drainage system, resulting in a village-wide drainage assessment and the Zone 1 Project design, extending the contract for potential future project support is the most logical and cost-effective course of action. AECOM's continued availability will preserve critical project knowledge, maintain design consistency, and if needed, will provide direct support for conflict resolution, permitting, and construction administration. Retaining AECOM avoids delays and additional costs associated with transitioning to a new firm at this stage.

Implementation: The Village's procurement policies and applicable regulations allow the Village Council to extend an existing contract without requiring a new competitive solicitation when it is in the best interest of the Village. *A contract extension does not commit the Village to*



VILLAGE OF KEY BISCAINE

additional costs. Any further work would have to be issued through a work order approved by the Village Council.

By extending the contract, if needed, AECOM would be available to provide the following support for the Zone 1 Stormwater and Utility Undergrounding Project:

1. **Project Continuity and Technical Support:** Support permitting, bidding, procurement, and construction; resolve conflicts related to water, sewer, and underground utilities; assist with roadway elevation adjustments and driveway harmonization.
2. **Cost and Quality Management:** Support change order evaluation, value engineering, and cost control efforts; continue established quality assurance and quality control protocols.
3. **Regulatory, Community, and Design Coordination:** Manage regulatory agency interactions, subconsultant coordination, utility provider engagement, design of critical structures (e.g., Harbor Point outfall dissipator), and assist with public outreach and communication.

RESOURCE IMPACT

None

FUNDING SOURCES

Not Applicable

ATTACHMENTS

1. Current Stormwater Utility and Right-of-Way Improvements contract

Prepared by: Chris Miranda, Public Works Director

Department Director: Chris Miranda, Public Works Director

Reviewed by Mr. Chad Friedman from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

RESOLUTION NO. 2025- _____

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A
SECOND AMENDMENT TO THE PROFESSIONAL
SERVICES AGREEMENT WITH AECOM TECHNICAL
SERVICES, INC.; PROVIDING FOR AUTHORIZATION;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on October 9, 2019, the Village of Key Biscayne (the “Village”) issued Request for Qualifications No. 2020-03 (the “RFQ”) for design criteria professional services for stormwater utility and right-of-way improvements (the “Services”); and

WHEREAS, on February 11, 2020, the Village Council adopted Resolution No. 2020-10, selecting the Consultant to provide the Services and authorizing the Village Manager to negotiate and execute an agreement with the Contractor; and

WHEREAS, on June 4, 2020, the Village and the Consultant entered into the Agreement to provide the Services (the “Agreement”); and

WHEREAS, the Agreement is set to expire on June 3, 2025, and the Village is still in need of the Consultant’s Services; and

WHEREAS, the Village Council desires to approve a Second Amendment (the “Amendment”) to the Agreement in substantially the form attached hereto as Exhibit “A” to extend the term of the Agreement for an additional one (1) year period; 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. Amendment Approved. That the Village Council hereby approves the Amendment with the Consultant in substantially the form attached hereto as Exhibit "A."

Section 3. Authorization. That the Village Council hereby authorizes the Village Manager to negotiate and execute the Amendment with the Consultant, in substantially the form attached hereto as Exhibit "A," subject to the approval of the Village Attorney 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 _____, 2025.

JOE I. RASCO, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

**SECOND AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE VILLAGE OF KEY BISCAYNE
AND
AECOM TECHNICAL SERVICES, INC.**

THIS SECOND AMENDMENT to the **PROFESSIONAL SERVICES AGREEMENT** (the “Second Amendment”) is entered into as of the day of _____, 2025 (the “Effective Date of Second Amendment”), by and between the **VILLAGE OF KEY BISCAYNE, FLORIDA**, a Florida municipal corporation, (the “Village”), and **AECOM TECHNICAL SERVICES, INC.**, a California profit corporation authorized to do business in Florida (hereinafter, the “Consultant”), collectively referred to as the “Parties.”

WHEREAS, on October 9, 2019, the Village issued Request for Qualifications No. 2020-03 (the “RFQ”) for design criteria professional services for stormwater utility and right-of-way improvements (the “Services”); and

WHEREAS, on February 11, 2020, the Village Council adopted Resolution No. 2020-10, selecting the Consultant to provide the Services and authorizing the Village Manager to negotiate and execute an agreement with the Consultant; and

WHEREAS, on June 4, 2020, the Village and the Consultant entered into the Agreement to provide the Services (the “Agreement”); and

WHEREAS, the term of the Agreement is set to expire on June 3, 2025, and the Village is still in need of the Consultant’s Services; and

WHEREAS, the Village and the Consultant desire to amend the Agreement to extend the term for an additional one (1) year period; and

WHEREAS, the Village and Consultant wish to modify the terms of the Agreement in accordance with the terms and conditions set forth in this Second Amendment.

NOW, THEREFORE, for and in consideration of the mutual promises set forth herein, the Village and Consultant agree as follows:¹

1. **Recitals Incorporated.** The above recitals are true and correct and incorporated herein.
2. **Amendment of Paragraph 2 of the Agreement.** Paragraph 2 of the Agreement is hereby amended as follows:

¹ Words ~~stricken through~~ shall be deleted. Words underscored constitute the amendment. Remaining provisions are now in effect and remain unchanged.

2. Term/Commencement Date

This Agreement shall become effective upon the Effective Date and shall remain in effect for 3 6 years thereafter, unless earlier terminated in accordance with Paragraph 8. ~~Additionally the Village Manager may renew this Agreement for up to 2 additional 1 year periods on the same terms as set forth herein upon written notice to the Contractor.~~

3. **Conflict; Amendment Prevails.** In the event of any conflict or ambiguity between the terms and provisions of this Second Amendment and the terms and provisions of the Agreement, the terms and provisions of this Second Amendment shall control.

4. **Agreement Ratified.** Except as otherwise specifically set forth or modified herein, all terms in the Agreement are hereby ratified and affirmed and shall remain unmodified and in full force and effect in accordance with its terms.

5. **Defined Terms.** All initial capitalized terms used in this Second Amendment but not otherwise defined herein shall have the same meaning ascribed thereto in the Agreement.

6. **Counterparts.** This Second Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which, when taken together, shall constitute one and the same instrument. An executed facsimile or electronic copy of this Second Amendment shall have the same force and effect as an original hereof.

[THIS SPACE INTENTIONALLY LEFT BLANK.
SIGNATURE PAGE FOLLOWS.]



