



VILLAGE OF KEY BISCAINE

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Edward London, Councilmember

Luis Lauredo, Councilmember

Allison McCormick, Councilmember

Franklin H Caplan, Councilmember

Ignacio J. Segurola, Councilmember

REGULAR COUNCIL MEETING
TUESDAY, DECEMBER 07, 2021
6:00 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

FATHER ANDRZEJ FOLTYN

ST. AGNES CATHOLIC CHURCH

4. BRIEF COMMENTS BY COUNCIL

5. PUBLIC COMMENT:

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

upon, please press *6 to unmute yourself. PLEASE STATE YOUR NAME, ADDRESS, IF YOU ARE A HIRED CONSULTANT OR VILLAGE EMPLOYEE AND/OR IF ENGAGED IN LOBBYING ACTIVITIES AND/OR REPRESENTING AN ORGANIZATION FOR THE RECORD.

6.AGENDA:

APPROVAL/DEFERRALS/ADDITIONS/DELETIONS/SUBSTITUTIONS/WITHDRAWAL

7.SPECIAL PRESENTATIONS:

A. NONE

8.CONSENT AGENDA:

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

8.A. SEPTEMBER 8, 2021 MINUTES
(FIRST BUDGET HEARING)

[TAB 1](#)

8.B. SEPTEMBER 21, 2021 MINUTES
(SECOND BUDGET HEARING)

[TAB 2](#)

8.C. OCTOBER 12, 2021 MINUTES
(REGULAR COUNCIL MEETING)

[TAB 3](#)

8.D. OCTOBER 26, 2021 MINUTES
(REGULAR COUNCIL MEETING)

[TAB 4](#)

8.E. NOVEMBER 2, 2021 MINUTES
(WORKSHOP)

[TAB 5](#)

8.F. NOVEMBER 16, 2021 MINUTES
(REGULAR COUNCIL MEETING)

TAB 6

- 8.G. A RESOLUTION
OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA,
SUPPORTING THE WORLD HEALTH ORGANIZATION’S AGE-FRIENDLY CITIES AND
COMMUNITIES PROGRAM; APPROVING THE VILLAGE’S ENROLLMENT INTO THE
AARP NETWORK OF AGE-FRIENDLY COMMUNITIES; PROVIDING FOR
AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.
(PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

RECOMMENDATION: Approval

TAB 7

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

- 9.A. FIRST READING:

1.) NONE

- 9.B. SECOND READING:

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

RECOMMENDATION: Approval

TAB 8

10.RESOLUTIONS:

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

TAB 9

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

RECOMMENDATION: Approval

[TAB 10](#)

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

RECOMMENDATION: Approval

[TAB 11](#)

11.PUBLIC COMMENTS:

There is a (3) minute time limit for each speaker during public comments. Your cooperation is appreciated in observing the (3) minute rule. If you have a matter you would like to discuss during public comments, a request form is available at the entrance of the Council Chamber, please fill-it in and return it to the Village Clerk prior to the start of the meeting. When your name is called, please come forward to the podium. Or if you are joining the meeting remotely, please call (305) 365-7569 or (312) 626-6799, and enter the Zoom Meeting ID: 231 627 8415, followed by #. There is no participant ID. Press # again. Please press *9 to “raise your hand” which places you in a queue to speak. You will be called upon by the last three digits of your telephone number when it is your turn to speak. When called upon, please press *6 to unmute yourself. PLEASE STATE YOUR NAME, ADDRESS, IF YOU ARE A HIRED CONSULTANT OR VILLAGE EMPLOYEE AND/OR IF ENGAGED IN LOBBYING ACTIVITIES AND/OR REPRESENTING AN ORGANIZATION FOR THE RECORD.

12.REPORTS AND RECOMENDATIONS:

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

MANAGER’S REPORT

[TAB 12](#)

1.) SAFE AND SECURE VILLAGE

a.) COMMUNITY POLICING PROGRAM UPDATE
(POLICE CHIEF FRANK SOUSA)

2.) THRIVING AND VIBRANT LOCAL COMMUNITY AND MARKETPLACE

a.) BUILDING, ZONING FEE STRUCTURE
(PUBLIC WORKS DIRECTOR JAKE OZYMAN AND FIRE RESCUE CHIEF ERIC LANG)

b.) BUILDING RE-CERTIFICATION UPDATE
(CHIEF BUILDING OFFICIAL RENE VELAZCO)

3.) ENGAGING AND ACTIVE PUBLIC SPACES AND PROGRAMS

a.) PARADISE PARK PROJECT UPDATE
(PARKS, RECREATION AND OPEN SPACES DIRECTOR TODD HOFFERBERTH)

b.) KITE SURFING PROGRAM UPDATES
(CHIEF RESILIENCE AND SUSTAINABILITY OFFICER DR. ROLAND SAMIMY)

4.) ACCESSIBLE, CONNECTED AND MOBILE VILLAGE-WIDE TRANSPORTATION

NO UPDATES TO REPORT

5.) RESILIENT AND SUSTAINABLE ENVIRONMENT AND INFRASTRUCTURE

a.) SOLID WASTE CONTRACT UPDATE
(PUBLIC WORKS DIRECTOR JAKE OZYMAN)

6.) EFFECTIVE AND EFFICIENT TEAM

a.) CIP PROJECTS UPDATE
(PUBLIC WORKS DIRECTOR JAKE OZYMAN)

b.) QUARTERLY FINANCIAL UPDATES
(CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

c.) WEBSITE UPDATES
(COMMUNICATIONS OFFICER JESSICA DROUET)

d.) AUDITOR'S SELECTION COMMITTEE
(VILLAGE ATTORNEY AND CHIEF FINANCIAL OFFICER BENJAMIN NUSSBAUM)

B. MAYOR AND COUNCIL MEMBERS

1.) APPOINTMENT OF CHARTER REVISION
COMMISSION PURSUANT TO SECTION 7.06
OF THE VILLAGE CHARTER

TAB 13

2.) RICKENBACKER CAUSEWAY
(COUNCILMEMBER SEGUROLA)

3.) GOLF CART ORDINANCE (COUNCILMEMBER SEGUROLA)

C. VILLAGE ATTORNEY

1.) NONE

D. VILLAGE CLERK

1.) NONE

13. OTHER BUSINESS/GENERAL DISCUSSION

A. NONE

14. SCHEDULE OF FUTURE MEETINGS/EVENTS:

A. REGULAR COUNCIL MEETING

TUESDAY, JANUARY 18, 2022, 6:00 P.M., COUNCIL CHAMBER

B. REGULAR COUNCIL MEETING

TUESDAY, FEBRUARY 8, 2022, 6:00 P.M., COUNCIL CHAMBER

C. REGULAR COUNCIL MEETING

TUESDAY, MARCH 8, 2022, 6:00 P.M., COUNCIL CHAMBER

15. ADJOURNMENT

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

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

III. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON

WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (F.S.286.0105).

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

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

MINUTES

FIRST BUDGET HEARING
KEY BISCAWAYNE, FLORIDA

WEDNESDAY, SEPTEMBER 8, 2021

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:00 p.m. Present were Councilmembers Franklin H. Caplan, Luis Laredo (arrived 6:07 p.m.), Allison McCormick, Brett G. Moss, Ignacio Seguro, Vice Mayor Edward London and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the public offering condolences to the family for the passing of former Village police officer Sharon Ernesto, also announced there will be a Village ceremony this Saturday for the 20th Anniversary of 9/11 and announced the date of the Second Budget Hearing on September 21st, 2021, also announced that Miami-Dade County Commissioner Raquel Regalado will hold a Town Hall Meeting on September 22nd, 2021 at the Key Biscayne Community Center regarding the Rickenbacker Causeway RFP and encouraged the public to attend and also wished the public a Happy Rosh Hashanah; Councilmember Caplan addressed the Council thanking staff for the audio/IT work completed for the Council Chamber and Councilmember McCormick addressed the public thanking staff for the work putting the budget together.

The Attorney addressed the public regarding public comments for the millage resolution and the budget ordinance at that time.

4. **PUBLIC COMMENTS:** There were no speakers that addressed the Council.

5. **MILLAGE RESOLUTION:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ADOPTING THE PROPOSED MILLAGE RATE OF THE VILLAGE OF KEY BISCAYNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Moss made a motion to table the resolution. The motion was seconded by Vice Mayor London.

The Mayor opened public comments. There were no speakers present. The Mayor closed public comments.

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

6. **ORDINANCE:** The Clerk read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE KEY BISCAYNE, FLORIDA ADOPTING THE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022 PURSUANT TO SECTION 200.065, FLORIDA STATUTES (TRIM BILL); AND PROVIDING FOR AN EFFECTIVE DATE.

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

Vice Mayor London made a motion to table the ordinance. The motion was seconded by Mayor Davey.

The Mayor opened the public hearing. The following resident addressed the Council: Pedro Kono, 425 Allendale Road. The Mayor closed the public hearing.

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

The Manager addressed the Council giving a presentation of the FY22 proposed budget and an overview of the following items regarding the Village: challenges and opportunities, mission and values and strategic goals. The Manager also presented the top 7 Deliverables for FY22 including developing and deploying a community policing program across the entire community with the

new Chief of Police; building Paradise Park; maintain our beach, improving Crandon Boulevard traffic flow and safety; improving our youth programs and in particular access to athletic fields and courts; pursue all options for Rickenbacker Causeway to insure it meets the Village's needs and develop and begin to implement the Village's long-term resilient infrastructure plan.

The Manager addressed the Council regarding the budget summary stating that the General Fund Budget is \$35,661,666 and recommending a millage rate of 3.2188. The transfer of funds to the Capital Improvement Program is \$3,316,983 and the Grant Revenue is \$3,316,983 and the transfer to the Parks and Recreation Open Spaces Land Trust is \$252,858. The Debt Service is a decrease of \$1,261,409 or 38%.

Building, Zoning, Planning and Public Works Director Jake Ozyman addressed the Council regarding the 5-year Capital Improvement Program with an overview of the following: General Services; Public Safety; Resiliency and Quality of Life-Transportation, Facilities and Parks and Open Space.

There was discussion from Council regarding the Village's fleet replacement policy, keeping track of vehicle repair costs and fuel efficiency.

Director Ozyman and Chief Financial Officer Benjamin Nussbaum addressed the Council regarding the above items.

There was discussion from Mayor Davey and Director Ozyman regarding the vessel exclusion zone, resiliency and shoreline protection and clarifying proposed cost allocations.

There was discussion from Council, the Manager and Director Ozyman regarding professional services agreements for the resiliency program, K-8 School central basin, undergrounding and Florida, Power & Light.

Councilmember Moss addressed the administration requesting to bring back at the next Budget Hearing what the value added is for the \$624,000 for the professional services agreement for the resiliency program. Councilmember Caplan request to add clarification of what has been filled by the \$500,000 and a Planning Director and the difference of these buckets of responsibilities. There was no objection to these requests.

Vice Mayor London addressed the Parks, Recreation and Open Spaces Director Todd Hofferberth regarding spin bike replacement.

Councilmember Moss addressed the Council regarding pedestrian safety.

There was extensive discussion from Council, the Manager, Director Hofferberth and Director Ozyman regarding Beach Park improvements and sewer extension, repairing showers and LED light replacements. There was additional discussion regarding the Beach Club sewer extension.

There was discussion from Council regarding Calusa Park and what the Village's commitment is and what the interlocal agreement states about Calusa Park.

There was discussion from Council and Director Hofferberth regarding Village Green interior sidewalk renovation and safety concerns regarding electric scooters.

CFO Nussbaum addressed the Council reporting that ad valorem taxes are 71% of the total revenue. COLA is at 4%, collective bargaining agreement changes and merit and step increases are all factored into the budget. The Administration was able to negotiate a substantial decrease in insurance premiums of \$438,000.

There was extensive discussion from Council and Director Nussbaum regarding not including the debt service in order to see the Village's operating expenditures.

There was discussion from Council regarding budget growth concerns, millage rate, efficiency, and fiscal prudence.

CFO Nussbaum addressed the Council reporting on consolidating existing debt of \$11,238,000 at an interest rate equal to 1.235% per annum. There was a Request for Proposal for a new Financial Advisor, a civic center bond matured, an equipment and auto loan matured, and the Village issued a new bond to purchase a fire engine at an interest rate of 1.764% per annum.

CFO Nussbaum addressed the Council regarding the Council's budget. Councilmember Laredo addressed the Council regarding the professional services budget of \$56,000 and requested this line item be moved to the Manager's budget. There was no objection to the request.

Councilmember Moss requested to change the wording on the Council's budget from "Advisory Boards" to "Council Initiatives" to clarify that this funding is for the Council's Initiatives and not funding going directly to the Advisory Boards. Councilmember Moss also requested to change the following listed items: the name "Vision Board" to "Vision" and "Education Advisory Board" to "Education". There was no objection to these requests.

CFO Nussbaum and the Clerk addressed the Council regarding the Village Clerk disaster communications budget change, legal advertising costs and subscriptions and memberships.

CFO Nussbaum addressed the Council regarding the Administration's budget.

The Attorney addressed the Council reporting on the changes to the Attorney's budget which includes \$15,000 for the Charter Review Commission.

Director Ozyman addressed the Council regarding the Building, Planning, Zoning and Code Compliance budget including adding a new Code Compliance Officer position.

Vice Mayor London addressed Director Ozyman regarding eliminating the Plan Reviewer position.

Director Ozyman addressed the Council reporting that the Building Department issued 2,263 permits, 6,037 plan reviews were completed and 7,007 inspections were completed. Also reporting

the Accela Citizen Access Portal permitting system was implemented with a goal to be fully electronic and paperless by the end of the year while delivering high quality service and quick turnaround times.

At this time Councilmember McCormick left the Council Chamber.

There was discussion from Council regarding the necessity of threshold inspectors and the spike in construction.

Director Ozyman addressed the Council regarding a Building, Zoning and Planning Director, records technician, building fee schedules and planning to present to Council a revised fee schedule soon.

Director Ozyman addressed the Council regarding the Public Works Department reporting on the completion of the following projects: Safe Routes to Schools, Fernwood Road drainage and parking improvements, the Crandon Boulevard beautification and finalizing the beach and dune restoration. Also reporting that next year's focus will be delivering a long-term capital and maintenance plan. Also reporting that the Chief Resilience and Sustainability Officer shifted to Public Works and the addition of a Public Works Superintendent position and a Capital Improvements/Grants Manager position.

There was discussion from Council regarding the Resiliency Coordinator position, the GIS system, an inspection and maintenance and repair program.

The Manager addressed the Council regarding facilities management protocols and procedure and maintenance and operations.

Interim Chief of Police Jason Younes addressed the Council reporting on new community policing initiatives, community engagement and programing for youth and seniors, reclassifying a Deputy Chief to Lieutenant and other personnel changes including the hiring of two additional police officers.

There was discussion from Council, Interim Chief Younes and the Manager regarding staffing for community policing, marine patrol, traffic enforcement, school police officers and GPS systems in police patrol cars.

Councilmembers Moss and Laredo addressed Interim Chief Younes regarding Crandon Boulevard traffic, ticketing, pedestrian crossing safety concerns and shopping center parking lot enforcement.

Fire Rescue Chief Eric Lang addressed the Council regarding a new accreditation process for the Fire Department, a new fire engine which will be delivered this coming summer and the addition of a full-time inspector to our fire inspection bureau.

Councilmember Laredo addressed Chief Lang regarding the availability of booster shots for the community.

Parks, Recreation and Open Spaces Director Todd Hofferberth addressed the Council reporting on the start up of sports teams at the Community Center. Also reported on the status of the Paradise Park project and the very beginning of resolving some recreational and field space needs with neighboring communities.

CFO Nussbaum addressed the Council regarding Special Revenue Funds stating that these are not funded from the general fund and that they have a dedicated funding source: the Transportation Fund from the half cent sales tax from Miami-Dade County which has increased this year due to the economy. Director Nussbaum also reported the Village spends the bulk of these revenues on the Freebee transit service. The Village is working with the Miami-Dade County Transportation Planning Organization (TPO) to further expand the Freebee Program.

CFO Nussbaum addressed the Council reporting that FY21 was the final year of the 15-year interlocal revenue sharing agreement between Miami-Dade County and the Village for county toll bridge revenue.

There was discussion from Councilmember Moss and the Attorney regarding the expiration of the above interlocal agreement.