VILLAGE OF KEY BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, Mayor
Oscar Sardiñas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

Village Manager
Steven C. Williamson

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: Purchase of two (2) replacement Chevy Tahoe's for Fire Rescue Command Staff

RECOMMENDATION

Recommend the Village Council authorize the purchase of two (2) 2025 Chevrolet Tahoe 4x4 vehicles to replace existing command staff/response vehicles, as an operational priority for the Fire Rescue Department. The total purchase amount is \$120,990, with funding available in the FY24–25 Amended Capital Improvement Plan (CIP), which appropriated \$150,000 for this purpose.

BACKGROUND

The two existing Chevrolet Tahoe vehicles scheduled for replacement have exceeded the Village's Fleet Replacement Policy (Resolution 2019-06), which recommends vehicle retirement after 7 years or 100,000 miles. These units are assigned to the Fire Chief and Deputy Fire Chief of Operations and are critical to support emergency response, incident command, and community-wide emergency management functions.

Due to ongoing reliability issues, the Department has been forced to rent vehicles on an as-needed basis at a cost of approximately \$2,500 per month. Despite extensive maintenance efforts — including costly repairs for transmissions, air conditioning systems, and suspensions — the existing vehicles have become increasingly unreliable. The continued use of high-mileage units poses a risk to both operational effectiveness and responder safety. The proposed purchase will eliminate this recurring cost burden and restore essential, mission-ready vehicles for Fire Rescue leadership.

The attached quote from Garber Chevrolet Fleet Sales (Exhibit A) reflects competitive pricing secured through the Florida Sheriff's Association cooperative purchasing program. The purchase includes two (2) 2025 Chevrolet Tahoe 4X4 vehicles with equipment listed in quote #CK-1076 from Garber Chevrolet, utilizing the Florida Sheriff's Association Purchasing Program.

The new Tahoe's will be equipped with emergency lights and sirens, along with storage space for bunker gear, AEDs, and other emergency response equipment. These features are essential



VILLAGE OF KEY BISCAINE

for command-level staff to respond to incidents, navigate traffic, and establish safety perimeters at active scenes.

Relying on personal vehicles with a monthly stipend is not a viable or safe alternative. These vehicles lack emergency lighting, communications equipment, and proper gear storage. As a result, chief officers cannot legally or effectively respond to emergencies or protect responders at roadway scenes. This is particularly concerning in high-traffic areas such as Key Biscayne, the Rickenbacker Causeway, and major regional corridors like I-95 and the Florida Turnpike.

In recent incidents, Fire Rescue command officers have experienced delayed response times due to heavy traffic and the absence of emergency lights and sirens on their vehicles. These delays prevent timely scene control and jeopardize both public safety and the safety of Fire Rescue personnel. All current leadership travels into the Village daily from outside Key Biscayne, and without fully equipped command vehicles, their ability to support emergency operations is severely limited.

As part of this procurement, I also request authorization to declare surplus for the two 2018 Chevrolet Tahoe vehicles currently in use. Both vehicles have exceeded their useful service life and are no longer reliable for emergency operations. The estimated resale value for each unit is between \$5,000 and \$12,000, depending on condition and market demand.

The VIN numbers will be provided prior to final disposition.

Vehicle	Assigned to	VIN
2018 Tahoe	Fire Chief	1GNSCAKC3JR239060
2018 Tahoe	Deputy Fire Chief	1GNSCAKC2JR238708

Reviewed by Mr. Chad Friedman and Mr. Roger Pou from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

RESOLUTION NO. 2025-_____

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE PURCHASE OF TWO FIRE VEHICLES FROM GARBER CHEVROLET BUICK GMC, INC. IN AN AMOUNT NOT TO EXCEED \$120,990; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; DECLARING CERTAIN FIRE VEHICLES AS SURPLUS PROPERTY; AUTHORIZING THE SALE OR DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (“Village”) Fire Rescue Department is in need of two new vehicles to replace existing vehicles that have exceeded their recommended lifecycle as described in the Village’s Fleet Replacement Policy; and

WHEREAS, the Village desires to purchase two 2025 Chevy Tahoe 4x4 vehicles inclusive of equipment for the vehicles (the “Vehicles”) from Garber Chevrolet Buick GMC, Inc. (the “Vendor”) consistent with the quote attached hereto as Exhibit “A” (the “Quote”); and

WHEREAS, pursuant to Section 2-85 of the Village Code of Ordinances, the Village Council finds that it is impractical to apply the Village’s competitive bidding procedures for the purchase of the Vehicles as the type of purchase contemplated by the Village has already been competitively bid and awarded by the Florida Sheriffs Association, which resulted in contract number FSA 24-VEL.32.0 with the Vendor (the “FSA Contract”); and

WHEREAS, the Village Council desires to authorize the Village Manager to purchase the Vehicles from the Vendor, consistent with the FSA Contract and the Quote attached hereto as Exhibit “A” in an amount not to exceed \$120,990, as the pricing offered pursuant to the FSA Contract is in the Village’s best interest; and

WHEREAS, the Village Council declares the two command staff/response vehicles listed on Exhibit “B” attached hereto (the “Surplus Vehicles”), as surplus property that have become obsolete, have outlived their usefulness, have become inadequate for the public purposes for which

they were intended, or are no longer needed for public purposes in light of the purchases authorized by this Resolution, and authorizes the Village Manager to sell or otherwise dispose of the Surplus Vehicles; and

WHEREAS, the Village Council finds that this Capital Project Authorizing 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. Approval. That the Village Council hereby approves the purchase of the Vehicles from the Vendor in an amount not to exceed \$120,990.

Section 3. Waiver of Competitive Bidding. That the Village Council hereby waives the Village's competitive bidding procedures for the purchase of the Vehicles pursuant to Section 2-85 of the Village Code.

Section 4. Declaration of Surplus Property. That the Village Council finds that the Surplus Vehicles have become obsolete, have outlived their usefulness, have become inadequate for the public purposes for which they were intended, or are no longer needed for public purposes. Accordingly, the Village Council declares the Surplus Vehicles listed on Exhibit "B" to be surplus property of the Village.

Section 5. Authorizing Sale or Disposition of Surplus Property. That the Village Manager is authorized to sell or dispose of the Surplus Vehicles by public auction or other procedure determined by the Village Manager to be in the best interests of the Village. Any surplus property items acquired by the Village pursuant to governmental grant programs shall only be disposed of in accordance with procedures and criteria applicable to such grant programs.

Section 6. **Implementation.** That the Village Council hereby authorizes the Village Manager to execute any purchase order or required documentation for the purchase described in this Resolution consistent with the FSA Contract and the Proposal attached hereto as Exhibit “A,” subject to approval by the Village Attorney as to form, content and legal sufficiency.

Section 7. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2025.