There was discussion from Council regarding Freebee and connecting Freebee to Brickell Avenue transportation access points.

CFO Nussbaum addressed the Council reporting Special Revenue Funds including Parks, Recreation & Open Spaces Land Trust Fund.

CFO Nussbaum addressed the Council regarding the Enterprise Fund and that the Village has moved from the Miami-Dade County Water & Sewer department (WASD) to the Miami-Dade Property Appraiser's office to assess the fees which will improve collections and reduce administrative burden on the staff. The Village was able to locate an additional 697 ERU's not previously billed resulting in an additional over \$140,000 in revenue.

Councilmember Moss commended the administration using SWOT analysis at the last budget workshop and hoped this will be incorporated in the future.

Mayor Davey made a motion to remove the millage resolution from the table. The motion was seconded by Councilmember Moss and approved by a 5-1 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, Moss, Segurola and Mayor Davey voting Yes. Vice Mayor London voting No. Councilmember McCormick was out of the room at the time of the vote.

The Attorney read into the record that the proposed millage rate for the Village of Key Biscayne for the fiscal year commencing October 1, 2021, through September 3, 2021, be and is hereby fixed at the rate of 3.1563 mills and the proposed millage rate is 3.2188 mills which is 0.0625, or 1.98% over the rolled-back rate.

Councilmember Moss made a motion to approve the millage resolution. The motion was seconded

by Councilmember Caplan.

Vice Mayor London made an amending motion to lower the millage rate to 3 mills. The motion was seconded by Councilmember Segurola.

Councilmember Segurola made an amending motion to set the millage rate at the roll back rate of 3.1563. Vice Mayor London accepted the amending motion.

There was discussion from Council and the Attorney regarding the above amended motion.

The London amended motion failed by a 3-3 roll call vote. The vote was as follows: Councilmembers Laredo, Segurola and Vice Mayor London voting Yes. Councilmembers Caplan, Moss and Mayor Davey voting No.

The Moss motion failed by a 3-3 roll call vote. The vote was as follows: Councilmembers Caplan, Moss and Mayor Davey voting Yes. Councilmembers Laredo, Segurola and Vice Mayor London voting No.

There was discussion from Council and the Attorney regarding the above vote. Vice Mayor London and Councilmember Laredo addressed the Council deciding to amend their votes regarding the Moss motion out of courtesy and consideration for Councilmember McCormick's emergency absence. It was the consensus of Council to withdraw the Moss motion vote and direct the Clerk to call the Moss motion vote again.

The Moss motion was approved by a 5-1 roll call vote. The vote was as follows: Councilmembers Caplan, Laredo, Moss, Vice Mayor London and Mayor Davey voting Yes. Councilmember Segurola voting No.

Mayor Davey made a motion to remove the budget ordinance from the table. The motion was seconded by Councilmember Moss and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

Councilmember Caplan made a motion to approve the budget ordinance on first reading. The motion was seconded by Councilmember Moss and approved by a 5-1 roll call vote. The vote was as follows: Councilmembers Caplan, Laredo, Moss, Vice Mayor London and Mayor Davey voting Yes. Councilmember Segurola voting No.

The Clerk announced the second reading of the ordinance will be on September 21, 2021.

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

8. **ADJOURNMENT:** The meeting was adjourned at 10:31 p.m.

September 8, 2021

Respectfully submitted:

*Jocelyn B. Koch
Village Clerk*

Approved this _____ day of _____ 2021:

*Michael W. Davey
Mayor*

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MINUTES

SECOND BUDGET HEARING
KEY BISCAVNE, FLORIDA

TUESDAY, SEPTEMBER 21, 2021

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:03 p.m. Present were Councilmembers Franklin H. Caplan, Luis Laredo, Allison McCormick, Brett G. Moss, Ignacio Seguro, Vice Mayor Edward London and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.

2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.

At this time, public comments were heard. The following residents addressed the Council: Luis de la Cruz, 640 Allendale Road; Cecile Sanchez, 260 Cypress Drive; Maria Bernarda Arancedo, 10 Cape Florida Drive; Sol Decamps, 251 Crandon Boulevard and Pedro Kono, 425 Allendale Road.

The Attorney and the Mayor addressed the public stating there will be a public hearing on the budget ordinance and residents can speak at that time.

3. **BRIEF COMMENTS BY COUNCIL:** Councilmember Laredo addressed the Council recognizing the dedication of Vice Mayor London to public service and stated the Village needs to be fiscally responsible and be a small and efficient government; Councilmember Caplan and Mayor Davey addressed the Council thanking Fire Rescue Chief Eric Lang and Interim Chief of Police Jason Younes for organizing the 9/11 ceremony; Vice Mayor London addressed the Council stating the Village has to tighten the budget and become more efficient; Councilmember Seguro stated concerns with vague categories instead of line items and not enough back up information; Councilmember Moss addressed strategic budgeting and efficiency in production; Councilmember McCormick addressed the Council regarding getting capital improvements projects completed and

hiring the staff needed in order to execute these projects and Mayor Davey addressed the Council regarding supporting the Manager's plan and efforts.

4. **PUBLIC COMMENTS:** Public comments were heard earlier in the evening.

5. **MILLAGE RESOLUTION:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ADOPTING THE FINAL MILLAGE RATE OF THE VILLAGE OF KEY BISCAYNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

6. **ORDINANCE:** There were no ordinances considered by Council on first reading.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA ADOPTING THE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022 PURSUANT TO SECTION 200.065, FLORIDA STATUTES (TRIM BILL); AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Mayor opened the public hearing. The following resident addressed the Council: Jorge Mendia, 111 Island Drive. The Mayor closed the public hearing.

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

Councilmember Laredo addressed the Council regarding the Village's budget increasing by almost \$11 Million in eight years and wanting to see a millage rate of 3.1563.

The Manager addressed the Council giving a presentation on the FY22 proposed budget and the requested amendments from the September 8, 2021 First Budget Hearing. The Manager also stated

that the Village administration plans to take on 24 Capital Improvement projects this year at a value of \$6.8 Million and for next year to take on an additional 24 projects at a value of \$17.9 Million and over the subsequent three years to take on over \$60 Million in Capital Improvement projects. The Manager requested Council's support in building the team so that the administration can deliver the service programs and infrastructure projects the residents have asked for and deserve. The Manager addressed the Council stating the challenges, opportunities and highlighted the top 7 deliverables in FY22.

Building, Zoning, Planning and Public Works Director Jake Ozyman addressed the Council regarding the Capital Improvement Program changes. The FY22 proposed budget is \$6.6 Million and is divided between 6 different funds: \$1.7 Million is coming from general funds, \$227,000 from Special Revenue which is Stormwater Enterprise Fund, \$3.4 Million from ARPA funds, \$400,000 from Awarded Grants and \$800,000 from other sources such as federal appropriations and the Transportation fund.

The Manager addressed the Council stating the administration is requesting \$2.7 Million in resilient Florida grants.

Director Ozyman addressed the Council stating that there was a reduction in the Facility Repair and Renovations and the Resilient Infrastructure Integration Strategy. The Manager stated the reduction was approximately \$250,000 from the First Budget Hearing.

Councilmember Laredo addressed the Manager regarding the budget, core municipal services and deliverables.

Councilmember Laredo addressed the Council stating that it is time to attain financial efficiency and reduce the total budget. After eight years of budget increases, in FY21, we accomplished significant reductions and stopped the budget increasing. Councilmember Laredo stated his objection to this proposed budget and the return to an increase in spending of close to \$1.5 Million.

The Manager addressed the Council reporting on a new RFP for the beach maintenance contract. Councilmember McCormick addressed the Council regarding the increase in sargassum and the increase in costs for basic service.

Councilmember Moss addressed the Manager in regard to the number of Capital Improvement Projects.

The Manager addressed the Council regarding hiring a new Building, Zoning and Planning Director and a Public Works Superintendent.

Councilmember Moss requested the Manager have a CIP program update in the Manager's Report in the Council Meeting agenda going forward. There was no objection to the request.

There was extensive discussion from Council and the Manager regarding not hiring a Building, Zoning and Planning Director and only having a Building Official run the Building Department.

The Attorney addressed the Council regarding the building official's position.

Councilmember Caplan addressed the Council regarding the importance of a building official due to evolving zoning changes from resiliency projects, rising costs and fixed costs and non-discretionary increases and maintenance costs due to older infrastructure.

Councilmember Segurola addressed Director Ozyman regarding the costs of independent contractors or outside consultants to provide services in the Building, Zoning and Planning Department.

The Manager addressed the Council reporting on the elimination of the Special Projects Coordinator position for \$68,392 and an estimated reduction of \$40,000 from planning consultants and approximately \$50,000 the Village would receive by having an improved building fee collection process in place.

Councilmember McCormick addressed the Council proposing that the Village Attorney seek an opinion from the Attorney General if a Building Official can also be a Department Director.

It was the consensus of Council to direct the Attorney to seek an opinion from the Attorney General if a Municipal Building Official can also be a Building, Zoning and Planning Department Director at the same time.

The Manager addressed the Council reporting that the Building, Zoning and Planning Department which includes Code Enforcement needs to be run by a professional in addition to being a planner.

There was discussion from Council regarding supplemental budget amendments, providing services and running an efficient government.

Councilmember Segurola addressed the Council regarding personnel costs, merging of departments and overtaxing on a yearly basis.

Councilmember Moss made a motion to support the Manager in hiring a Building, Zoning and Planning Department Director position. The motion was seconded by Councilmember Caplan.

There was discussion from Council regarding the above motion.

The motion was approved by a 4-3 roll call vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss and Mayor Davey voting Yes. Councilmembers Laredo, Segurola and Vice Mayor London voting No.

The Manager addressed the Council suggesting reviewing the new staff positions the administration is requesting and their justifications. It was the will of the Council to proceed in this manner.

The Manager addressed these justifications including reinstating eliminated leadership positions and skillsets; adding additional skillsets due to the emerging complex challenges the Village faces

and opportunities to seize upon; the Village needs to look forward as there are significant infrastructure issues in the future; contract, program and project oversight and to put the appropriate people in place.

At this time, the Mayor opened for public comments. The following resident addressed the Council: Mayra Lindsay, 365 Westwood Road. The Mayor closed public comments.

Councilmember Laredo gave the Clerk a chart of the U.S. Government top salaries requesting it be attached to the minutes. Councilmember Laredo addressed the Council stating that some of the Village's staff's salaries are close to the U.S. State Department's Secretaries' salaries and are out of line with the level of responsibilities in a small community with a \$35 Million dollar budget. This is compared with senior U.S. Government national responsibilities, and this is for salaries in the public sector. In the private business sector, the Village's compensations are extremely high and out of line.

There was discussion from Council regarding Village government salaries.

Chief Building Official Rene Velasco and the Manager addressed the Council regarding the Building Records Technician position request.

Councilmember Segurola addressed Building Official Velasco regarding digitizing records and previously purchased digitizing software.

There was extensive discussion from Council and Building Official Velasco regarding electronic records, processing plans, the implementation of the digitizing software and training in the Building Department and level of service.

Mayor Davey made a motion to remove the part-time clerk position in the Building Department. The motion was seconded by Councilmember Caplan. Mayor Davey withdrew his motion.

The Manager addressed the Council recommending spending \$9,000 for a part-time building permit clerk for the next three months.

Mayor Davey made a motion to keep the part-time building permit clerk at a cost of \$9,000 for the next three months. The motion was seconded by Councilmember Caplan and approved by 6-1 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmember Laredo voting No.

Chief Lang addressed the Council regarding the request for a Fire Prevention Inspector position in order to help address the number of fire inspections needed annually within the Village which includes 126 buildings.

There was extensive discussion from Council, the Manager and Chief Lang regarding the above request and the eliminated position of the Community Outreach Coordinator.

Councilmember McCormick addressed the Council regarding teen outreach.

Councilmember McCormick made a motion that over the course of the next year without committing any funds, to ask the Manager, the Fire Rescue Chief and the next Chief of Police to come up with a plan of how the Village is going address teen issues. The motion was seconded by Mayor Davey. Councilmember McCormick withdrew her motion.

Councilmember Laredo made a motion to support the creating of the position of Fire Prevention Inspector. The motion was seconded by Mayor Davey and approved by a 5-2 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Moss and Mayor Davey voting Yes. Councilmember Segurola and Vice Mayor London voting No.

Councilmember McCormick made a motion to look into creating a community teen outreach program cooperatively between the Police and Fire Departments and possibly the Parks and Recreation Department. The motion was seconded by Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The Manager addressed the Council reporting that youth programming is one the top 7 Deliverables listed in this budget.

Director Ozyman addressed the Council regarding the request of an additional Code Compliance Officer.

There was discussion from Council regarding the history and number of staffing for Code Compliance.

Interim Chief Younes addressed the Council regarding the request for reclassifying a Deputy Police Chief to a Lieutenant. Vice Mayor London and Councilmember Laredo addressed Interim Chief Younes regarding the number of open police officer positions, concerns for enforcement for bicycle pelotons and marine.

The Manager addressed the Council reporting the administration will report back on the above issues at a later date.

There was discussion from Council and the Manager regarding the need for hiring two new police officers and fleet management.

Councilmember Laredo made a motion to support the reclassification of the Deputy Police Chief position to a Lieutenant.

CFO Nussbaum addressed the Council reporting the position costs are \$108,000 including the cost of employee benefits.

The Manager addressed the Council regarding the Fleet Manager position and a Public Works Superintendent position.

The Manager addressed the Council regarding looking at both revenues, expenditures and the requested Public Works Superintendent position.

Vice Mayor London addressed Interim Chief Younes regarding GPS tracking in police vehicles and the use of police officers commuting to and from work in police vehicles.

Councilmember Caplan made a motion to approve the hiring of two additional police officers. The motion was seconded by Mayor Davey.

The Manager addressed the Council regarding the fleet maintenance contract with the City of Miami Beach.

The Caplan motion was approved by a 4-3 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick and Mayor Davey voting Yes. Councilmembers Moss, Segurola and Vice Mayor London voting No.

Councilmember Lauredo made a motion to instruct the Manager that the hiring of the two new police officers is not finalized until there is a consultation with the incoming Chief of Police after a reasonable amount of time and for the Chief to make an evaluation. The motion was seconded by Mayor Davey and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmember Caplan voting No.

The Lauredo motion supporting the reclassification of the Deputy Police Chief position to a Lieutenant was seconded by Councilmember McCormick and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The Manager addressed the Council stating that the administration will report back to Council at the January 18th Regular Council Meeting with an assessment and recommendation regarding the above motion.

Councilmember Lauredo made a motion to deny the creating of a CIP Program & Grants Manager position. The motion died for lack of a second.

Mayor Davey made a motion to approve the creation of a CIP Program & Grants Manager position. The motion was seconded by Councilmember Moss and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmember Lauredo voting No.

There was discussion from Councilmember Lauredo and the Manager regarding the creation of the above position.

There was extensive discussion from Council and the Manager regarding the creating of a Procurement Officer position.

Mayor Davey made a motion to support the Manager in the creation of a Procurement Officer position. The motion was seconded by Councilmember Caplan and approved by a 4-3 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss and Mayor Davey voting Yes. Councilmember Laredo, Segurola and Vice Mayor London voting No.

Mayor Davey made a motion to support the Manager in the creation of a Public Works Superintendent position. The motion was seconded by Councilmember Caplan and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmember Laredo voting No.

Councilmember Moss made a motion to support the Manager in the creation of an additional Maintenance Laborer position. The motion was seconded by Mayor Davey and approved by a 5-2 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss, Segurola and Mayor Davey voting Yes. Councilmember Laredo and Vice Mayor London voting No.

Councilmember McCormick addressed Director Ozyman regarding grass maintenance by SFM Services, Inc. Director Ozyman reported this contractor is addressing some issues and also will report back to Council with a status plan in the next few months. Director Ozyman also reported on the recent resignation of the horticulturist position. There was discussion from Council, Director Ozyman and Vice Mayor London regarding utilizing labor pools and litter control.

There was discussion from Council regarding Council supporting the Public Works Department and the resources that have been requested by this department. Vice Mayor London addressed the Council supporting the maintenance laborer but not as a Village employee.

Councilmember Laredo made a motion to support the Manager in the creation of a Community Programs Coordinator position. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

Councilmember Laredo made a motion to support the Manager in the creation of four Beach Ranger positions. The motion was seconded by Mayor Davey.