JOE I. RASCO, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

Specification #	240	
Unit Description	CHEVY TAHOE 4X4	CK10706

Prepared by:

tbrandt@qarberautomail.com

Florida Sheriff's
Association

Prices are published by the Florida Sheriffs Association (www.flsheriffs.org) Purchasing contract number is FSA24-VEL32.0Pursuit, Administrative & Other Vehicles, expiring September 30th, 2025.
If you have any questions regarding this quote please call!

SOUTHERN ZONE

CK10706

2025 Chevrolet Tahoe 4X4 1FL, CK10706

\$56,665.00

Codes	Optional Equipment	Unit Price		Net Price
1LS	Upgrade to LS Preferred Equipment Group includes standard equipment	2100	42.0	\$2,058.00
L84	Engine, 5.3L EcoTec3 V8	Included	0.0	\$0.00
MHS	Transmission, 10-speed automatic	Included	0.0	\$0.00
G8A	Black	Included	0.0	\$0.00
A50	Seats, front bucket (STD)	Included	0.0	\$0.00
H0U	Jet Black, Premium cloth seat trim	Included	0.0	\$0.00
NZV	Wheels, 20" x 9" (50.8 cm x 22.9 cm) machined aluminum w/charcoal pockets	1100	22.0	\$1,078.00
VK3	License plate front mounting package	Included	0.0	\$0.00
NHT	Max Trailering Package:ZL6) Advanced Trailering Package, (JL1) trailer brake controller and (V03) extra capacity cooling system,2-speed active transfer case and (JHD) Hill Descent Control	590	12.0	\$578.00
		Included		
		Included		
	NON OEM OPTIONS:			
YTAG	YELLOW CITY TAG	116.55		\$116.55
DEL	Delivery	Included		\$0.00

TOTAL PURCHASE AMOUNT PER VEHICLE

\$ 60,495.55

Intent to Award

Contract: FSA24-VEL32.0, Pursuit, Administrative, and Other Vehicles

Group: Utility & Hybrid Utility Vehicles – 4x4 and AWD

Item: 240, Chevrolet, Tahoe 4x4 1FL 21, CK10706

Zone	Rank	Vendor	Price	Build File	Options File
Western	Primary	Garber Chevrolet Buick GMC, Inc.	\$56,665.00	Build	Options
	Alternate	CARL BLACK OF ORLANDO LLC	\$58,393.00	Build	Options
Northern	Primary	Garber Chevrolet Buick GMC, Inc.	\$56,465.00	Build	Options
	Alternate	CARL BLACK OF ORLANDO LLC	\$58,242.00	Build	Options
Central	Primary	Garber Chevrolet Buick GMC, Inc.	\$56,565.00	Build	Options
	Alternate	CARL BLACK OF ORLANDO LLC	\$58,141.00	Build	Options
Southern	Primary	Garber Chevrolet Buick GMC, Inc.	\$56,665.00	Build	Options
	Alternate	CARL BLACK OF ORLANDO LLC	\$58,242.00	Build	Options

Garber Chevrolet
Buick GMC, Inc.
Spec # 240

Factory Options for Vehicle: 2025 Chevrolet Tahoe (CK10706) 4WD 4dr 1FL Commercial

Code	Description	MSRP	% Discount	Discount	Price
PLEASE SEE GARBER'S LIGHTS AND UPFITS SECTION FOR A FULL LINE OF VEHICLE LIGHTING, TRUCK BODIES, VAN AND BIN PACKAGES, AND OTHER AVAILABLE VEHICLE ADDITIONS. WE CAN HELP YOU WITH JUST ABOUT ANYTHING YOU NEED!					
ALL UPFITS					
NZV	Wheels, 20" x 9" (50.8 cm x 22.9 cm) machined aluminum wit Charcoal pockets Tires, 275/60R20SL all-terrain, blackwall (Available on 4WD only. Requires and only available with (NZV) 20" (50.8 cm) steel wheel without center cap.)	\$1,100	2.00%	\$22	\$1,078
QAE		\$100	2.00%	\$2	\$98
1FL Safety Package Includes (UEU) Forward Collision Alert, (UKM) Enhanced Lane Keep Assist with Lane Departure Warning, (UKI) Blind Zone Steering Assist, (UHY) Automatic Emergency Braking, (UFB) Rear Cross Traffic Braking, (UKT) Front Pedestrian and Bicyclist Braking, (CTB) Intersection Automatic Emergency Braking, (UOW) Side Bicyclist Alert, (DRZ) Rear Camera Mirror and (TQ5) IntelliBeam headlights					
PQA		\$825	2.00%	\$17	\$809
K05	Engine block heater	\$100	2.00%	\$2	\$98
VK3	License plate front mounting package	\$0			\$0
B30	Floor covering, color-keyed carpeting in occupant area. Horizontal surface of cargo area covered in black vinyl.	\$195	2.00%	\$4	\$191
1LS	MODEL UPGRADE: LS Preferred Equipment Group	\$2,100	2.00%	\$42	\$2,058
1LT	MODEL UPGRADE: LT Preferred Equipment Group	\$5,300	2.00%	\$106	\$5,194
2Z7	MODEL UPGRADE: Z71 Preferred Equipment Group	\$9,100	2.00%	\$182	\$8,918



Vehicle: [Fleet] 2025 Chevrolet Tahoe (CK10706) 4WD 4dr LS (Complete)

RADIO

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	MSRP
URW	Audio system, 17.7" diagonal advanced color LCD display with Google built-in compatibility (select service plan required, terms and limitations apply), including navigation capability, connected apps, personalized profiles for each driver's settings, Natural Voice Recognition and Phone Integration (STD)	0.00 lbs	0.00 lbs	\$0.00

ADDITIONAL EQUIPMENT - PACKAGE

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	MSRP
NHT	Max Trailing Package includes (ZL6) Advanced Trailing Package, (JL1) trailer brake controller and (V03) extra capacity cooling system (Not available with (AZ3) 40/20/40 split-bench front seat. Also includes (NQH) 2-speed active transfer case and (JHD) Hill Descent Control on 4WD models.)	0.00 lbs	0.00 lbs	\$590.00
ZL6	Advanced Trailing Package includes (UKW) Blind Zone Steering Assist with Trailing, (PZ8) Hitch View and (UET) Smart Trailer Integration Indicator (Included and only available with (NHT) Max Trailing Package.)	0.00 lbs	0.00 lbs	Inc.