Vice Mayor London addressed the Manager regarding kite boarding registrations and cost deficits.

Councilmember McCormick addressed the Council regarding buoys, swimming safety and the Community Programs Coordinator position.

There was discussion from Council regarding the Community Programs Coordinator position cost and the Key Biscayne Community Foundation contract and cost.

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

Vice Mayor London addressed the Council regarding the undergrounding of utilities for \$600,000.

Councilmember Laredo made a motion to eliminate the \$600,000 for the undergrounding of utilities. The motion died for a lack of a second.

There was discussion from Council, the Manager and Director Ozyman regarding the undergrounding of utilities and the initial design costs of \$150,000 needed to move the project forward.

Councilmember Laredo addressed the Council stating that this money was not for actual construction, but for another plan or study and more consultants. Councilmember Laredo also stated this is on top of \$500,000 that was already spent for an Undergrounding Study for a total of \$1.1 Million before there is a shovel in the ground.

The Attorney addressed the Council regarding the above item and engaging lobbyists.

The Manager addressed the Council regarding the upcoming trip in October to meet with the Village lobbyists.

The Attorney addressed the Council regarding the former Village Manager meeting with Florida Power and Light.

The Manager addressed the Council stating that the undergrounding of utilities funding is derived from ARPA funds which would need to be spent by 2024.

The Attorney addressed the Council clarifying which kind of projects can be paid for with ARPA funding including stormwater, sewer, broadband and "Pay Go" projects.

There was extensive discussion from Council regarding the undergrounding of utilities and funding amounts.

CFO Nussbaum addressed the Council stating the \$1.8 Million in general funds is already in the CIP funds and would not affect a change in the millage rate. There was discussion from Council, the Manager and CFO Nussbaum over the allocation of funding sources.

Councilmember Laredo made a motion to lower the funded amount of undergrounding the utilities to \$150,000 for FY22. The motion died for lack of a second.

Mayor Davey made a motion to lower the funded amount of undergrounding the utilities to \$200,000. The motion was seconded by Councilmember Laredo.

Councilmember Caplan addressed the Council stating this motion is with the understanding this money is already earmarked and can be tapped into if needed.

The motion was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmember McCormick was out of the room at the time the vote was taken.

There was discussion from Council and Chief Resilience and Sustainability Officer Dr. Roland Samimy regarding using LED lights instead of conventional lighting.

Parks and Recreation and Open Spaces Director Todd Hofferberth addressed the Council regarding an additional \$200,000 in costs for environmental testing for DERM.

Vice Mayor London addressed Director Ozyman regarding Village Hall hardscape improvements for \$50,000. Director Ozyman reported these improvements are for the courtyard area, sidewalk repairs around Village Hall, parking improvements for Village Green Way and landscaping. The Manager reported this project includes improvements by the Key Biscayne Fire Station and the Key Biscayne Community Center.

There was extensive discussion from Council and Director Hofferberth regarding St. Agnes lighting and the costs of two new LED poles.

Vice Mayor London addressed the Council regarding a Splashpad replacement at the Village Green.

Vice Mayor London addressed the Manager regarding that the Community Center roof replacement qualifies for ARPA funding but why not the air conditioners. The Manager addressed that the roof replacement was scheduled but did not happen because of the Covid19 pandemic and the air conditioning was not scheduled so therefore does not qualify as a “Pay-Go” project.

Councilmember Lauredo and the Attorney addressed the Council regarding the legislative intent for ARPA funding.

There was extensive discussion from Council regarding ARPA funding.

The Manager addressed the Council confirming the Village is only receiving \$3.2 Million of the ARPA funds this year.

There was discussion from Council regarding the allocation of the remaining \$400,000 from the budget that was for undergrounding of utilities.

Councilmember Segurola made a motion to use the \$400,000 from the undergrounding of utilities to fully fund any other qualifying projects. The motion was seconded by Councilmember Lauredo.

There was extensive discussion from Council, the Attorney and the Manager regarding the above motion.

Councilmember Segurola addressed the Council requesting clarification regarding three categories across every department: Item 49.000 (other current charges), Item 54.000 (subscriptions), and in some departments, Item 82.000 (educational initiatives). There was discussion from Council regarding the Clerk’s department and the administration department regarding other current charges and historical spending.

The Attorney addressed the Council requesting a meeting extension.

Councilmember Laredo made a motion to extend the meeting to 11:15 p.m. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

There was discussion from Council regarding the budget and the budget process.

Councilmember Segurola made a motion for the Manager to reduce the budget by another \$200,000. The motion was seconded by Councilmember Laredo and failed by a 3-4 roll call vote. The vote was as follows: Councilmembers Laredo, Segurola and Vice Mayor London voting Yes. Councilmembers Caplan, McCormick, Moss and Mayor Davey voting No.

Councilmember Laredo addressed the Council regarding the Clerk's salary and budget.

The Attorney addressed the Council regarding the above items.

Mayor Davey made a motion to extend the meeting to 11:30 p.m. The motion was seconded by Councilmember Laredo and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

Councilmember Laredo made a motion for the Clerk's salary to be what was originally proposed at the First Budget Hearing of approximately \$76,000. The motion was seconded by Vice Mayor London.

Councilmember Moss made an amending motion to add the benefit package equal to what the other Department Directors receive. Councilmember Laredo accepted the amending motion.

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

Vice Mayor London made a motion to increase the Manager's car allowance to be equal to what the other Department Directors receive. The motion was seconded by Mayor Davey. Vice Mayor London withdrew his motion.

Councilmember Laredo made a motion to eliminate the Resiliency Coordinator position. The motion was seconded by Councilmember Segurola.

Councilmember Laredo, Vice Mayor London and the Manager addressed the Council regarding the Resiliency Coordinator position.

Councilmember Laredo withdrew his motion.

Councilmember Moss made a motion to extend the meeting for an additional 10 minutes. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

Councilmember Lauredo made a motion to give a one-time bonus of \$5,000 to the Interim Police Chief. The motion was seconded by Councilmember McCormick and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The Manager addressed the Council regarding the additions and changes from the First Budget Hearing.

Mayor Davey made a motion to approve \$34,900 for a potential Rickenbacker Causeway consultant, if necessary. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

Councilmember Lauredo made a motion for the Manager's car allowance to be equal what the other Department Directors receive. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

There was discussion from Council regarding reducing the budget goals.

Vice Mayor London made a motion to remove all positions that have not been filled in the last two years. Vice Mayor London withdrew his motion.

Councilmember Segurola made a motion to reallocate the \$400,000 from the undergrounding of utilities to other ARPA qualifying projects so then the Village can move \$400,000 from general funds over to operating expenses to offset costs and reduce the millage.

There was discussion from Council regarding the above motion.

Councilmember Segurola made a motion to extend the meeting for an additional 10 minutes. The motion was seconded by Councilmember Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The Attorney addressed the Council further clarifying the qualifications of projects for ARPA funding including water, sewer or broadband or a reduction that can be used for government services: including but not limited to maintenance of infrastructure, "pay go" spending for building new infrastructure including roads, modernization of cyber security including hardware/software protection, critical infrastructure, school/educational services and the provision for police, fire and other public safety services.

There was discussion from Council, the Attorney and the Manager regarding using ARPA funding on capital projects rather than services. The Manager recommended there would be enough projects for the \$400,000.

Mayor Davey made a motion to extend the meeting for an additional 20 minutes. The motion was seconded by Councilmember Segurola and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

At this time, there was a fifteen-minute recess.

Mayor Davey made a motion to extend the meeting to 12:10 p.m. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The Manager addressed the Council stating the recommendation was to reduce the utility undergrounding phase 1 project from \$600,000 to \$200,000 freeing up \$400,000 in ARPA funding. The recommendation is to fund the \$45,000 for the Key Biscayne Community Center RTU with the ARPA funds and to fund the \$200,000 of environmental remediation in Paradise Park and to go ahead and shift the \$66,861 for the Beach Park for full payment in ARPA funds and to fund the \$60,000 for Calusa Park tennis courts with ARPA funds and to shift \$28,139 from Village Hall Courtyard landscape and hardscape to ARPA leaving the residual of approximately \$22,000 out of CIP general funds.

CFO Nussbaum addressed the Council summarizing the changes from tonight was a net \$30,000 difference on top of the \$130,000 from the First Budget Hearing and stated that the rolled-back rate is 3.1563 mills and the final millage rate is 3.1983 mills which is .0420% or 1.33% over the rolled-back rate.

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

Councilmember Lauredo made a motion to give a one-time bonus of \$5,000 to CFO Nussbaum. The motion was seconded by Vice Mayor London and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

CFO Nussbaum addressed the Council stating that with the above change, the rolled-back rate is now 3.1563 mills and the final millage rate is 3.1990 mills which is .0427% or 1.35% over the rolled-back rate.

Mayor Davey made a motion to remove the millage resolution from the table. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows:

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

Mayor Davey made a motion to approve the millage resolution, as amended, at the final millage rate of 3.1990. The motion was seconded by Councilmember Caplan and approved by a 4-3 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss and Mayor Davey voting Yes. Councilmembers Lauredo, Segurola and Vice Mayor London voting No.

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

Councilmember Moss made a motion to approve the budget ordinance, as amended, on second reading. The motion was seconded by Mayor Davey and approved by a 4-3 roll call vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss and Mayor Davey voting Yes. Councilmembers Lauredo, Segurola and Vice Mayor London voting No.

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

8. **ADJOURNMENT:** The meeting was adjourned at 12:04 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2021:

Michael W. Davey
Mayor

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

MINUTES

REGULAR COUNCIL MEETING
KEY BISCAZYNE, FLORIDA

TUESDAY, OCTOBER 12, 2021

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:03 p.m. Present were Councilmembers Franklin H. Caplan, Luis Lauredo, Brett G. Moss, Vice Mayor Edward London (arrived at 6:07 p.m.) and Mayor Michael W. Davey. Councilmembers Allison McCormick and Ignacio Seguro were absent. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **INVOCATION:** Father Andrzej Foltyn, St. Agnes Catholic Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the public thanking the organizers of the Children's Business Fair and Village staff for the great community event; Councilmember Moss addressed the Council stating that the second reading of Chapter 30 Zoning Code Amendments will be presented at the next Regular Council Meeting on October 26, 2021 and to send any questions to the Clerk; Councilmember Caplan addressed the Council requesting from the administration a blackline copy of the zoning code changes dating from last fall and also addressed the Council regarding the accident, event and traffic on Virginia Key this past weekend and Councilmember Lauredo addressed the Council thanking Mayor Davey, Councilmembers McCormick and Moss and Village residents for joining him in speaking at the Miami-Dade County Commission meeting last week regarding the Rickenbacker Causeway.
5. **PUBLIC COMMENTS:** The following residents addressed the Council: Cecile Sanchez, 260 Cypress Drive and Esteban Samosa, 300 Sunrise Drive.

6. **AGENDA:** Councilmember Laredo requested that the Clerk read all of the Agenda resolution titles and vote for all at one time.

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

The Clerk requested to defer the special presentation to the next Regular Council Meeting.

The agenda, as amended, was approved by a 5-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, Moss, Vice Mayor London and Mayor Davey voting Yes.

7. **SPECIAL PRESENTATIONS:** There were no presentations given to Council.

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

The Clerk requested to add the Consent Agenda vote to the July 27th, 2021 Regular Council Meeting Minutes.

The minutes of the June 29th, 2021 First Budget Workshop.

The minutes of the July 27th, 2021 Regular Council Meeting, as amended.

At this time the Clerk was directed by Council to distribute the minutes of a Council Meeting within two weeks of the meeting occurring subsequent to tonight's Regular Council Meeting.

Councilmember Laredo addressed the Manager regarding Impact-Concurrency fees.

The Manager addressed the Council regarding the above item and will report back to Council in January or February 2022 regarding Impact-Concurrency fees.

The consent agenda, as amended, was approved by a 5-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, Moss, Vice Mayor London and Mayor Davey voting Yes.

At this time Councilmember Laredo addressed the Manager requesting to add to subsequent agendas a note for each action item stating whether the Manager recommends or does not recommend the item. There was no objection to this request.

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

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO MOFFATT & NICHOL, INC. FOR ENGINEERING, SURVEYING, AND MARINE BIOLOGICAL SERVICES RELATING TO THE BEACH

RENOURISHMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$63,150; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ACCEPTING A \$50,000.00 FLORIDA RECREATION FOR DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR IMPROVEMENTS TO LAKE PARK AND APPROVING A STANDARD GRANT AGREEMENT RELATED TO THE SAME; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ACCEPTING A \$50,000.00 FLORIDA RECREATION FOR DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR IMPROVEMENTS TO HAMPTON PARK AND APPROVING A STANDARD GRANT AGREEMENT RELATED TO THE SAME; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A SETTLEMENT AGREEMENT AND GENERAL RELEASE OF ALL CLAIMS OF BLAS MANUEL MINARRO MARTINEZ IN AMOUNT NOT TO EXCEED \$150,000 TO BE PAID BY THE VILLAGE'S INSURER; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN AGREEMENT WITH THE CITY OF MIAMI FOR FIRE, RESCUE, AUTOMATIC AID, AND ANCILLARY SERVICES AT AN ANNUAL COST OF \$573,144.00; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AND ACCEPTING A PUBLIC BEACH ACCESS EASEMENT AND DEDICATION AGREEMENT WITH THE SANDS OF KEY BISCAYNE CONDOMINIUM ASSOCIATION, INC. RELATING TO THE PROPERTY LOCATED AT 605 OCEAN DRIVE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

There was discussion from Council regarding the following resolution:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN AGREEMENT WITH THE CITY OF MIAMI

FOR FIRE, RESCUE, AUTOMATIC AID, AND ANCILLARY SERVICES AT AN ANNUAL COST OF \$573,144.00; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire Rescue Chief Eric Lang and the Manager addressed the Council regarding the above resolution.

The resolutions were approved by a 5-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, Moss, Vice Mayor London and Mayor Davey voting Yes.

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

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

Village Manager. Parks, Recreation and Open Spaces Director Todd Hofferberth addressed the Council reporting on the status of Paradise Park's construction and proposed timeline to begin on December 5th, 2021.

Interim Chief of Police Jason Younes addressed the Council reporting on the status of citations and warnings for bicyclists and vehicles on Rickenbacker Causeway from September 16th to October 12th, 2021. And also reported on a Rickenbacker Causeway multi-agency enforcement detail to start next week.

There was discussion from Council regarding the above items.

Mayor Davey addressed the public regarding the Law Enforcement Officer's event held this past weekend on Key Biscayne to honor and celebrate the lives of fallen police officers throughout the country.

Chief Lang addressed the Council reporting on the vaccines administered at the October 6th, 2021 Covid19 pop-up event at the Key Biscayne Community Center.

At this time Chief Resilience and Sustainability Officer Dr. Roland Samimy addressed the Council reporting on the status of the kite surfing program, permitting and enforcement issues.

Councilmember Lauredo addressed the Council regarding the above items, safety and enforcement concerns.

There was discussion from Council regarding beach rangers and/or reporting to the Key Biscayne Police Department.

At this time Building, Zoning, Planning and Public Works Director Jake Ozyman addressed the Council reporting on three additional homes hooking up to the sewer system, enforcement and fines.

The Attorney addressed the Council regarding the above items.

At this time Councilmember Laredo addressed the Council regarding Item 12B1 and it was the consensus of Council to defer this item to the October 26th 2021, Regular Council Meeting and for the item to have a motion and be actionable at that meeting.

Dr. Samimy addressed the Council reporting on an update of the beach maintenance plan; in August, 40 trucks of seaweed were hauled out of 50 predicted; in September, 11 trucks of seaweed were hauled out of 50 predicted; by mid-October, 25 trucks of seaweed were hauled out of 50 predicted. Dr. Samimy also reported on a proposed Miami-Dade County pilot composting program on Virginia Key.

There was discussion from Council, the Manager and Dr. Samimy regarding the above pilot composting program.

Dr. Samimy addressed the Council regarding the USACE shoreline and protection, and stabilization program and the Village will be included in the tentatively selected project being considered for Miami-Dade County.

The Manager addressed the Council stating that the administration plans to present the above plan to Councilmembers individually, some of the members of the HOA's and the residents as a whole prior to the November 4th, 2021 release date.

There was extensive discussion from Council regarding the above items including infrastructure, roadway elevations, the general obligation bond and federal investment on the oceanside.

Chief Building Official Rene Velasco addressed the Council reporting on an update regarding Building recertifications and compliance.

Director Hofferberth addressed the Council regarding the Fall and Winter Community activities and reported on postponing the 30th Anniversary of the Village's incorporation to September 2022 due to Covid19 safety concerns.

Mayor and Councilmembers. Councilmember Laredo's discussion item was deferred to the next Regular Council Meeting on October 26, 2021.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

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

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

15. **ADJOURNMENT:** The meeting was adjourned at 7:28 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2021:

Michael W. Davey
Mayor

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

MINUTES

REGULAR COUNCIL MEETING
KEY BISCAAYNE, FLORIDA

TUESDAY, OCTOBER 26, 2021

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:01 p.m. Present were Councilmembers Franklin H. Caplan, Luis Lauredo, Allison McCormick, Brett G. Moss, Ignacio Segurola, Vice Mayor Edward London (arrived 6:05 p.m.) and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.

2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.

At this time, it was the consensus of Council to hear the following item: Glen Waldman, Chair of the Village Athletics Advisory Board gave a presentation on Athletics Field Utilization and Allocation.

There was discussion from Council and Mr. Waldman regarding the above presentation and the following items: capping attendance, the 70/30 rule, limiting off island participation and online registration.

3. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the public announcing the passing of Guido Inguanzo, Key Biscayne's first Village Clerk, and gave condolences to his family, also announced that the Manager and Vice Mayor London accompanied him to Tallahassee to meet with Village lobbyists and Councilmember Moss thanked the organizers of the recent piano festival for a beautiful event held at Village Hall.

4. **PUBLIC COMMENTS:** The following speaker addressed the Council: Marcelo Radice, 70 Bay Heights Drive, Miami.

5. **AGENDA:** There were no requested changes to the agenda.
6. **SPECIAL PRESENTATIONS:** Mayor Davey requested to allow former Mayor Robert Vernon to give the presentation regarding an update on the Virginia Key Advisory Board at a later time in the meeting. There was no objection to the request.
7. **CONSENT AGENDA:** Mayor Davey made a motion to approve the consent agenda. The motion was seconded by Councilmember Moss.

Councilmember Laredo requested to amend the minutes of July 6th, 2021 on page 3, to say, “The Council set the trim notice for FY22 at the Manager’s recommendation of 3.3267” instead of “It was the consensus of Council to set the trim notice for FY22 at the Manager’s recommendation of 3.3267.”

The minutes of the July 6th, 2021 Second Budget Workshop, as amended.

The minutes of the August 24th, 2021 Local Planning Agency Meeting.

The minutes of the August 24th, 2021 Regular Council Meeting.

The minutes of the September 1st, 2021 Special Council Meeting.

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

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

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 30, “ZONING AND LAND DEVELOPMENT REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding the above ordinance.

Councilmember Laredo and the rest of the Council addressed the public thanking Councilmember Moss for the dedication and work done on the proposed zoning amendments.

Zoning Plan Reviewer/Planner Olga Garcia and Councilmember Moss addressed the Council

regarding the above ordinance and recommended proposed zoning amendments.

There was discussion from Council regarding the above ordinance.

Councilmember Segurola made a motion to add language clarifying the affidavit can be executed by the owner in reference to Sec. 30.34: lines 176 to 179. The motion was seconded by Councilmember Caplan.

The Attorney addressed the Council regarding the above motion.

Mayor Davey made an amending motion to say the affidavit can be executed by the applicant or the applicant's authorized agent. Councilmember Segurola accepted the amending motion.

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

There was discussion from Council and Zoning Plan Reviewer Garcia regarding the above ordinance and artificial turf.

Councilmember Caplan made a motion to eliminate lines 946 to 948 from Sec. 30-242 on page 39. The motion was seconded by Councilmember Moss and failed by a 3-4 roll call vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss voting Yes. Councilmembers Lauredo, Segurola, Vice Mayor London and Mayor Davey voting No.

The Council directed the Clerk to distribute Vice Mayor London's email sent on September 2nd, 2021 at 8:43 a.m.

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

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

At this time former Mayor Vernon gave a presentation on an update regarding the Virginia Key Advisory Board.

There was discussion from Council regarding the above presentation and approaching Miami-Dade County to create additional athletic fields.

Councilmember Lauredo made a motion to direct the Manager to look at developing a strategic action plan for Virginia Key and report back to Council and to improve relations with Miami-Dade County and the City of Miami regarding Virginia Key. The motion was seconded by Councilmember Moss.

Mayor Davey made an amending motion that this plan would have athletic field space design as the top priority. Councilmember Laredo accepted the amending motion.

There was discussion from Council, the Manager and the Attorney regarding the above motion and the Virginia Key Master Plan.

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

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

There was discussion from Council regarding conforming structures and uses and maximum lot elevation.

The Attorney addressed the Council regarding the above items.

There was discussion from Council regarding the two-lot maximum.

Councilmember London made a motion for Zoning Plan/Reviewer Garcia to report back to Council with recommendations regarding building on more than two lots. The motion was seconded by Mayor Davey and failed by a 3-4 roll call vote. The vote was as follows: Councilmember Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmembers Caplan, Laredo, McCormick and Moss voting No.

Councilmember Laredo made a motion to remove in the bonus chart # 1, the base flood elevation maximum requirement for porches. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

There was discussion from Council regarding maximum elevation of the lowest floor.

Vice Mayor London made a motion to remove the maximum requirement of the lowest finished floor. The motion was seconded by Mayor Davey and approved by a 4-3 roll call vote. The vote was as follows: Councilmembers McCormick, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmembers Caplan, Laredo and Moss voting No.

There was discussion from Council regarding understory ground elevation.

Chief Resilience and Sustainability Officer Dr. Roland Samimy addressed the Council regarding stormwater planning and roadway elevations.

Councilmember London made a motion to allow concrete within the understory up to 500 square

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

There was discussion from Council regarding building access.

Chief Building Official Rene Velasco addressed the Council regarding the above item.

There was discussion from Council regarding Front Zone maximum lot elevation.

Councilmember London made a motion to change the elevations in the “Front Zone”, instead of two feet above the average crown of the road, to have a maximum slope of 14%. The motion was seconded by Councilmember Moss and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

Councilmember Lauredo made a motion to approve the following proposed Zoning Code Amendments: **FAR Bonuses #8 and #9** propose to add “Notwithstanding the foregoing, this bonus is only applicable within 20 feet of the adjacent side property line.” (Page 16, Line 301), **Maximum exterior wall height.** Propose to remove “no more than 50 percent of the floor may be at that elevation”. (Page 18, Line 337), **Understory area.** Proposing to include the following: However, understory area(s) below the lowest habitable floor can utilize non-supporting breakaway walls or structural walls and columns. (Page 18, Line 344), **Grading and Drainage.** Propose to replace required for necessary to read the following “A retaining wall with a minimum of two inches above final grade shall be required to support the additional elevation required necessary to provide the required drainage swale if the elevation does not meet the adjacent elevation or is not part of retaining the water on site...” (Page 20, Line 416), **Grading and Drainage.** Propose to remove “or is not part of retaining the water on site”. (Page 20, Line 417), **Height of a building wall table.** Propose to add asterisk with the following restriction “the maximum exterior wall height may be increased six inches for every one foot that the lowest floor is above the Base Flood Elevation not to exceed 24.5 feet” to match with line 319 under (c)(2)(b). (Page 18, Line 438), **Garages.** Propose language to include that “garage doors must be compatible with the door and window details and overall architectural design of the dwelling”. (Page 26, Line 545), **Porches, Porte-Cocheres, and Carports/Carport Canopies Setback Regulations.** Propose to replace language to read “Permitted setbacks for the uses below are as follows”. (Page 27, Line 570) and **Porches, Porte-Cocheres, and Carports/Carport Canopies Setback Regulations.** Propose to replace Base Flood Elevation with Lowest Finished Floor Elevation under (a) on line 577 to read “The maximum Wall height of Porches shall not exceed 14 feet above the maximum permitted Lowest Finished Floor Elevation”. (Page 27, Line 577). The motion was seconded by Mayor Davey and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The ordinance, as amended, was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes.

9. **RESOLUTIONS:** There were no resolutions considered by Council.
10. **PUBLIC COMMENTS:** There were no speakers that addressed the Council.
11. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Village Manager. The Manager addressed the Council welcoming the new Chief of Police Frank Sousa. The Manager also presented a restructuring of the Manager's Report by listing an outline of the administration's five goals: Safe and Secure Village, Thriving and Vibrant Local Community and Marketplace, Engaging and Active Public Spaces and Programs, Accessible, Connected and Mobile Village-Wide Transportation and Resilient and Sustainable Environment and Infrastructure.

Chief Sousa addressed the Council reporting on the recent traffic incidents within the Village including 42 warnings and 29 citations.

There was discussion from Council regarding proactive public safety and education.

Councilmember Lauredo addressed the Council regarding the yellow blinking crossing lights and the Smart traffic lights on Crandon Boulevard.

The Manager was directed to report back to Council if the crossing lights on Crandon Boulevard can be changed to red lights instead of yellow blinking lights.

At this time Councilmember Moss excused the Council Chamber.

Councilmember Lauredo addressed the administration regarding the smart lights not working properly on Crandon Boulevard.

Councilmember McCormick addressed the administration regarding the traffic light at the Fire Station and the visibility of the traffic light at the Galen and Crandon Boulevard intersection. Chief Sousa stated that the traffic lights are being discussed with Fire Rescue Chief Eric Lang.

Building Official Velasco addressed the Council reporting on an update on the Building Department's electronic permit review plan and an update on FEMA's National Flood Insurance Program (NFIP) Risk Rating.

Vice Mayor London addressed the Council regarding insurance rate increases and Community Rating Systems (CRS) possibly being rated on a house-by-house basis and mitigation credits.

The Manager addressed the Council regarding the above items and zoning requirements being implemented.

Zoning Plan/Reviewer Garcia addressed the Council regarding strengthening CRS ratings.

Building, Zoning, Planning and Public Works Director Jake Ozyman addressed the Council regarding Crandon Boulevard improvements, safety and improving traffic flow. Also discussed working with an engineering firm on plans for improvement and to present the plans at the November 16th, 2021 Regular Council Meeting.

Director Ozyman reported on a summary of the long-term goals for the Public Works Department: (1) to design and construct a 300 ft. southbound right turn lane from Crandon Boulevard to Harbor Drive. (2) design and construct an 80' southbound left turn lane from Crandon Boulevard to Key Colony, which will provide an additional lane for cars entering Key Colony going southbound. (3) Modify the Harbor Drive and Fernwood roundabout during peak traffic hours and to meet with the Key Colony Homeowner's Association and the surrounding neighborhood to discuss possibly providing an entrance to Key Colony from Sonesta Drive.

The Manager addressed the Council regarding the above items.

The Manager and Director Ozyman gave a status update on the following Capital Improvement Plan projects: Fleet Management, Vessel Exclusion Zone Improvements, Public Beach Access Improvements, Community Center Roof Replacement and Lake Park Improvements-Construction and Village Green Interior Sidewalk Renovation plans.

Director Ozyman addressed the public announcing there will be a Community Engagement Meeting regarding Beach Park improvements tomorrow night at 6:30 p.m. at the Key Biscayne Community Center.

The Manager addressed the public announcing there will be a second Community Engagement Meeting held on site at the Beach Park at a future date to be determined.

The Manager addressed the Council reporting on a summary of the legislative trip to Tallahassee stating that there were three appropriation requests on what the Village is trying to achieve at the State level: (1) Funding for the Crandon Boulevard Traffic Flow and Safety (2) Sargassum and Seaweed Removal and Composting (3) Stormwater Water Quality Initiative that would tie into the Village's stormwater system to help protect Biscayne Bay. The Manager also reported on Florida Power & Light/PSC Feeder and Lateral Line Risk Rating and Undergrounding Formula and a State Park Surcharge for Crandon Boulevard maintenance costs.

The Manager also reported on the following Grant supports: Infrastructure Program Strategy and Integration and Implementation Plan, the K-8 Center Stormwater Basin and Utilities Resilience and Undergrounding. The Manager also reported meeting with the Florida League of Cities regarding Senate Bill 282 which would require a business impact statement for the passage of any new ordinances or any major changes to ordinances and Senate Bill 452 which would prohibit the mandating of medical practices or treatments for the wearing of masks to access public property. The Manager also reported meeting with the following: the Public Service Commission, the Florida Department of Environmental Protection, Representative Jayer Williamson, Chair of the

House Infrastructure and Tourism Appropriation Sub-Committee and with the Florida Division of Emergency Management's Director, Kevin Guthrie.

Vice Mayor London and Mayor Davey commended the Manager for the work done on the legislative trip to Tallahassee.

Mayor and Councilmembers. Councilmember Laredo made a motion to work with the Attorney to bring an ordinance regarding Advisory Boards and Committees. The motion was seconded by Mayor Davey and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Segurola, Vice Mayor London and Mayor Davey voting Yes.

The Attorney addressed the Council regarding the above motion.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk presented to the Council the proposed 2022 Council Meeting Schedule.

The following changes were requested: to move the January 11th Regular Council Meeting to January 18th, to delete the June 28th Budget Workshop for Community Group Presentations, to move the July 5th Budget Workshop for Administration to June 28th and to move the July 12th Regular Council Meeting to July 26th.

Councilmember Caplan made a motion to approve the proposed 2022 Council Meeting Schedule, as amended. The motion was seconded by Mayor Davey and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Caplan, Laredo, McCormick, Segurola, Vice Mayor London and Mayor Davey voting Yes.

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 9:53 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2021:

Michael W. Davey
Mayor

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MINUTES

WORKSHOP
GOLF CART ORDINANCE
KEY BISCAWAYNE, FLORIDA

TUESDAY, NOVEMBER 2, 2021

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:00 p.m. Present were Councilmembers Franklin H. Caplan, Allison McCormick (arrived at 6:10 p.m.), Brett G. Moss, Ignacio Seguro, Vice Mayor Edward London (arrived at 6:21 p.m.) and Mayor Michael W. Davey. Councilmember Luis Laurodo was absent. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **DISCUSSION:** The Mayor addressed the Council regarding the workshop.

The Attorney addressed the Council giving a historical background on golf cart usage under Florida Law.

Councilmember Seguro addressed the Council regarding golf cart safety and ways to minimize travel on Crandon Boulevard.

There was extensive discussion from Council and the Attorney including the following: adding Fernwood access points, ways to minimize Crandon Boulevard usage, safety concerns, signage and street markings and/or stripes and ramps, swale usage, possibly connecting The Galeria and The Square Shopping Centers, police enforcement with possible impounding of golf carts, new enforcement penalty options, inspections, increasing communication and education of golf cart rules for the community's benefit.

It was the consensus of Council to direct the Attorney to contact Miami-Dade County regarding

golf cart street markings and/or signage for Crandon Boulevard.

At this time the following residents addressed the Council: Donald Elisburg and Nancy Elisburg, 177 Ocean Lane Drive.

Chief of Police Frank Sousa addressed the Council regarding youth engagement and collaboration, education, golf cart enforcement, penalty options including impoundment and fines.

The Manager addressed the Council regarding ordinance enforcement, a youth education and engagement program and Crandon Boulevard safety as a whole. The Manager will look at short term solutions, for example, possibly adding more curb cuts and will reach out to the Miami-Dade County Public Works Department and will report back to Council at the next Regular Council Meeting.

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

5. **ADJOURNMENT:** The meeting was adjourned at 6:48 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this ____ day of _____ 2021:

Michael W. Davey
Mayor

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

MINUTES

REGULAR COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, NOVEMBER 16, 2021

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 6:01 p.m. Present were Councilmembers Franklin H. Caplan, Luis Lauredo (arrived 6:04 p.m.), Allison McCormick, Brett G. Moss, Ignacio Seguro, Vice Mayor Edward London and Mayor Michael W. Davey. Also present were Village Manager Steven C. Williamson, Village Clerk Jocelyn B. Koch and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **INVOCATION:** Deacon Miguel Baguer, St. Christopher's by-the-Sea gave an invocation. Reverend Amanda B. Brady was unable to attend the meeting.
4. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the public thanking the Honor Guard, Parks, Recreation and Open Spaces Director Todd Hofferberth and the department's staff for the recent Veteran's Day Ceremony held at the Village Green, also announced Councilmember Caplan placed third in his age group in last week's Key Biscayne Lighthouse Run and recognized the work done by the public safety workers and the Parks and Recreation Department during this pandemic and also wished everyone a Happy Thanksgiving. Councilmember Caplan addressed the public recognizing the beautiful Veteran's Day flag lowering ceremony at the Key Biscayne Yacht Club that he attended with Mayor Davey.
5. **PUBLIC COMMENTS:** The following residents addressed the Council: Florencia Manero, 676 Fernwood Road; Hernan Lopez Varela, 452 Hampton Lane and Ignacio Goris, 560 Warren Lane.