ADDITIONAL EQUIPMENT - MECHANICAL

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	MSRP
JHD	Hill Descent Control (Included and only available with (NHT) Max Trailing Package on 4WD models.)	0.00 lbs	0.00 lbs	Inc.
JL1	Trailer brake controller, integrated (Included and only available with (NHT) Max Trailing Package.)	3.00 lbs	1.00 lbs	Inc.
NQH	Transfer case, active, 2-speed electronic Autotrac with rotary controls, includes neutral position for dinghy towing (Included and only available with (NHT) Max Trailing Package on 4WD models only.)	8.00 lbs	3.00 lbs	Inc.
PZ8	Hitch View with image adjustment, Pan/Zoom (Included and only available with (ZL6) Advanced Trailing Package.)	0.00 lbs	0.00 lbs	Inc.
V03	Cooling system, extra capacity	2.00 lbs	0.00 lbs	Inc.

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 25400. Data Updated: May 7, 2025 6:48:00 PM PDT.

Garber Chevrolet
Buick GMC
Spec # 206

Factory Options for Vehicle: 2024 Chevrolet Tahoe (CK10706)
4WD 5W4 SSV

Code	Description	MSRP	% Discount	Discount	Price
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PLEASE SEE GARBER'S LIGHTS AND UPFITS SECTION FOR A FULL LINE OF VEHICLE LIGHTING, TRUCK BODIES, VAN AND BIN PACKAGES, AND OTHER AVAILABLE VEHICLE ADDITIONS. WE CAN HELP YOU WITH JUST ABOUT ANYTHING YOU NEED!

ALL UPFITS

2024 Chevrolet Tahoe Specs/Pricing Not Available at Time of Bid Submission

All Factory Options Not Listed will be at 2% Discount from MSRP

Fire
Surplus Vehicles

EXHIBIT B

Vehicle	Assigned to	VIN
2018 Tahoe	Fire Chief	1GNSCAKC3JR239060
2018 Tahoe	Deputy Fire Chief	1GNSCAKC2JR238708



VILLAGE OF KEY BISCAINE

MEMORANDUM

Village Council
Joe I. Rasco, *Mayor*
Oscar Sardiñas, *Vice Mayor*
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

Village Manager
Steven C. Williamson

DATE: May 13, 2025
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: Manager's Report

1. Council Strategy Session

We will be holding a Council-Senior Staff Strategy Session on May 22 from 8:30 am to 3:00 pm at the Pankey Institute. The intent of the session is to jointly set the Village focus areas for Fiscal Year 25-26 so that the Administration can develop the budget estimate for the June 17 Budget Workshop. It will also enable the Administration to begin programming staff effort, resources, and time over the 12-month period.

The session will be led by a facilitator and include team building activities. We will follow this agenda:

- Identify 2024-2025 Highlights & Achievements
- Receiving an Update on the Village's Financial Posture
- Conduct a SWOT Analysis
- Review Village Vision Statement
- Set Focus Areas and Specify & Prioritize Supporting Actions
- Agree on a FY25-26 Village Theme
- Review FY25-26 Manager's Budget Guidance
- Discuss Budget Formulation Timeline

2. CIP FY25 Monthly Report

- a) Reference Exhibit A

3. Solid Waste & Recycling Survey Results

The Village conducted this Solid Waste and Recycling Services Survey to gather valuable feedback from residents. The input will directly shape the requirements in our upcoming Request for Proposal process for waste management services. As our current contract reaches the five-year mark, this is an important opportunity for residents to influence the future of waste and recycling services in our community. Perspectives on current service quality, desired improvements, and additional service needs are essential to ensure our



VILLAGE OF KEY BISCAINE

next contract meets the evolving needs of our residents. The Village will be issuing an RFP based on the results of the survey. The survey results and summary of findings can be found in the attachments.

a) Reference Exhibit B

4. Street Light Project Update

The Village's current streetlight system is the result of decades of incremental development and is composed of multiple ownership and maintenance arrangements, which has made it increasingly complex to manage. Specifically, the system includes:

1. County-owned streetlights along Crandon Boulevard,
2. FP&L-owned and maintained lights, primarily in residential areas,
3. Village-owned and maintained lights, often in localized corridors or areas added through capital projects, and,
4. Lights owned by a special taxing district but maintained by FP&L.

Each of these arrangements comes with different service standards, response times, and points of contact, which complicates day-to-day maintenance and long-term planning. As a result, we have inconsistent fixture types, varying light levels, and gaps in coverage—especially along key pedestrian routes. This fragmented system also limits our ability to implement Village-wide upgrades or benefit from energy efficiency improvements at scale.

Current Efforts – May 2025

The key component of their work will be coordinating directly with Florida Power & Light to bring the various segments of our existing network under a single point of ownership and responsibility, namely FP&L. This consolidation will help resolve long-standing maintenance issues, ensure faster response times, and eliminate confusion over responsibility between the Village and utility providers. The firm will also evaluate current lighting standards and recommend upgrades to improve both energy efficiency and coverage.

We are in the process of contracting an engineering firm to conduct a comprehensive assessment of the Village's entire streetlight system. This will include the development of a detailed GIS-based inventory, capturing the type, condition, and location of each fixture. The firm will also be tasked with identifying systems particularly along pedestrian corridors where lighting is currently inadequate or inconsistent.

Our ultimate objective is to transition the entire streetlight system to FP&L ownership and maintenance; while ensuring it meets modern lighting standards that enhance safety and visibility. This includes exploring fixture types that offer better illumination with lower energy consumption. I'll continue to keep Council updated as we move through procurement and the assessment process.



VILLAGE OF KEY BISCAINE

a) Reference Exhibit C

5. Stormwater System Maintenance & Repair Status

During April, Public Works crews, supported by contracted jet-vac services, cleaned 47 catch basins, primarily in flood-prone areas and along arterial roadways. Approximately 1,200 linear feet of stormwater mainlines were hydro-jetted to clear sediment buildup and improve conveyance capacity. Staff completed inspections on six outfalls, with erosion control repairs performed on two structures where undermining was observed. Additionally, 800 linear feet of older storm piping underwent video inspection, which identified two sections with moderate structural wear requiring future rehabilitation. No major blockages were reported this cycle, and overall system flow has improved in previously identified problem zones.

Next Steps

For May, the focus will be on completing catch basin cleaning in Sections 6A,6B and portions of basin 9, maintaining our rotation schedule. The department will also review the recent video inspection reports to finalize a scope of work for summer rehabilitation projects, targeting pipelining and joint repairs. Coordination with the Village's stormwater assessment is ongoing to update the capital improvement schedule and ensure priority areas are addressed ahead of peak rainfall months. These continued efforts support system reliability and flood risk reduction for Village residents.

a) Reference Exhibit D

6. Building Department Metrics

Staff are currently in the process of collecting and improving time-based metrics.