6. **AGENDA:** Councilmember Laredo requested to defer the minutes of September 8, 2021, First Budget Hearing, September 21, 2021, Second Budget Hearing and October 12, 2021, Regular Council Meeting to the next Regular Council Meeting. The Attorney requested the addition of a discussion regarding the Charter Revision Committee to be heard together with Item 12A6c.

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

7. **SPECIAL PRESENTATIONS:** Mayor Davey presented a Proclamation honoring Mrs. Darlene Presley-Durant, a retiring teacher of 36 years from the Key Biscayne K-8 Center.

Mayor Davey presented a special certificate honoring Ms. Rosa Kemper, a Key Biscayne adoptive family, and presented a Proclamation recognizing National Adoption Month. Katerin Chavez from Citrus Family Care Network accepted the Proclamation on behalf of Miami-Dade County Foster and Adoptive Parent Association.

A presentation on Athletic Field Utilization and Allocation was given by Glen Waldman, Chair of the Village Athletics Advisory Board.

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

Director Hofferberth addressed the Council regarding the above presentation.

Councilmember Laredo made a motion to accept the Village Athletics Advisory Board's recommendations as presented and to give Key Biscayne residents a two-week priority registration for the Village's sports programs. The motion was seconded by Councilmember Caplan.

There was discussion from Council regarding the above motion.

Councilmember McCormick addressed the Council regarding future registrations to be online.

Vice Mayor London made an amending motion to extend the time for priority registration for Key Biscayne residents to four weeks. The amending motion was not accepted by Councilmember Laredo.

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

Vice Mayor London made a motion to allow Key Biscayne residents four weeks for priority registration for the Village's sports programs. The motion was seconded by Councilmember Moss and approved by a 6-1 voice vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmember Laredo voting No.

It was the consensus of Council to direct the Manager to implement the Village Athletics Advisory Board's following recommendations: sports programs for 10-year-olds and under will only be for Key Biscayne residents plus the children of five volunteer Rugby coaches and the children of full-time employees working on Key Biscayne. Also, Rugby, Soccer and Field Hockey registrations will be capped at their current levels, but underperforming sports will still be allowed to continue to register children.

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

Councilmember Laredo requested to defer the minutes of September 8, September 21 and October 12, 2021 earlier in the evening.

The minutes of the September 21st, 2021 Special Council Meeting.

The minutes of the September 30th, 2021 Special Council Meeting.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE FLORIDA MEMORANDUM OF UNDERSTANDING WITH THE STATE OF FLORIDA AND OTHER PARTICIPATING LOCAL GOVERNMENT UNITS FOR THE ALLOCATION AND USE OF OPIOID SETTLEMENT FUNDS TO ABATE AND RESOLVE THE OPIOID EPIDEMIC; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

Mayor Davey made a motion to approve the ordinance on first reading. The motion was seconded by Vice Mayor London.

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

Councilmember Laredo and the Attorney addressed the Council regarding the above ordinance.

There was extensive discussion from Council and the Attorney regarding the above ordinance.

Mayor Davey made a motion to remove items (m) and (n) from the ordinance. The motion was seconded by Councilmember McCormick.

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

The motion was approved by a 4-3 roll call vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss and Mayor Davey voting Yes. Councilmembers Lauredo, Segurola and Vice Mayor London voting No.

It was the consensus of Council to make the following amendments to the ordinance: in item (a), fourth line, to remove “not to” and insert “inform” the Village Manager; in item (c), the fourth line, to remove “may” and insert “shall” include an appropriate sunset provision; in item (d), to add the following language of a maximum term limit of no more than 8 years consecutively and if a board member has already served 8 years, they are eligible to serve two more years; in item (f), second line, to remove “three” and insert “seven” days notice shall be given to the public and board members of regular board meetings.

Councilmember McCormick made a motion to approve the ordinance on first reading, as amended. The motion was seconded by Mayor Davey and approved by a 5-2 roll call vote. The vote was as follows: Councilmembers Lauredo, McCormick, Segurola, Vice Mayor London and Mayor Davey voting Yes. Councilmembers Caplan and Moss voting No.

The second reading is to be determined.

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

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, APPROVING THE PURCHASE OF SIX VEHICLES FROM ALAN JAY AUTOMOTIVE MANAGEMENT, INC. IN AN AMOUNT NOT TO EXCEED \$245,000; PROVIDING FOR AUTHORIZATION; DECLARING CERTAIN VEHICLES AS SURPLUS PROPERTY; AUTHORIZING THE SALE OR DISPOSITION OF SURPLUS PROPERTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Chief Financial Officer Benjamin Nussbaum addressed the Council regarding the above resolution.

There was extensive discussion from Council regarding the above resolution and the Village’s fleet policy.

Vice Mayor London made a motion to defer the purchase of the vehicles for further vehicle

inventory analyzation by the administration. The motion was seconded by Councilmember Segurola.

There was discussion from Council regarding the above motion.

Councilmember Laredo made an amending motion to exempt the purchase of the four police department vehicles.

The Manager addressed the Council regarding the above motion.

CFO Nussbaum addressed the Council regarding the purchasing, timing and availability of vehicles for municipalities.

Vice Mayor London accepted Councilmember Laredo's amending motion.

There was additional discussion from Council and the Attorney regarding the above amended motion.

Vice Mayor London withdrew his motion.

Mayor Davey made a motion to approve the resolution authorizing the purchase of four police vehicles and deferring the purchase of the non-police vehicles. The motion was seconded by Councilmember Laredo.

Councilmember Caplan addressed the Council regarding the above motion and code compliance.

Councilmember Segurola addressed the Council requesting that CFO Nussbaum would come back to Council relatively soon with alternative vehicle choices. There was no objection to this request.

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

The Attorney addressed the Clerk and CFO Nussbaum regarding updating the authorizing amount in the resolution.

CFO Nussbaum confirmed the authorizing amount is not to exceed \$190,000.

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING BEACH RAKER, LLC FOR BEACH CLEANING, MAINTENANCE, AND BEAUTIFICATION SERVICES PURSUANT TO REQUEST FOR PROPOSALS NO. 2021-15 IN AN AMOUNT NOT TO EXCEED \$780,000.00 ANNUALLY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Chief Resilience and Sustainability Officer Dr. Roland Samimy addressed the Council regarding the above resolution.

Councilmember Segurola addressed Dr. Samimy regarding reallocating the funds when the beach needs more maintenance or less maintenance.

Vice Mayor London addressed the administration requesting the writing and structuring of RFP's.

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

The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO BCC ENGINEERING, LLC FOR PROFESSIONAL ENGINEERING SERVICES RELATING TO THE CRANDON BOULEVARD LEVEL OF SERVICE AND PEDESTRIAN AND BICYCLE SAFETY IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$240,000; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council confirming the not to exceed amount in the above resolution is \$180,000.

There was discussion from Council and Building, Zoning, Planning and Public Works Director Jake Ozyman regarding the above resolution.

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

The Manager addressed the Council regarding holding future community engagement meetings in order to receive public input.

There was extensive discussion from Council, the Manager and Director Ozyman regarding clarifying the details of the contract and the recently added items to be analyzed.

Councilmember Lauredo addressed the administration regarding the consulting portion of the contract.

Director Ozyman addressed the Council clarifying the contract is \$150,000 for engineering drawings and \$30 to \$35,000 for the planning portion.

There was additional discussion from Council and the Manager regarding the above clarifications of the contract.

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

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

Village Manager. At this time Item 12A6c was heard.

The Manager and CFO Nussbaum addressed the Council regarding the Auditor's Selection Committee's purpose, process and requirements.

Councilmember Moss addressed CFO Nussbaum regarding the above item.

Councilmember Lauredo made a motion to select Vice Mayor London as the Auditor's Selection Committee Chair. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Caplan, Lauredo, McCormick, Moss, Seguroła, Vice Mayor London and Mayor Davey voting Yes.

The Manager and CFO Nussbaum addressed the Council stating that they will work with the Vice Mayor over the next few weeks and come back to Council with recommendations.

At this time, the Mayor opened public comments. Don Elisburg, 177 Ocean Lane Drive addressed the Council. The Mayor closed public comments.

The Attorney addressed the Council regarding the process and requirements for the upcoming Charter Revision Committee appointments at the next Regular Council Meeting.

Fire Rescue Chief Eric Lang addressed the Council reporting that the Covid19 positivity rate in the Village is 1% to 2% and that the Covid19 vaccine pop-up events have administered almost 1,800 vaccines so far and vaccinations at the pop-up events are starting for 5- to 11-year-olds by appointment only. Chief Lang also reported that the next pop-up event will be held on December 8, 2021 at the Key Biscayne Community Center and also thanked Communications Officer Jessica Drouet and Director Hofferberth and his staff for their efforts.

There was discussion from Council regarding the Covid19 vaccinations and the rapid PCR tests.

Chief Lang addressed the Council commending Dr. Samimy's work on having the Village be the first municipality in Miami-Dade County to offer the rapid PCR tests. Chief Lang also reported an update on the vaccination percentages for the Village: 12- to 17- year-olds are at 72%, 18-year-olds and over are at 82% and 65-year-olds are at 80%.

Chief of Police Frank Sousa addressed the Council reporting on an update regarding the Community Policing Program, Youth Engagement Programs and building relationships with the children in the Village and also street safety.

Councilmember McCormick addressed the public regarding motorized scooters and encouraging residents to have lights on their bikes and to wear helmets.

Vice Mayor London addressed Chief Sousa regarding enforcing lights on golf carts for night driving.

Chief Sousa addressed the Council reporting that Police Departments are transitioning in the way crime is reported in this country. It is changing to a national incident-based reporting system which will be a more comprehensive way of gathering crime data and provides a more in-depth analysis of how crime data is captured.

Parks, Recreation and Open Spaces Director Todd Hofferberth addressed the Council announcing there will be entertainment for the children at the next Covid19 pop-up vaccine event at the Key Biscayne Community Center and reported on a status update regarding the Paradise Park project and also announced a December 10, 2021 Groundbreaking Ceremony will be held.

The Manager addressed the Council reporting on the status of Building Re-certifications stating that thirteen properties are 3 or more years past due and will be assessed a \$500 fine on November 15, 2021. For the properties that are 3 years or less past due, they will be assessed a \$500 fine on December 15, 2021. The Manager reported on the continued process for non-compliance.

Dr. Samimy addressed the Council reporting on the status of beach enhancements including the Vessel Exclusion Zone, the Kite Surfing Program and Seaweed Management stating 29 trucks hauled seaweed in October and 7 trucks hauled seaweed so far this month. Dr. Samimy also reported that Miami Kiteboarding has sent an unsolicited proposal for a 1-year pilot management program which is being reviewed by the Village.

Director Hofferberth addressed the Council reporting on a status of the Key Biscayne Library Project and a future presentation will be given to Council and the community.

The Manager addressed the Council regarding the library design process.

Councilmember Moss addressed the Manager regarding the library design process.

The Manager addressed the Council regarding a possible November 30, 2021 for a Key Biscayne Library community engagement meeting.

Vice Mayor London addressed the Council regarding Councilmember Moss working with Miami-Dade County regarding the library design.

Director Ozyman addressed the Council reporting on the status of Crandon Boulevard's traffic and safety improvements.

Dr. Samimy addressed the Council reporting on the statuses of Miami-Dade County's SMART plan, the Freebe program and possible express service between the Village, Metrorail and

Metromover.

Mayor Davey addressed Dr. Samimy regarding opening up the seating on Freebe to more than just family members. Dr. Samimy addressed the Council regarding Miami-Dade County's Better Bus Network and the bus service route along Harbor Drive.

The Manager addressed the Council regarding working with Miami-Dade County's Transportation Department and the Director of Public Works regarding a program called "Go Connect" and possibly bringing this program to the Village.

There was discussion from Council and Dr. Samimy regarding exploring the Village's needs and demands for transportation.

The Manager addressed the Council announcing Miami-Dade County's Transportation Department will make a presentation in January 2022 regarding the Village's public transportation and the County's SMART plan.

Dr. Samimy addressed the Council reporting on an update regarding Shoreline Protection and the Army Corp of Engineers' CSRSM feasibility report and the Village of Key Biscayne's inclusion in the report and also reported on exploring seawall ordinances for the bay side of the Village.

Dr. Samimy addressed the Council reporting on the status of Roadway Improvements and that the final survey from KCI's first phase should be ready at the end of November 2021 and a briefing will be given to Council in the next few weeks.

Councilmember McCormick addressed Dr. Samimy regarding the town halls, resident participation and resident's feedback.

Councilmember McCormick addressed the administration if the Army Corp of Engineers' presentation can be shown on Channel 77 and the Village's website. Dr. Samimy confirmed a link would be placed on the Village's website.

Councilmember McCormick commended the administration for their efforts in having the Village of Key Biscayne included in the 50-year feasibility study.

The Manager addressed the Council regarding the above item.

Vice Mayor London addressed the Council requesting an additional zoning amendment regarding having a bonus to encourage residents to build their houses high enough to park the cars inside the house. Councilmember Moss addressed the Council stating he will work with the Attorney and the Building, Zoning Reviewer/Planner Olga Garcia and bring this item back to Council at a future date.

Dr Samimy addressed the Council reporting on Utilities Hardening, submitting grant proposals and meeting with Florida, Power & Light.

There was discussion from Council regarding the above items.

The Manager addressed the Council regarding the above items and announced he will be meeting with Village lobbyist, Mr. Mario Bailey, the first week in December.

Councilmember Moss addressed the Manager regarding the above items.

Director Ozyman addressed the Council reporting on a status update for the septic to sewer connections; two additional residences have connected since the last update given and there are 26 residences left to connect to the sewer system. Director Ozyman also reported on the County's enforcement for sewer connection.

Director Ozyman addressed the Council reporting on the Capital Improvement Projects. For 28 projects: 15 are in the planning stages, 3 are in design, 6 are in procurement, 2 are in permitting and 2 are in construction. Director Ozyman also reported that the Lake Park improvements are about 26% complete; also reported on the Paradise Park project moving forward and gave an update regarding the Beach Park project and announced a December 2, 2021 community engagement meeting.

There was discussion from Mayor Davey and Director Ozyman regarding landscaping contractor service issues.

The Manager addressed the Council regarding Stearright and the restructuring of the Manager's Report.

Councilmember Lauredo addressed the Manager regarding receiving the Manager's weekly update reports.

Mayor and Councilmembers. Councilmember Segurola made a motion that the Village retain Counsel to investigate every possible opportunity that the Village has to sue Miami-Dade County to stop the Rickenbacker RFP.

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

Councilmember Segurola withdrew his motion.

Councilmember Lauredo addressed the Council regarding concerns for traffic and speeding on the Rickenbacker Causeway requesting the Manager and Chief Sousa reach out to the City of Miami. There was no objection to this request.

Councilmember Segurola addressed the Attorney regarding the golf cart ordinance.

The Attorney addressed the Council regarding the golf cart ordinance.

Director Ozyman addressed the Council regarding golf cart access to Fernwood Road and in between the shopping centers.

Village Attorney. The Attorney did not submit a report.

Village Clerk. Pursuant to Section 2.02 (b) of the Village Charter, an election was held for the Vice Mayor's seat.

The Mayor opened the floor for nominations. Councilmember Caplan made a motion to nominate Councilmember Moss as Vice Mayor. The nomination was seconded by Councilmember McCormick.

Councilmember Caplan commended Vice Mayor London for a job well done.

There was discussion from Council regarding the above motion.

Councilmember Laredo made a motion to nominate Councilmember Segurola as Vice Mayor. Councilmember Segurola declined the nomination.

Vice Mayor London made a motion to nominate Councilmember Laredo as Vice Mayor. The nomination was seconded by Councilmember Segurola.

Vice Mayor London withdrew his motion.