FY 24

- Permits Issued: 2,463
- Permits Applied: 3,460
- Design Reviews Completed: 6,702
- Inspections Performed: 9,101

7. Community Program & Events – Season Highlights

The Village of Key Biscayne engages the community to support resident-driven community initiatives and events that actively enhance our Island Paradise. From cultural to environmental and educational programs, these groups bring art, entertainment, and meaningful connections to residents of all ages. We just completed our most successful



VILLAGE OF KEY BISCAINE

program and events year to date.

2024-2025 season highlights:

- 17 sponsored community partners awarded funding
 - 5 cultural community groups
 - 6 environmental community groups
 - 6 educational community groups
- 100+ major events attracting thousands of people, as well as weekly opportunities to gather and participate.
- Endless opportunities for residents to engage and volunteer annually, assuring there is something for everyone.
- Hundreds of community service hours logged by dedicated volunteers

a) Reference Exhibit E

7. Website Update

The Village of Key Biscayne launched its redesigned website on May 1, 2025 on the same URL: www.keybiscayne.fl.gov.

The website was redesigned in response to resident feedback from the 2024 biennial survey, which highlighted dissatisfaction with its functionality. This update supports our ongoing goal of enhancing community engagement and communication.

The redesigned website reflects the Village's commitment to customer service, accessibility, and innovation—key pillars of our safe, vibrant, and thriving Island Paradise. With a modern design and simplified navigation, the site makes it easier than ever for residents and visitors to stay informed, access services, and engage with local government.

Key features of the website include:

- **Service-Oriented Homepage:** Prioritizes access to popular services and essential information.
- **Improved Search Function:** Quickly locate services, departments, forms, and documents.
- **Streamlined Navigation:** Find what you need in fewer clicks, thanks to a user-first layout.
- **Translation Services:** Enables access to all website content in multiple languages.
- **Accessibility Tools:** Fully compliant with ADA standards, ensuring inclusive access for all users.



VILLAGE OF KEY BISCAYNE

- Transparency: Access to financial, procurement, and government documents and information.

The website is the official, central hub for timely and accurate Village information. Residents can rely on the site as their go-to source for the most current information from Government updates, Village services, parks and recreations programming, community events and more.

The Village encourages all residents and stakeholders to explore the new site and share their feedback using the pop-up on the homepage. As a living platform, the website will continue to evolve with regular updates to ensure content remains current, relevant, and easy to find.

Exhibit A



VKB FY25 Capital Improvement Program
5/1/2025

Project Status			
Complete	On Target	Issues	Problems

Total Active Projects
31

Not Started	Planning	Procurement	Design	Permitting	Construction	Complete
7	4	6	3	6	2	3

		PHASE	SCHEDULE				FY25 Budget						FY2025 Timeline												
PRI	Project	Project Phase	ESD	ASD	ECD	ACD	Budget	Spent	Encumbered	Remaining	Percent Spent/ Encumbered	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
1	Design Zone 1	Design		Aug-22	Jan-26		\$ 2,952,865	\$ (2,025,980)	\$ (502,190)	\$ 424,695	86%														
1	Construct Zone 1	Permitting		Mar-25	Jan-28		\$ 2,685,626			\$ 2,685,626	0%														
1	Program Management for RI&AP	Planning		Jul-22	Sep-28		\$ 1,215,000	\$ (406,379)	\$ (560,741)	\$ 247,880	80%														
1	Replace Fire Rescue Truck	Procurement		Oct-24	Jul-25		\$ 480,328	\$ (49,751)	\$ (430,577)	\$ 0	100%														
1	Underground Utilities	Design		Jan-24	Jan-28		\$ 15,000,000			\$ 15,000,000	0%														
2	Conduct USACE Back Bay and Beach Feasibility Study	Planning		Dec-23	Aug-28		\$ 987,500	\$ (550,000)		\$ 437,500	56%														
2	Improve Streetlight Coverage	Planning		Dec-24	Jan-26		\$ 250,000			\$ 250,000	0%														
2	Install Splashpad Surfacing	Complete		Nov-24	Dec-24	Dec-24	\$ 46,510	\$ (34,870)		\$ 11,640	75%														
2	Replace Fire Rescue Trucks 1 & 2	Procurement		Oct-24	Jun-26		\$ 1,200,000		\$ (1,172,382)	\$ 27,618	98%														
2	Repave Harbor Drive	Design		Nov-24	Nov-25		\$ 2,150,000	\$ (57,520)	\$ (93,077)	\$ 1,999,403	7%														
3	Install Beach Access Cameras & LPRs	Not Started		Feb-25	Nov-25		\$ 90,000			\$ 90,000	0%														
3	Install Pump Station Back-up Generators	Permitting		Oct-23	Dec-25		\$ 419,110	\$ (52,389)	\$ (366,721)	\$ -	100%														
3	Install Turf at St. Agnes Field	Permitting		May-24	Aug-25		\$ 1,770,000			\$ 1,770,000	0%														
3	Replace Fire Cardiac Monitors	Procurement		Mar-25	Jul-25		\$ 117,672		\$ (100,363)	\$ 17,309	85%														
3	Replace Police Vehicles	Complete		Oct-24	Jan-25	Jan-25	\$ 360,390	\$ (357,372)	\$ (1,134)	\$ 1,884	99%														
3	Repave Roadways Village-wide	Planning		Dec-24	Dec-25		\$ 550,000			\$ 550,000	0%														
4	Improve Garden District Drainage	Permitting		Oct-24	Jun-26		\$ 5,951,902	\$ (169,230)	\$ (35,815)	\$ 5,746,858	3%														
4	Rehab Public Art - Bedia Plazas / Pleated Genome	Construction		Jun-24	Jul-25		\$ 143,141		\$ (143,141)	\$ -	100%														
4	Renovate Fire Station Women's Locker Room	Complete		Dec-22	Feb-25	Feb-25	\$ 121,490	\$ (121,490)	\$ -	\$ -	100%														
5	Design Offshore Hybrid Reef	Not Started	TBD		TBD		\$ 1,000,000			\$ 1,000,000	0%														
5	Improve Key Biscayne K-8 Center School Athletic Facilities	Permitting		Jul-24	Aug-25		\$ 105,000	\$ (16,890)	\$ (5,334)	\$ 82,776	21%														
5	Replace HVACs (Community Center)	Procurement		Feb-25	Sep-25		\$ 250,000			\$ 250,000	0%														
6	Renovate Building Department Customer Service Areas	Procurement		Dec-23	Jan-26		\$ 465,506		\$ (20,788)	\$ 444,718	4%														
6	Improve Beach Park Phase 1	Procurement		Sep-22	Mar-26		\$ 1,080,000	\$ (18,068)	\$ (10,042)	\$ 1,051,890	3%														
6	Renovate Dog Park	Not Started	Jul-25		Apr-26		\$ 100,000			\$ 100,000	0%														
6	Replace Under 5 Playground	Construction		Jan-24	Jul-25		\$ 200,000		\$ (174,771)	\$ 25,229	87%														
6	Renovate Council Chambers as Community Theater	Permitting		Jun-24	Aug-25		\$ 236,400		\$ (184,702)	\$ 51,698	78%														
7	Improve North Public Beach Access Path	Not Started	Jul-25		Dec-25		\$ 120,000			\$ 120,000	0%														
4	Rehab Monaco Fountain Plaza	Not Started	Aug-25		Feb-26		\$ 300,000			\$ 300,000	0%														
7	Install Electrical Outlets Along Crandon Blvd South	Not Started	Jul-25		Nov-25		\$ 200,000			\$ 200,000	0%														
8	Paint Community Center Garage and Exterior	Not Started	Oct-25		Sep-25		\$ 15,000			\$ 15,000	0%														
							\$ 40,563,440	\$ (3,859,939)	\$ (3,801,777)	\$ 32,901,724	19%														

EXHIBIT B

Solid Waste Survey Summary

Purpose: The Village is conducting this Solid Waste and Recycling Services Survey to gather valuable feedback from residents. The input will directly shape the requirements in our upcoming Request for Proposal process for waste management services. As our current contract reaches the five-year mark, this is an important opportunity for residents to influence the future of waste and recycling services in our community. Perspectives on current service quality, desired improvements, and additional service needs are essential to ensure our next contract meets the evolving needs of our residents.

Next Steps: The Village will be issuing an RFP based on the results of the survey.

Summary of Findings below:

		2020	2025	Notes
Type of Collection	Sideyard	48.0%	35.0%	In 2025, this question was revised to indicate that sideyard services cost more. Based on the results, more residents are cost-conscious so we will bid out the services both ways to determine the price difference.
	Curbside	48.0%	65.0%	
	Other	4.0%		

Type of Bulk Waste (can select more than 1)	Furniture	18.0%	14.0%	
	Appliance	7.0%	7.0%	
	Branches, Trunks, Yard Trimmings	71.0%	88.0%	
	Other	10.0%	20.0%	

Frequency of Garbage	1 time per week	34.0%	17.0%	
	2 times per week	62.0%	74.0%	Recommendation to maintain the 2 times per week frequency
	More than 2x per week	4.0%	9.0%	

Frequency of Recycling	1 time per week	74.0%	72.0%	
	2 times per week	23.0%	16.0%	Recommendation to maintain 1 time per week frequency.
	Other	3.0%	12.0%	

Supportive of more	Yes		70.0%	We will explore alternative recycling solutions in coordination with the SAB
limiting recycling	No		30.0%	

Bulk Waste Service	Monthly	79.0%	73.0%	
	On-Demand	21.0%	10.0%	Recommendation to maintain the monthly bulk waste service
	Every Other Month		17.0%	

Streetlight
OWNER

- FPL (147)
- MDC (130)
- VKB (297)
- Recently Installed by FPL, Maintained by VKB (17)

Total Village-wide 591

EXHIBIT C



Legend

SW BASIN

Maint. 2025

COMPLETE

PENDING

APRIL/MAY

Catch Basin

Manhole

Pollution Control Box

Backflow Prevention

Pump_Station

Outfall

Darirage Well

Stormwater Pipe

DRAINAGE WELL MAINTENANCE (March 2025)