The Caplan motion to nominate was approved by a 5-2 roll call vote. The vote was as follows: Councilmembers Caplan, McCormick, Moss, Vice Mayor London and Mayor Davey voting Yes. Councilmembers Laredo and Segurola voting No.

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

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

15. **ADJOURNMENT:** The meeting was adjourned at 9:53 p.m.

Respectfully submitted:

Jocelyn B. Koch
Village Clerk

Approved this _____ day of _____ 2021:

Michael W. Davey

Mayor

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



VILLAGE OF KEY BISCAIYNE

MEMORANDUM

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

DATE: December 7, 2021
TO: Honorable Mayor and Councilmembers
FROM: Steven C. Williamson, Village Manager
RE: Age Friendly Initiative

Village Manager
Steven C. Williamson

RECOMMENDATION

I recommend that the Village Council approve the Resolution authorizing the Village to take the necessary steps for the Village of Key Biscayne to become an Age-Friendly Community. The steps include submitting an application to join the AARP Network of Age-Friendly Communities and the World Health Organization Global Network of Age-Friendly Cities and Communities, organize stakeholders, and conduct needs assessments.

BACKGROUND

Miami-Dade County has the largest population of older adults in the State of Florida with over half a million adults aged 60 and over in the County; and that population is expected to continue to grow over 800,000 by 2040, representing 25% of the total population of Miami-Dade County. How well Miami-Dade and the Village of Key Biscayne responds to the aging phenomenon and meets the needs of older adults will depend on how well we prepare our communities to do so, and how we can work collectively toward sustainable change to ensure our community is a place where people of all ages can live with quality of life that they need and deserve.

The Miami-Dade County Age-Friendly Initiative is a collaborative effort focused on sustainable changes and efforts in order to create a community where older adults of all ages can stay active, engaged, and healthy with dignity and enjoyment.

The benefits of joining the Network include, but are not limited to, access to a global network of participating communities and public recognition of the Village of Key Biscayne's efforts to become more age friendly.

RESOLUTION NO. 2021-_____

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

WHEREAS, the AARP Network of Age-Friendly Communities (the "AARP Network") is an affiliate of the World Health Organization's (WHO) Global Network of Age-Friendly Cities and Communities, an international effort launched in 2006 to help cities prepare for rapid population aging and the parallel trend of urbanization; and

WHEREAS, the AARP Network helps participating communities become great places for all ages by adopting such features as: safe, walkable streets; better housing and transportation options; access to key services; and opportunities for residents to participate in community activities; and

WHEREAS, the benefits of joining the AARP Network include, but are not limited to: access to key information about best practices among age-friendly communities; access to a global network or participating communities; and public recognition of the Village of Key Biscayne ("Village") for its commitment to becoming a more age-friendly community; and;

WHEREAS, well-designed, livable communities promote health and sustain economic growth, and they make for happier, healthier residents of all ages; 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. **Village Council Support.** The Village Council hereby expresses its support for the initiatives and opportunities of the AARP Network.

Section 3. **Approval.** The Village Council hereby approves the Village's enrollment into the AARP Network.

Section 4. **Authorization.** The Village Manager is hereby authorized to take any and all steps necessary to

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

PASSED and ADOPTED this _____ day of _____, 2021.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

FOR IMMEDIATE RELEASE
February 22, 2017

Media Contacts:

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VFunes@aarp.org • 786-804-4507

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United Way of Miami Dade • Yanet Obarrio Sanchez
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Urban Health Partnerships • Andrea Iglesias
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Miami-Dade County Accepted Into Global Network of Age-Friendly Communities Becoming 5th Largest Community in the United States Committing to Becoming an Age-Friendly Place to Grow Up and Grow Old



MIAMI (Wednesday, February 22, 2017) — Miami-Dade County and the Miami-Dade Age-Friendly Initiative received a certificate today from AARP Florida accepting them into the Network of Age-Friendly Communities, a network of over 380 cities and communities around the world that are committed to promoting greater health, well-being, and quality of life for people of all ages.

Miami-Dade County is home to the largest population of older adults age 60 and over in Florida, more than half a million, with that number expected to rise to over 800,000 by 2040. The Age-Friendly designation, presented this morning to Miami-Dade by the AARP in affiliation with the World Health Organization (WHO), makes Miami-Dade County the fifth largest community, and one of only a few counties, in the United States to join the global network.

"Older adults are an important part of our diverse, world-class community," said Miami-Dade County Mayor Carlos A. Gimenez. "Joining this network shows that we remain committed to working with our many community partners to continue making Miami-Dade County a place where our 2.7 million residents can enjoy every phase of their lives to the absolute fullest."

The Miami-Dade Age-Friendly Initiative is comprised of a diverse group of stakeholders, including executives from non-profit organizations, funding agencies, policy makers, academia, and personnel from key County departments. It seeks to enhance the Domains of Livability outlined by the WHO locally with a collective goal of creating a Miami-Dade where older adults can stay active, engaged, and healthy with dignity and enjoyment. These domains include: outdoor spaces and buildings, transportation, housing, social participation, respect and social inclusion, civic participation and employment, communication and information, community support and health services.

Launched in 2012 through a grant from Grantmakers In Aging to the Health Foundation of South Florida, the efforts have expanded and catalyzed into a collaborative, collective impact initiative. Today, the Initiative is being led by a diverse group of partners including AARP Florida, the Alliance for Aging, Health Foundation of South Florida, Miami-Dade County, Miami-Dade Metropolitan Planning Organization, United Way of Miami-Dade, and Urban Health Partnerships along with an advisory committee of key stakeholders and community members.

Focused on building momentum, implementing strategies, and building awareness around the needs of our aging population, some of the Initiative's accomplishments include: developing age-friendly parks standards; working with partners to make age-friendly changes to the County's Comprehensive Development Master Plan and Miami-Dade Metropolitan Planning Organization's Long Range Transportation Plan; empowering older adults in Little Havana to identify changes needed to improve safety within their neighborhood; drafting an Action Plan with community partners; and developing an awareness and educational campaign including a summit and workshops about the importance of focusing on the needs of older adults and making communities age-friendly.

This designation empowers the work to go further as we connect Miami-Dade to a global network of like-minded communities who can share strategies, resources, and insight into making places livable for all ages. Now that Miami-Dade has officially been accepted into the network, the Initiative will kick off its next phase with a survey that will inform the expansion and finalization of an Action Plan for continued age-friendly efforts in the County.

Learn more by following the Initiative on Twitter at @AgeFriendlyMIA or on the website at www.AgeFriendlyMiami.org or join the conversation with the hashtag #AgeFriendlyMiami.

###

About the Miami-Dade Age-Friendly Initiative

The Miami-Dade Age-Friendly Initiative is a collaborative effort with a collective goal of creating a Miami-Dade where older adults can stay active, engaged, and healthy with dignity and enjoyment. Today, the Initiative is led by a Leadership Committee and coordinating agencies that include: AARP Florida, the Alliance for Aging, Health Foundation of South Florida, Miami-Dade County, Miami-Dade Metropolitan Planning Organization, United Way of Miami-Dade, and Urban Health Partnerships. The Initiative is also comprised of an Advisory Committee made up of traditional and non-traditional stakeholders across multiple sectors who recognize the value and need for an age-friendly Miami-Dade.

About the AARP Network of Age-Friendly Communities

The AARP Network of Age-Friendly Communities is an affiliate of the World Health Organization's Age-Friendly Cities and Communities Program, an international effort launched in 2006 to help cities prepare for rapid population aging and the parallel trend of urbanization. AARP became the United States affiliate in 2012. 145 communities (and counting), from Texas to Michigan, from Honolulu to Washington, D.C. -- representing more than 61 million people, have joined the AARP Network of Age-Friendly Communities.

About the WHO Global Network of Age-friendly Cities and Communities

The WHO Global Network of Age-friendly Cities and Communities began in 2006 and has grown to include cities and communities from 37 countries around the world, serving more than 130 million people. Other age-friendly communities have successfully researched, designated, and implemented intergenerational approaches to make life better for their residents, including enhancements like additional seating for older riders on public transit, housing for older residents located in close proximity to services and amenities, technology training sessions provided by younger residents for seniors, and training for family caregivers.

ORDINANCE NO. 2021-_____

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

WHEREAS, the Village Council of the Village of Key Biscayne ("Village") desires to standardize provisions relating to advisory board administration and board member requirements for all Village boards created pursuant to Section 2-10, "Advisory Boards" of the Village Code of Ordinances; 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. Amending Section 2-10, "Advisory Boards" of the Village Code. That Section 2-10, "Advisory Boards" of the Code of Key Biscayne, Florida, is hereby amended to read as follows:

CHAPTER 2 – ADMINISTRATION

Article I. – IN GENERAL

Section 2-10. - Advisory Boards.

- (a) Pursuant to Village Charter Section 4.12, the Village Council shall establish such advisory boards, committees, bodies (the "boards") as it may deem advisable. All boards so established shall serve only in an advisory capacity to the Village Council and report directly to the Village Council and ~~not to~~ inform the Village Manager. Unless otherwise provided by law, appointees to all boards shall serve at the pleasure of the Village Council. Appointees may be removed from their appointive position upon motion of the Mayor or any member of the Village Council and upon vote of removal by a majority of the members of the Village Council. If directed by the Village Council, the Village Manager shall assign

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.

a Village staff liaison to each board to provide information, guidance, and such other assistance that may be necessary for the board. No board or board member shall direct or interfere with a Village staff liaison's full-time employment duties.

- (b) Pursuant to Village Charter Section 2.02(a), the Mayor shall appoint members of the boards with the approval of the Village Council. Pursuant to Section 4.02(c) of the Village Charter, no Councilmember shall hold any appointive office on any board. However, Councilmembers may serve on such board only as an ex officio, non-voting member if provided by the ordinance establishing the board. Further, it is recognized that the restrictions upon Councilmembers as described above in this paragraph (b), are not applicable to committees of the Council which are composed solely of two or more members of the Village Council, since Section 2.02(a) of the Charter authorizes the Mayor to name committees of the Council.
- (c) Pursuant to Section 4.03(1) of the Village Charter, boards shall be established, altered or abolished by ordinance adopted by the Village Council. The ordinance establishing the specific board may provide for the board to serve for a perpetual or indefinite term or may provide for the board to serve for a limited duration and ~~may~~ shall include an appropriate sunset provision.
- (d) The ordinance which establishes the specific board shall provide for the number and qualification of board members, the procedure for nominating board members, the length of term of office of board members, rules of procedure for the board, and the duties and responsibilities of the board, and such other matters determined to be appropriate by the Village Council. Notwithstanding the foregoing, in no event shall: (i) the membership of any board exceed seven members; and (ii) board members be appointed for a term of office greater than two years. However, board members may be reappointed to additional terms of office by the Mayor for a maximum of eight years, subject to Village Council approval. Existing board members that have served eight consecutive years as of December 7, 2021, may be reappointed for one additional two year term. ~~The membership requirement shall apply retroactively to all boards, with the exception of the 2040 Strategic Vision Plan Board. After the expiration of terms for the initial members of the 2040 Strategic Vision Plan Board, the board shall consist of no more than seven members.~~
- (e) Unless otherwise provided by the ordinance which establishes a specific board, board reports which are presented to the Council shall include the following components:
- (1) *Name.* The name of the board making the report, a listing of officers, an attendance table including members and any other person(s) who attended the meetings, all agendas, minutes, staff reports, and any other documents that were reviewed by the board. This information may be compiled in a separate document.
 - (2) *Methodology.* The report shall include a description of the way in which the board undertook its charge.
 - (3) *Facts found.* The report shall include the facts uncovered or information obtained.
 - (4) *Recommendations.* The report shall include the recommendations of the board, preferably in a form suitable for framing of a motion for the Village Council to consider.
 - (5) *Timing of report.* Boards shall submit an annual progress report to the Village Council at the first Council meeting in December of each year. The annual progress report shall

include a listing of the boards' work program for the following calendar year. The boards' work program shall be subject to approval by the Village Council. Those boards of limited duration which have completed their work prior to the December timeframe set forth above, shall earlier present their report to the Council once their assigned work has been completed. In addition, the ~~Chair~~ Chairperson or designated member(s) of each board shall provide a quarterly verbal report to the Village Council which addresses the progress that the board has made in completing the board's work program. The quarterly progress reports shall be presented at the first Village Council meeting in each of the following months: March, June and September. The annual progress report in December shall serve as the progress report for that quarter. As background information for the quarterly reports of the board, Village staff shall provide the Village Council with an attendance chart of the board, board agendas, board minutes, the yearly work program of the board, and a list of the accomplishments that the board has achieved during the prior quarter.

(6) *Signatures.* All members of the board who concur with the report must sign the report. The ~~chair~~ Chairperson may sign the report only if a majority of the members of the board approve the report and authorize the ~~Chairman~~ Chairperson to sign. Those members who do not concur with the report shall be listed as dissenting members. The dissenting members may submit their own report(s) in the same format as presented above.

(7) *Resolution.* The board's report may include a proposed resolution for consideration by the Village Council as a vehicle for adopting the recommendations of the board.

- (f) The public and board members shall be given notice at least 48 hours prior to any special board meetings. Generally, at least ~~three~~ seven days notice shall be given to the public and board members of regular board meetings. The public shall be notified of board meetings by posting at Village Hall. The public notice shall advise of the potential for attendance of one or more Village Council members at the meeting of the board. Village staff shall notify board members of board meetings by telephone or mail or fax or email or hand delivery. A written agenda shall be prepared and distributed by assigned Village staff liaison for each board meeting. Special board meetings may be called by the ~~Chairman~~ Chairperson or by a majority of the board members. All board proceedings shall comply with F.S. § 286.011 (the "Sunshine Law"). Written minutes shall be promptly prepared and kept of all board meetings and shall be submitted to the Village Clerk who shall be responsible for the preservation of such minutes. The Village staff liaison, or in the absence of a Village staff liaison, the board Secretary, that is assigned to a board is shall be responsible for preparing and forwarding the minutes to the Village Clerk.
- (g) Unless otherwise provided by the ordinance which created the board, members of boards who are absent from three regularly scheduled meetings of the board in any one calendar year shall be automatically removed from the board. Each board shall determine which meetings are considered as the "regularly scheduled meetings". Board members who are removed through this process may be reappointed by the Mayor subject to approval of the Village Council.

- (h) ~~Unless prohibited by Article II, Section 5(a) of the Florida Constitution (the dual office holding prohibition), a person~~ Board members must be residents of the Village and may only serve on more than one board.
- (i) A board has no power to discipline its members for improper conduct related to its proceedings. Any such incident of misconduct ~~shall~~ may be reported to the Village Clerk, who shall report the incident to the Village Council. This shall not diminish the authority of the board ~~Chairman~~ Chairperson to maintain order at meetings.
- (j) Unless otherwise provided in the ordinance which established the board, a majority of the board members shall constitute a quorum. No business shall be conducted unless a quorum is present, other than by a committee of the whole process which may be invoked when a quorum fails to attend a regular meeting. Any vote by the committee of the whole shall be preliminary and non-binding and shall be subject to subsequent ratification by a quorum of the board at a duly held meeting.
- (k) A board may adopt rules of procedure governing its conduct which do not conflict with either the fundamental parliamentary procedures of Roberts Rules of Order or with this section. Each board shall appoint a Chairperson, Vice Chairperson and Secretary who may engage in discussions, make motions and vote on items before the board in the same manner as other board members. This section shall prevail over any conflicting provision of Roberts Rules of Order.
- (l) The Village Clerk shall keep current records of board membership, including records of each board member's term, contact information, and resume, if applicable. The Village Clerk shall notify the Village Council when a board vacancy is created and when ninety days remain on a board member's term. Upon a board member resigning, the board member shall immediately inform the Village Clerk of their resignation.
- ~~(m) No person that is a relative of a Councilmember may be appointed to a board. Any existing board member serving on a board that is a relative of a Councilmember shall be permitted to serve until the expiration of their term, but may not be reappointed thereafter. For purposes of this subsection, the term "relative" means an individual who is related to the Councilmember as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.~~
- ~~(n) No person shall serve on a board who is registered as a lobbyist in the Village or who is an owner, officer, or director of a business entity that is in a contractual relationship with the Village.~~

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

Section 4. Codification. That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the

Village's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

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

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

PASSED on first reading on the _____ day of _____, 2021.

PASSED AND ADOPTED on second reading on the _____ day of _____, 2021.

MICHAEL W. DAVEY
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

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



VILLAGE OF KEY BISCAIYNE

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Frank Caplan

Luis Lauredo

Allison McCormick

Edward London

Ignacio J. Seguro

Village Manager

Steven C. Williamson

MEMORANDUM

DATE: December 7, 2021

TO: Honorable Mayor and Councilmembers

FROM: Steven C. Williamson, Village Manager

RE: Purchase of One (1) Public Works Vehicle, and One (1) Building, Zoning and Planning Vehicle

RECOMMENDATION

I recommended that Village Council approve the attached Resolution authorizing the purchase of two vehicles in an amount not to exceed \$52,111. These vehicles represent a fleet increase and include a Chevrolet Bolt (EV) that will be utilized in the Building, Zoning and Planning Department for Code Compliance and a Ford Ranger that will be utilized in the Public Works Department. Funding in the amount of \$300,000 is appropriated in the FY22 amended Capital Improvement Plan (CIP) Budget for Vehicles. The net fleet increase is necessary because the vehicles will be utilized by additional staff positions authorized in the FY22 budget that require use of a vehicle to complete their daily tasks.

BACKGROUND

Quotes for the requested vehicles are attached as Exhibit A. The Ford Ranger will be used by the new Public Works Superintendent. This position is responsible for oversight of a wide variety of public works maintenance activities, including responding to emergency and service calls. In the performance of their duties, they may be picking up debris, driving through flooded terrain, towing carts or vehicles, or performing other tasks requiring a higher clearance vehicle with a bed. Pricing was requested for both a Ford Ranger and a Ford F-150. The Ranger was the lower priced option and had a faster lead time.

The Chevrolet Bolt will be utilized by a second Code Compliance Officer, a newly hired position authorized in the 21-22 budget. This position is responsible for Village-wide code education and enforcement, which involves (but not limited to) the use of a laptop computer and camera equipment, creating and filing reports. Due to the nature of the work to be performed in this function and the mandated Village-wide travel, an acceptable mode of transportation that accommodates working in a variety of weather conditions is critical. Additionally, the ability to store and manage work-related equipment will be critical to this individual's day-to-day tasks.

Staff reviewed several small vehicle options and determined that the Chevrolet Bolt proved to be the best value for the cost. The City of Coral Gables currently has a total of 65 electric vehicles in its fleet, which consists of 53 Nissan Leafs/Chevy Bolts and 12 GEM Electric Vehicles for ~~our~~ neighborhood safety aides.

The Village received a quote from GEM of Miami for a 2022 Model E2 car for \$20,852, as compared to \$28,907 for a 2022 Chevy Bolt. Despite the GEM E2 being cheaper than Chevy Bolt, the GEM E2 lacks



VILLAGE OF KEY BISCAYNE

driving range per charge, limited space and storage for equipment, lack of air conditioning, and most importantly safety.

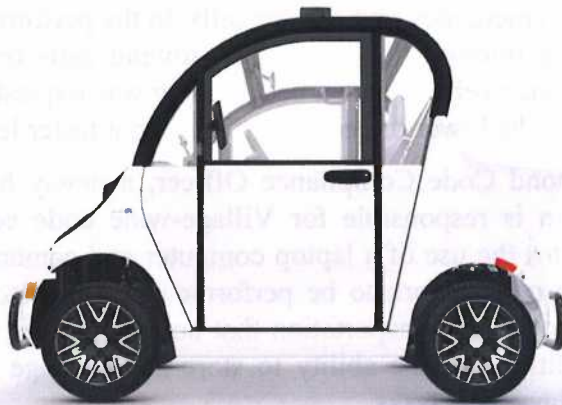
Staff therefore recommends Council approve the purchase of the Chevrolet Bolt because it provides the best option for its value and remains the most environmentally friendly vehicle option.

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



Chevy Bolt

GEM® e2
1. MODEL 2. COLOR 3. CHASSIS 4. ACCESSORIES



GEM E2

RESOLUTION NO. 2021-_____

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

WHEREAS, the Village of Key Biscayne ("Village") is in need of two new vehicles to facilitate the provision of the Village's day-to-day operations; and

WHEREAS, specifically, the Village desires to purchase one Chevrolet Bolt (EV) for the Building, Zoning and Planning Department and one Ford Ranger for the Public Works Department (collectively, the "Vehicles"); and

WHEREAS, the type of purchase contemplated by the Village has been competitively bid by Sourcewell, a service cooperative created by the Minnesota legislature as a local unit of government, which has entered into Sourcewell Contract Nos. 120716-NAF and 060920-NAF ("Sourcewell Contracts") with Alan Jay Automotive Management, Inc. d/b/a Alan Jay Fleet Sales, as an approved associate dealer of National Auto Fleet Group, (the "Vendor"); and

WHEREAS, in accordance with Section 2-86 of the Village's Code of Ordinances, the Village Council seeks to authorize the Village Manager to purchase the Vehicles from the Vendor consistent with the Sourcewell Contracts and the Vendor's quotes, attached hereto as Exhibit "A" (the "Quotes"), as the pricing offered pursuant to the Sourcewell Contract is in the Village's best interest; and

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

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

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

Section 2. Approval of Purchases. The Village Council hereby approves the purchase of the Vehicles from the Vendor.

Section 3. Authorization for Purchase of Vehicles. The Village Council hereby authorizes the Village Manager to make the Vehicle purchase consistent with the terms and conditions of the Sourcewell Contracts and the Quotes attached hereto as composite Exhibit "A," in an amount not to exceed \$52,111.00.

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

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

PASSED and ADOPTED this ____ day of _____, 2021.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

EXHIBIT A



Awarded Contract

Call Us first, for all of your Fleet Automotive, & Light Truck needs.

Quote

PHONE (800) ALANJAY (252-6529)		DIRECT 863-385-9610	WWW.ALANJAY.COM	33432-1
Corporate Office	2003 U.S. 27 South	MOBILE 904-838-4999	Mailing Address	P.O. BOX 9200
	Sebring, FL 33870	FAX 863-402-4221		Sebring, FL 33871-9200

ORIGINAL QUOTE DATE
9/28/2021

QUICK QUOTE SHEET

REVISED QUOTE DATE
9/28/2021

REQUESTING AGENCY	KEY BISCAYNE, VILLAGE OF		
CONTACT PERSON	JAKE OZYMAN	EMAIL	jozyman@keybiscayne.fl.gov
PHONE	305-365-7568	MOBILE	954-649-9322
		FAX	

SOURCEWELL (FORMERLY NJPA) CONTRACT # 2022 120716-NAF & 060920-NAF www.NationalAutoFleetGroup.com

MODEL	R1E 100A	MSRP	\$26,265.00
2022 FORD RANGER SUPER CAB 2WD XL 6' BED			

CUSTOMER ID	BASE VEHICLE PRICE	\$21,749.00
BED LENGTH	6' BED	

** All vehicles will be ordered white w/ darkest interior unless clearly stated otherwise on purchase order.

FACTORY OPTIONS	DESCRIPTION	
YZ SH	EXTERIOR COLOR OXFORD WHITE WITH EBONY FRONT VINYL INTERIOR	\$0.00
99H 44U	Engine: 2.3L I-4 EcoBoost (99H) w/ 10-Speed Automatic Transmission: (44U) (STD RANGER)	\$0.00
153	FRONT LICENSE PLATE BRACKET	\$0.00
53R	Trailer Tow Package (Ranger)	\$490.00
67F	XL Power Equipment Group -inc: Perimeter Alarm, Remote Key Fob w/Tailgate Lock, Power Glass Sideview Mirrors	\$350.00
BUC	FACTORY BACK UP CAMERA(STD).	\$0.00

CONTRACT OPTIONS	DESCRIPTION	FACTORY OPTIONS	
NO-TEMP	TEMP TAG NOT REQUESTED, CUSTOMER WILL HANDLE THEIR OWN TAG WORK.		\$0.00
HD SOB SH	HD Scorpion spray on bed liner (short bed) under rail.		\$615.00

CONTRACT OPTIONS \$615.00

TRADE IN	VEHICLE TOTAL	\$22,589.00
	MSRP DISCOUNT	16.7%
	ACCESSORY TOTAL	\$615.00
	CUSTOMER PRICE	\$23,204.00

YES WE TAKE TRADE INS *** ASK ABOUT MUNICIPAL FINANCING *** \$0.00

TOTAL COST LESS TRADE IN(S) QTY 1 \$23,204.00

Estimated Annual payments for 60 months paid in advance: \$5,196.74
Municipal finance for any essential use vehicle, requires lender approval, WAC.

Comments

VEHICLE QUOTED BY CHRISTY SELF GOVERNMENT ACCOUNT MANAGER christy.self@alanjay.com

"I Want to be Your Fleet Provider"

I appreciate the opportunity to submit this quotation. Please review it carefully. If there are any errors or changes, please feel free to contact me at any time. I am always happy to be of assistance.



ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box (✔ Complete)



Note: Photo may not represent exact vehicle or selected equipment.

Window Sticker

SUMMARY

[Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box

MSRP: \$25,070.00

Interior: Ebony, Front Vinyl Bucket Seats

Exterior 1: Oxford White

Exterior 2: No color has been selected.

Engine: 2.3L EcoBoost

Transmission: Electronic 10-Speed SelectShift Auto

OPTIONS

CODE	MODEL	MSRP
R1E	[Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box	\$25,070.00
OPTIONS		
100A	Equipment Group 100A Standard	\$0.00
153	Front License Plate Bracket	\$0.00
44U	Transmission: Electronic 10-Speed SelectShift Auto	\$0.00
53R	Trailer Tow Package	\$495.00
64A	Wheels: 16" Silver Steel	\$0.00
67F	XL Power Equipment Group	\$355.00

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box (✔ Complete)

99H	Engine: 2.3L EcoBoost	\$0.00
SH	Ebony, Front Vinyl Bucket Seats	\$0.00
YZ	Oxford White	\$0.00
---	3.73 Axle Ratio	\$0.00
---	Tires: P255/70R16 A/S BSW	\$0.00
SUBTOTAL		\$25,920.00
	Adjustments Total	\$0.00
	Destination Charge	\$1,195.00
	TOTAL PRICE	\$27,115.00

FUEL ECONOMY

Est City:21 MPG

Est Highway:26 MPG

Est Highway Cruising Range:468.00 mi


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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box ( Complete)

Standard Equipment

Mechanical

- Engine: 2.3L EcoBoost -inc: auto start-stop technology (STD)
- Transmission: Electronic 10-Speed SelectShift Auto (STD)
- 3.73 Axle Ratio (STD)
- 50-State Emissions System
- Transmission w/Driver Selectable Mode
- Rear-Wheel Drive
- 70-Amp/Hr 700CCA Maintenance-Free Battery w/Run Down Protection
- 150 Amp Alternator
- Towing Equipment -inc: Trailer Sway Control
- Trailer Wiring Harness
- 1860# Maximum Payload
- GVWR: 6,050 lbs
- Gas-Pressurized Shock Absorbers
- Front Anti-Roll Bar
- Electric Power-Assist Speed-Sensing Steering
- 18 Gal. Fuel Tank
- Single Stainless Steel Exhaust
- Short And Long Arm Front Suspension w/Coil Springs
- Leaf Rear Suspension w/Leaf Springs
- 4-Wheel Disc Brakes w/4-Wheel ABS, Front Vented Discs, Brake Assist and Hill Hold Control

Exterior

- Wheels: 16" Silver Steel (STD)
- Tires: P255/70R16 A/S BSW (STD)
- Regular Box Style
- Steel Spare Wheel
- Full-Size Spare Tire Stored Underbody w/Crankdown
- Clearcoat Paint
- Black Front Bumper w/Black Rub Strip/Fascia Accent
- Black Rear Step Bumper

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box (✔ Complete)

Exterior

- Black Wheel Well Trim
- Black Side Windows Trim and Black Front Windshield Trim
- Black Door Handles
- Black Manual Side Mirrors w/Convex Spotter and Manual Folding
- Fixed Rear Window
- Light Tinted Glass
- Variable Intermittent Wipers
- Galvanized Steel/Aluminum Panels
- Black Grille
- Front License Plate Bracket
- Reverse Opening Rear Doors
- Tailgate Rear Cargo Access
- Manual Tailgate/Rear Door Lock
- Autolamp Auto On/Off Projector Beam Halogen Daytime Running Lights Preference Setting Headlamps w/Delay -Off
- Cargo Lamp w/High Mount Stop Light

Entertainment

- Radio w/Seek-Scan, Clock, Speed Compensated Volume Control, Aux Audio Input Jack and External Memory Control
- Radio: AM/FM Stereo -inc: Bluetooth pass thru and 1 USB port
- Streaming Audio
- Integrated Roof Antenna
- 4 Speakers
- 1 LCD Monitor In The Front

Interior

- Driver Seat
- Passenger Seat
- Removable Full Folding Bench Front Facing Fold-Up Cushion Rear Seat
- Manual Tilt/Telescoping Steering Column
- Gauges -inc: Speedometer, Odometer, Voltmeter, Oil Pressure, Engine Coolant Temp, Transmission Fluid Temp, Trip Odometer and Trip Computer

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box (Complete)

Interior

- Fixed Rear Windows
- FordPass Connect 4G Mobile Hotspot Internet Access
- Front Cupholder
- Rear Cupholder
- Compass
- Manual Air Conditioning
- HVAC -inc: Underseat Ducts
- Locking Glove Box
- Interior Trim -inc: Cabback Insulator and Chrome Interior Accents
- Full Cloth Headliner
- Urethane Gear Shifter Material
- Front Cloth Bucket Seats -inc: 8-way manual adjustable driver including lumbar, 6-way manual adjustable passenger and driver and passenger manual reclining seats
- Day-Night Rearview Mirror
- 3 12V DC Power Outlets
- Fade-To-Off Interior Lighting
- Full Vinyl/Rubber Floor Covering
- Pickup Cargo Box Lights
- Smart Device Remote Engine Start
- Tracker System
- Instrument Panel Bin, Dashboard Storage, Driver / Passenger And Rear Door Bins and 2nd Row Underseat Storage
- Power 1st Row Windows w/Driver 1-Touch Up/Down
- Delayed Accessory Power
- Power Door Locks
- Trip Computer
- Analog Appearance
- Manual w/Tilt Front Head Restraints and Manual Adjustable Rear Head Restraints
- Front Center Armrest
- Securilock Anti-Theft Ignition (pats) Engine Immobilizer

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Ford Ranger (R1E) XL 2WD SuperCab 6' Box (✔ Complete)

Safety-Mechanical

AdvanceTrac w/Roll Stability Control Electronic Stability Control (ESC) And Roll Stability Control (RSC)
ABS And Driveline Traction Control

Safety-Exterior

Side Impact Beams

Safety-Interior

Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Ford Co-Pilot360 - Pre-Collision Assist with Automatic Emergency Braking (AEB)
Collision Mitigation-Front
Tire Specific Low Tire Pressure Warning
Dual Stage Driver And Passenger Front Airbags
Safety Canopy System Curtain 1st And 2nd Row Airbags
Airbag Occupancy Sensor
Mykey System -inc: Top Speed Limiter, Audio Volume Limiter, Early Low Fuel Warning, Programmable Sound Chimes and Beltminder w/Audio Mute
Outboard Front Lap And Shoulder Safety Belts -inc: Height Adjusters and Pretensioners
Dynamic Hitch Assist Back-Up Camera

WARRANTY

Basic Years: 3
Basic Miles/km: 36,000
Drivetrain Years: 5
Drivetrain Miles/km: 60,000
Corrosion Years: 5
Corrosion Miles/km: Unlimited
Roadside Assistance Years: 5
Roadside Assistance Miles/km: 60,000

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Awarded Contract

Call Us first, for all of your Fleet Automotive, & Light Truck needs.