Completed

Pending

Potential Blockage Re-Inspections

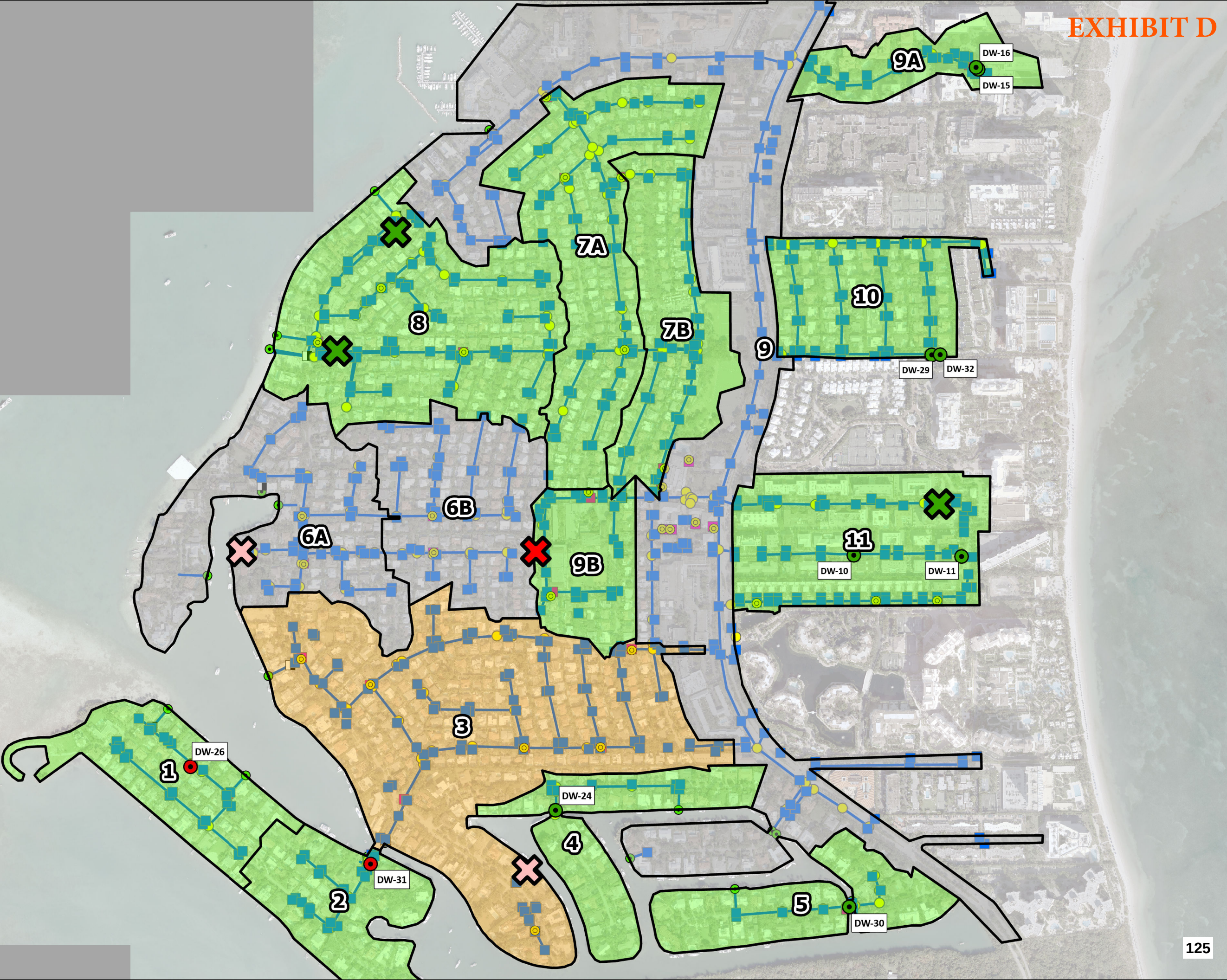
Cleared/Repaired

Pending Re-Inspection

Blockage Verified & Field Marked



User: afzayas
Date Exported:
4/23/2025 4:59 PM





THE VILLAGE OF KEY BISCAYNE 2024-2025 COMMUNITY PROJECTS & EVENTS



THE VILLAGE OF KEY BISCAYNE HAD THE HONOR
OF PROVIDING FUNDING TO 17 STANDOUT GROUPS
FOCUSED ON BRINGING CULTURE, EDUCATION AND
AWARENESS TO OUR ISLAND PARADISE

By the Community. For the Community. Of the Community.

The Village of Key Biscayne engages the community to support resident-driven community initiatives and events that actively enhance our Island Paradise. From cultural to environmental and educational programs, these groups bring art, entertainment, and meaningful connections to residents of all ages.

2024-2025 season highlights:

- 17 sponsored community groups
 - 5 cultural community groups
 - 6 environmental community groups
 - 6 educational community groups
- 100+ major events attracting thousands of people, as well as weekly opportunities to gather and participate
- Endless opportunities for residents to engage and volunteer annually assuring there is something for everyone
- Hundreds of community service hours logged by dedicated volunteers

For more information about this year's community groups, and how to start your own visit our website: keybiscayne.fl.gov.

CULTURAL *community groups*



CITY THEATRE

Five City Theatre workshops for adults, teens and special needs provided targeted workshops to build life skills and confidence for over **250 residents**. Five City Reads short-script readings evoked laughter and wonder for **over 300 attendees** thanks to a brilliant showcase of talented actors & emotionally charged scripts that captivated audiences. A true celebration of voice, talent, and community thanks to Gladys Ramirez and Margaret Ledford.



PIANO FESTIVAL

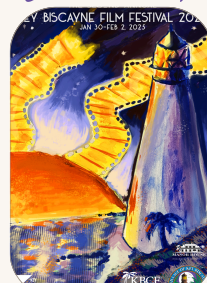
Four concerts were hosted this year, including the classic holiday orchestra, providing world class talent to more than **700 residents**. This magical 2025 season would not have been possible without the vision and dedication of Amarylli Fridegotto, resident and lead of the Piano Festival. Her passion brings the gift of music to our community year after year thanks to her collaboration with the Miami International Piano Festival.



POETRY SHARE

Founded by the ever-inspiring Debbie Wanninkhof, Poetry Share invited us all to celebrate the beauty of words, culture history, nature, and community through the power of poetry.

Five inspirational events showcased Miami poets and attracted over **200 residents** inspiring them to write and share their own poetry. This included two special field trip outings for **200 of our local second graders**.



FILM FESTIVAL

Back for a second year, this 4-day film festival shared **11 films**, **5 panel discussions** and hosted an awards ceremony.

The festival was **attended by 800 people** over the course of four days and hosted actors, directors and producers. Founded by the visionary duo Isabel Custer and Maite Garrido Thornton, this festival showcased a thoughtfully curated lineup of films, shorts, and talent-filled panel presentations.



COMMUNITY HOLIDAY CELEBRATION

This year our Community Holiday Celebration had the largest gathering to date with **over 300 people participating**. This event had all the bells and whistles including an ice sculpture menorah with fire torches. Led by Rabbi Avremel Caroline and Chabad Key Biscayne, the spirit of Chanukah shines brightly across our community.

This celebration warmly welcomed residents of all backgrounds and beliefs to come together in the true spirit of unity and light.

ENVIRONMENTAL *community groups*



BATTERY RECYCLE

Two locations and **24/7 access** to battery donation bins have produced **300 pounds of batteries** thanks to local eco-champion Michelle Estevez and her Battery Recycle initiative. These bins created opportunities for the community to get involved. The bins are located at **The Square Shopping Center** (260 Crandon Blvd) - one by Toy Town, the other by D'Luna.



COMMUNITY GARDEN

This garden has already created bonding moments with our resident volunteers as they planted the first crop. Going forward, two days per week groups will tend to the garden with four annual events tied to simply enjoying the space with art and music. **More than 28 opportunities** to engage with nature and gardening with more than **200 people involved**.



CAT T.N.R.

57 felines have been tended to by TNR, including three that were lost and then luckily relocated to their owners. **Twenty cats were successfully fostered and adopted** **15 stray cats** were neutered and either adopted, fostered or released. Through the Trap-Neuter-Release (TNR) program, we can soundly curb over-population humanely and effectively.



COMMUNITY COMPOSTING

A Zero Waste Culture, spearheaded by Helena Iturralde, is a lifestyle shift rooted in sustainable living. **52 Saturdays** per year residents interacted with the composting program at the Farmer's Market. More than **200 families schools and vendors** participated and were inspired to live a more sustainable life. An average of **2,500 pounds of composted** materials were collected weekly.



COMMUNITY CLEANUP

50 volunteers attended our Village Community Cleanup and **over 400 pounds of garbage** was collected and removed from parking lots, open spaces, medians, sidewalks and mangroves. Regular community cleanups protect our paradise from trash and debris before it has a chance to gain access to our waters. Led by Manny Rionda/Fill A Bag, efforts as this keep Key Biscayne's parks, beaches and waters clean and thriving.



PLASTIC FREE KEY BISCAIYNE

Primarily a summer initiative, **Plastic Free Key Biscayne** worked with interns to set the stage and get the program ready to reach out local businesses in June. This effort targeted one of the biggest threats to our environment, single-use plastics, and encourage residents and businesses to embrace reusable and sustainable alternatives.

EDUCATIONAL *community groups*



KID'S MARKETPLACE

This annual event hosted **50 booths** for over **200 youth entrepreneurs** and was attended by more than **300 people**. This market allowed young minds to sell their wares and created a great shopping experience for residents. This was all made possible by co-founders Cristina Dalmau & Fernanda Torres. Kids and teens (ages 8 to 16) are welcome to partake and transform their ideas into action, sales and knowledge.



CUB SCOUTS PACK 149

Eight Cub Scout members engaged in more than **24 adventures** that focused on growth, education and confidence. Key Biscayne's Cub Scouts Pack 149 invites boys and girls, kindergarten - 5th grade, to join. Led by Volunteer Committee Chair Joseph Barcie & Cub Master Alex Drouet, the pack stays active with outings such as camping trips, hikes, history, lessons in first aid, fire safety, knot-tying, and more.



GIRL SCOUTS TROOP 2312

Growing stronger together, our KB Girl Scout Troop 2312 builds skills, confidence, character, and lifelong friendships. Available to girls ages 7-11, **Thirty members** engaged in **25 annual activities** that included Poetry Share and volunteer work at the Community Garden. Led by dedicated residents Susy Cabrera & Maria Carrero, this troop empowers young girls to step boldly into the world



IT TAKES A VILLAGE

Founded by Laura Zapata, Barbara Diaz, and advocate Carmen Azpurua, ITAV is committed to raising awareness and creating meaningful spaces for individuals with special needs. **More than 70 gatherings** took place this year thanks to this group. They provided support and resources to more than **60 families**, making space and opportunity for everyone to feel seen and supported.



KEY CHALLENGE

This science program involved all **five schools on the Key** and **MAST Academy**. There were **1,100 students enrolled**. Projects were due at the end of April. This program was designed to deepen each student's view and appreciation for Key Biscayne's natural treasures by blending art, writing, informatics, and science into exciting challenges that spotlight the most critical elements of our Island Paradise.



BOATING SAFETY LECTURES

New this year, the Boating Safety Lecture Series was spearheaded by Natalie Estrella in collaboration with the Monica Burguera Foundation. This free series of educational lectures was designed to raise awareness and cultivate a culture of safety on the water-reminding us all to respect the ocean and be more aware. **Four lectures** were offered and **more than 120 people**.



MORE THAN 100 EVENTS & ACTIVITIES PROVIDED TO RESIDENTS ANNUALLY.

Sec. 7.09. - Supplemental Open Meeting Requirements.

After the November 2022 regular election, the Village Council shall adopt an ordinance establishing supplemental procedures and guidelines to ensure compliance with open meeting laws. Every two years thereafter, the Village Council shall review the ordinance to determine if any modifications to the ordinance are necessary.

(Res. No. 2022-25, § 2G, 6-14-22)

ORDINANCE NO. 2023-13

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE,
FLORIDA, CREATING ARTICLE VIII OF CHAPTER 2 OF
THE VILLAGE CODE OF ORDINANCES ESTABLISHING
SUPPLEMENTAL OPEN MEETING PROCEDURES;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; PROVIDING FOR CONFLICTS; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on April 1, 2022, the Village of Key Biscayne (the “Village”) Charter Revision Commission (the “Commission”) submitted its final report to the Village Council pursuant to Section 7.06 of the Village Charter; and

WHEREAS, in its final report, the Commission recommended that various proposed Charter amendments be placed on the ballot at the November 8, 2022 general election; and

WHEREAS, one of the Commission’s proposed Charter amendments required the Village Council to adopt an ordinance establishing supplemental procedures and guidelines to ensure compliance with open meeting laws (the “Amendment”); and

WHEREAS, on November 8, 2022, the electors of the Village approved the Amendment; and

WHEREAS, pursuant to Section 7.09 of the Village Charter, the Village Council desires to adopt this Ordinance creating Article VIII of Chapter 2 of the Village Code of Ordinances to establish supplemental open meeting procedures; 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 Article VIII of Chapter 2 of the Village Code. That the Code of Key Biscayne, Florida, is hereby amended by creating Article VIII, “Supplemental Open Meeting Procedures,” of Chapter 2, which article reads as follows:

CHAPTER 2 – ADMINISTRATION

ARTICLE VIII. – SUPPLEMENTAL OPEN MEETING PROCEDURES

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 2-155. Supplemental Sunshine Meeting Requirements. In addition to the requirements of Chapter 286, Florida Statutes, members of the Village Council shall comply with the supplemental open meeting requirements provided below when calling and holding a Sunshine Meeting. For purposes of this Section, the term "Sunshine Meeting" shall mean a meeting called by a Council Member for two or more members of the Village Council to discuss any item or matter of public business which may come before the Village Council, excluding regularly scheduled Council meetings, Special Council meetings, Council workshops, and such other meetings of the entire Village Council.

- (1) Notice. Sunshine Meetings must be publicly noticed at least 48 hours prior to the meeting. A courtesy electronic public notice of the Sunshine Meeting shall also be posted on the Village website or through other similar means of electronic communication in accordance with Section 7.08 of the Village Charter. Sunshine Meeting notices shall include, at minimum:
 - (i) the date and time of the meeting noticed;
 - (ii) the location of the meeting;
 - (iii) the general subject matter of the meeting; and
 - (iv) the Council Member calling the meeting and any other Council Members who are expected to be in attendance at the time of notice.
- (2) Location. Sunshine Meetings must occur at (a) the Village Council Chambers unless the subject matter of the Sunshine Meeting necessitates another location for the meeting or (b) at a virtual public meeting utilizing communications media technology if the Council Member calling the Sunshine Meeting or a Council Member participating in the Sunshine Meeting is unable to physically attend in-person. Notwithstanding the foregoing, Sunshine Meetings shall not occur in individual offices.
- (3) Meeting Minutes. Any Council Member that calls a Sunshine Meeting shall ensure that minutes of the Sunshine Meeting are promptly recorded and transmitted to the Village Clerk in a manner consistent with Chapter 286, Florida Statutes.

Section 2-156. Review of Supplemental Open Meeting Procedures. The Village Council shall review this Article every two years to determine if any modifications to the provisions of this Article are necessary.

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.

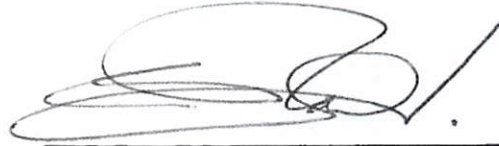
Section 4. Codification. That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, 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 29th day of August, 2023.

PASSED AND ADOPTED on second reading on the 10th day of October, 2023.



JOE I. RASCO
MAYOR

ATTEST:


JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:



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