Quote

PHONE (800) ALANJAY (252-6529)		DIRECT 863-385-9610	WWW.ALANJAY.COM	33428-1
Corporate Office	2003 U.S. 27 South	MOBILE 904-838-4999	Mailing Address	P.O. BOX 9200
	Sebring, FL 33870	FAX 863-402-4221		Sebring, FL 33871-9200

ORIGINAL QUOTE DATE
9/28/2021

QUICK QUOTE SHEET

REVISED QUOTE DATE
9/28/2021

REQUESTING AGENCY	KEY BISCAYNE, VILLAGE OF		
CONTACT PERSON	JAKE OZYMAN	EMAIL	jozyman@keybiscayne.fl.gov
PHONE	305-365-7568	MOBILE	954-649-9322
		FAX	

SOURCEWELL (FORMERLY NJPA) CONTRACT # 2022 120716-NAF & 060920-NAF www.NationalAutoFleetGroup.com

MODEL	1FB48 1LT	MSRP	\$31,000.00
	2022 CHEVY BOLT EV		
CUSTOMER ID		BASE VEHICLE PRICE	\$28,377.00
BED LENGTH	WGN		

** All vehicles will be ordered white w/ darkest interior unless clearly stated otherwise on purchase order.

FACTORY OPTIONS	DESCRIPTION	
GAZ H02	EXTERIOR COLOR SUMMIT WHITE WITH DARK GALVANIZED/SKY COOL GRAY, DELUXE CLOTH SEAT TRIM	\$0.00
ENO	ENGINE, NONE.	\$0.00
MMF	ELECTRIC DRIVE UNIT, (200 HP [150 KW] 266 LB-FT OF TORQUE [360 N-M])	\$0.00
5XB	LPO, Charge cord, portable, 120-volt, additional	\$530.00
CPO	SEE ATTACHED PRINT OUT FOR COMPLETE VEHICLE DETAILS	\$0.00

CONTRACT OPTIONS	DESCRIPTION	FACTORY OPTIONS	
NO-TEMP	TEMP TAG NOT REQUESTED, CUSTOMER WILL HANDLE THEIR OWN TAG WORK.		\$0.00

CONTRACT OPTIONS \$0.00

TRADE IN	VEHICLE TOTAL	\$28,907.00
	MSRP DISCOUNT	11.1%
	ACCESSORY TOTAL	\$0.00
	CUSTOMER PRICE	\$28,907.00

YES WE TAKE TRADE INS ASK ABOUT MUNICIPAL FINANCING \$0.00

TOTAL COST LESS TRADE IN(S) QTY 1 \$28,907.00

Estimated Annual payments for 60 months paid in advance: \$6,473.98
Municipal finance for any essential use vehicle, requires lender approval, WAC.

Comments

VEHICLE QUOTED BY **CHRISTY SELF** GOVERNMENT ACCOUNT MANAGER christy.self@alanjay.com

"I Want to be Your Fleet Provider"

I appreciate the opportunity to submit this quotation. Please review it carefully. If there are any errors or changes, please feel free to contact me at any time. I am always happy to be of assistance.



ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (✔ Complete)



Note: Photo may not represent exact vehicle or selected equipment.

Window Sticker

SUMMARY

[Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT

MSRP: \$36,500.00

Interior: Dark Galvanized/Sky Cool Gray, Deluxe cloth seat trim

Exterior 1: Summit White

Exterior 2: No color has been selected.

Engine, none

Electric drive unit, (200 hp [150 kW] 266 lb-ft of torque [360 N-m])

OPTIONS

CODE	MODEL	MSRP
1FB48	[Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT	\$36,500.00
OPTIONS		
2LT	LT Preferred Equipment Group	\$0.00
5XB	LPO, Charge cord, portable, 120-volt, additional	\$535.00
AR7	Seats, front bucket	\$0.00
EN0	Engine, none	\$0.00
FE9	Emissions, Federal requirements	\$0.00
GAZ	Summit White	\$0.00

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (✔ Complete)

HO2	Dark Galvanized/Sky Cool Gray, Deluxe cloth seat trim	\$0.00
IOB	Audio System, Chevrolet Infotainment System	\$0.00
MMF	Electric drive unit, (200 hp [150 kW] 266 lb-ft of torque [360 N-m])	\$0.00
QBM	Tires, P215/50R17 all-season blackwall, Michelin Selfseal puncture-sealing	\$0.00
RNW	Wheels, 17" (43.2 cm) painted aluminum	\$0.00
VQ2	Fleet processing option	\$0.00

SUBTOTAL	\$37,035.00
Adjustments Total	\$0.00
Destination Charge	\$995.00
TOTAL PRICE	\$38,030.00

FUEL ECONOMY

Est City:N/A
 Est Highway:N/A
 Est Highway Cruising Range:N/A

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (Complete)

Standard Equipment

Mechanical

- Engine, none (STD)
- Electric drive unit, (200 hp [150 kW] 266 lb-ft of torque [360 N-m]) (STD)
- Final drive ratio, 7.05:1
- Front wheel drive
- Suspension, Performance ride and Handling
- Suspension, front independent
- Suspension, rear, semi-independent, compound crank
- Battery, 60 kWh, Propulsion, Lithium-ion, Rechargeable Energy Storage System
- Charge cord, 120-volt, portable
- Fuel, none
- Alternator, none
- Chassis, standard
- Electric Propulsion
- Electronic Precision Shift, electronic transmission range selector with Low selection for throttle off regenerative braking
- Regen on Demand, steering wheel paddle, regenerative braking
- Charging module, 7.2 kW high-voltage
- Battery, 12-volt with rundown protection
- Steering, power, non-variable ratio, electric
- Brakes, 4-wheel antilock, 4-wheel disc
- Keyless start, push button
- Brake, electronic parking
- Regen on Demand, steering wheel paddle, regenerative braking

Exterior

- Wheels, 17" (43.2 cm) painted aluminum (STD)
- Tires, P215/50R17 all-season blackwall, Michelin Selfseal puncture-sealing (STD)
- Recovery hook, front
- Recovery hook, rear
- Grille, high gloss Black

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (✔ Complete)

Exterior

- Headlamp control, automatic on and off
- Headlamps, high intensity discharge, low and high beam projector
- Lamp, center high-mounted stop/brake (CHMSL), LED
- Lamps, stop and tail, LED
- Mirrors, outside heated power-adjustable, Black, manual-folding
- Glass, solar absorbing
- Wipers, front intermittent, variable with washers
- Wiper, rear intermittent with washer
- Door handles, body-color
- Liftgate handle

Entertainment

- Audio System, Chevrolet Infotainment System with 10.2" diagonal LCD color touch-screen, AM/FM stereo with seek-and-scan and digital clock, includes Bluetooth streaming audio for music and select phones; voice command pass-through to phone; featuring Apple CarPlay and Android Auto capability for compatible phone (STD)
- Audio system feature, 6-speaker system
- Audio system feature, USB ports (2) and auxiliary input jack, located in front center console
- SiriusXM Radio enjoy an All Access trial subscription with over 150 channels including commercial-free music, plus sports, news and entertainment. Plus listening on the SiriusXM app, online and at home on compatible connected devices is included, so you'll hear the best SiriusXM has to offer, anywhere life takes you. Welcome to the world of SiriusXM. (IMPORTANT: The SiriusXM radio trial package is not provided on vehicles that are ordered for Fleet Daily Rental ("FDR") use. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. See the SiriusXM Customer Agreement at www.siriusxm.com for complete terms and how to cancel. All fees, content, features, and availability are subject to change.)
- 4G LTE Wi-Fi Hotspot capable (Terms and limitations apply. See onstar.ca or dealer for details.)
- Antenna, roof-mounted, shark-fin

Interior

- Seats, front bucket (STD)
- Seat trim, Deluxe cloth
- Seat adjuster, driver 6-way manual
- Seat adjuster, front passenger 6-way manual
- Head restraints, front, adjustable (up/down)

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (✔ Complete)

Interior

- Seat, rear 60/40 split-folding (Deleted when (K1T) Rear Seat Delete Package is ordered.)
- Head restraints, rear, outboard seats, articulating
- Console, floor with sliding armrest and covered storage
- Power outlet, auxiliary, located forward of the front storage bin
- Floor mats, carpeted front
- Floor mats, carpeted rear (Deleted when (K1T) Rear Seat Delete Package is ordered.)
- Steering column, tilt and telescopic
- Steering wheel, 3-spoke, deluxe
- Steering wheel controls, mounted audio, phone and cruise control
- Instrumentation, digital with mph speedometer
- Driver Information Center 8" diagonal enhanced multi-color configurable graphic display with 3 themes and energy-use monitors
- Outside temperature display located in the Driver Information Center
- Display, vehicle efficiency with programmable charge times
- Drive mode control switch (Normal and Sport)
- Charge control, programmable time of day with charging status indicator light on instrument panel
- Charge control, location based, selectable GPS enabled with programmable "home" charging setting
- Windows, power with driver Express-Up and Down
- Windows, power with front passenger Express-Down
- Windows, power with rear Express-Down
- Door locks, power programmable with lockout protection
- Lock control, liftgate, power remote lock/unlock
- Keyless Open, passive unlock and lock on all doors and liftgate
- Remote Keyless Entry, extended range with remote start, panic button and door lock/unlock functions
- Remote vehicle starter system includes Remote Keyless Entry
- Cruise control, electronic with set and resume speed
- Theft-deterrent system, electrical, unauthorized entry
- Theft-deterrent system, immobilizer
- Theft-deterrent alarm system, content theft alarm
- Remote panic alarm

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ALAN JAY FLEET

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Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (✔ Complete)

Interior

- Air conditioning, single-zone automatic climate control
- Air filter, cabin
- Sensor, cabin humidity
- Defogger, rear-window electric
- Heat ducts, rear (Deleted when (K1T) Rear Seat Delete Package is ordered.)
- Glovebox, passenger-side
- Cup holders, 2 front and 2 rear
- Mirror, inside rearview manual day/night
- Visors, driver and front passenger sliding vanity mirrors, covered
- Assist handles, 2, rear outboard with rear coat hooks
- Lighting, interior, ambient LED-based front reading lights, dome and incandescent cargo area lamp
- Lighting, ambient, LED-based door light pipes
- Shift knob, leather-trimmed with satin silver and chrome accents
- Storage, in front of shifter and driver and front passenger door panels
- Door handles, inside, chrome
- Charge cord, 120-volt, portable, NEMA 5 plug with SAE J1772 vehicle connection (Deleted when (K1T) Rear Seat Delete Package is ordered.)
- Cargo cover
- Storage, rear cargo area, intended for charging cord, covered
- Chevrolet Connected Access capable (Subject to terms. See onstar.com or dealer for details.)

Safety-Mechanical

- StabiliTrak, stability control system with Traction Control
- Pedestrian safety signal, automated external sound generator at low speeds alerts pedestrians of vehicle presence

Safety-Exterior

- Daytime Running Lamps, LED with signature lighting

Safety-Interior

Airbags, driver and front passenger dual-stage frontal includes Passenger Sensing System; roof-rail side-impact and thorax side-impact seat-mounted for front and rear outboard seating positions; driver and front passenger knee (Deleted when (K1T) Rear Seat Delete Package is ordered, replaced with (AYG) airbags. (Always use seat belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

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ALAN JAY FLEET

CHRISTY SELF | 863-385-9610 | CHRISTY.SELF@ALANJAY.COM

Vehicle: [Fleet] 2021 Chevrolet Bolt EV (1FB48) 5dr Wgn LT (✔ Complete)

Safety-Interior

OnStar and Chevrolet connected services capable (Terms and limitations apply. See onstar.com or dealer for details.)

HD Rear Vision Camera

Seat belts, 3-point, driver and front passenger includes pretensioners and load limiters

Seat belts, 3-point, rear outboard and center position

Restraint provisions, child, Isofix 2 point only, point/latch, includes 3 top tether points (Deleted when (K1T) Rear Seat Delete Package is ordered.

Seat belt indicator, driver

Seat belt indicator, front passenger

Door locks, rear child security

Teen Driver a configurable feature that lets you activate customizable vehicle settings associated with a key fob, to encourage safe driving behavior. It can limit certain vehicle features, and it prevents certain safety systems from being turned off. An in-vehicle report card gives you information on driving habits and helps you to continue to coach your new driver

Tire Pressure Monitor System, manual learn

Tire Fill Alert

WARRANTY

Warranty Note: <<< Preliminary 2021 Warranty >>>

Basic Years: 3

Basic Miles/km: 36,000

Drivetrain Years: 5

Drivetrain Miles/km: 60,000

Drivetrain Note: Qualified Fleet Purchases: 5 Years/100,000 Miles

Corrosion Years (Rust-Through): 6

Corrosion Years: 3

Corrosion Miles/km (Rust-Through): 100,000

Corrosion Miles/km: 36,000

Hybrid/Electric Components Years: 8

Hybrid/Electric Components Miles/km: 100,000

Roadside Assistance Years: 5

Roadside Assistance Miles/km: 60,000

Roadside Assistance Note: Qualified Fleet Purchases: 5 Years/100,000 Miles

Maintenance Note: 1 Year/1 Visit

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VILLAGE OF KEY BISCAIYNE

Village Council

Michael W. Davey, Mayor

Brett Moss, Vice Mayor

Frank Caplan

Luis Lauredo

Edward London

Allison McCormick

Ignacio J. Seguro

Village Manager

Steven C. Williamson

MEMORANDUM

DATE: December 7, 2022

TO: Honorable Mayor and Councilmembers

FROM: Steven C. Williamson, Village Manager

RE: Term Extension for the 2040 Strategic Vision Plan Board

RECOMMENDATION

I recommend that the Village Council approve the term extension of the 2040 Strategic Vision Plan Board through September 30, 2022.

BACKGROUND

On January 15, 2019, the Village of Key Biscayne Council adopted an ordinance creating the 2040 Strategic Vision Plan Committee. Shortly thereafter, the Committee was renamed to the 2040 Strategic Vision Plan Board. The ordinance was created with the intent to provide the Council with a final report and recommendations on the 2040 Strategic Vision Plan.

With the rise of the pandemic, the Board was faced with delays in meeting and moving forward with the Strategic Vision Plan. As such, on January 26, 2021, the Vision Board's term was extended until January 15, 2022 to facilitate the Board's efforts of completing the final Strategic Vision Plan.

As the January 15, 2022 deadline approaches and with 60 percent of the project's scope deliverables having been met, the remaining 40 percent of the work needed to complete the final Vision Plan will require additional time. The remainder of the work needed is comprised of the public workshops otherwise known as the charrettes which are scheduled to take place in February . The charrettes will provide the key element in the drafting of the Strategic Vision Plan document. The Board and Village staff will review the draft report which will then be presented to the Village Council for review, consideration, and adoption of of the Final Strategic Vision Plan document.

Recommendation:

The Board continues to perform its functions in an effort to deliver its final report and as such it is recommended that the Council approve the term extension of the 2040 Strategic Vision Plan Board through September 30, 2022.

RESOLUTION NO. 2021- _____

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

WHEREAS, on January 15, 2019, the Village of Key Biscayne (“Village”) Council adopted Ordinance No. 2019-2 (“Ordinance”) creating the 2040 Strategic Vision Plan Committee; and

WHEREAS, pursuant to Ordinance No. 2019-4, the 2040 Strategic Vision Plan Committee was renamed to the 2040 Strategic Vision Plan Board (the “Board”); and

WHEREAS, on January 26, 2021, the Village Council adopted Resolution No. 2021-06, extending the term of the Board through January 15, 2022; and

WHEREAS, the Board continues to perform its functions in an effort to deliver its final report; and

WHEREAS, the Village Council desires to further extend the term of the Board from January 15, 2022, through September 30, 2022, so that the Board may complete its work and dissolve upon the expiration of the term of the Board or upon delivery of a final report to the Village Council, whichever comes first; and

WHEREAS, the Village Council finds that the adoption of 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. Extending Board Term. The Board is extended from January 15, 2022, through September 30, 2022. The Board shall complete its work and dissolve upon the expiration of its term or upon delivery of a final report to the Village Council, whichever comes first, unless extended by further resolution of the Village Council.

Section 3. Implementation. That the Village Council hereby authorizes the Village Manager to take any and all action which is reasonably necessary to implement the purpose of this Resolution.

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

PASSED and ADOPTED this _____ day of _____, 2021.

ATTEST:

MICHAEL W. DAVEY, MAYOR

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

RESOLUTION NO. 2021-_____

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

WHEREAS, on March 3, 2021, Miami-Dade County received an unsolicited proposal for the design, build, finance, operation and maintenance of the Rickenbacker Causeway and the Venetian Causeway, including the development of parkland and beachfront along the Rickenbacker Causeway; and

WHEREAS, on July 8, 2021, the Board of County Commissioners (the "County Commission") adopted Resolution No. R-648-21 to accept the unsolicited proposal and to approve the issuance of a competitive solicitation for the same project purpose as set forth in the unsolicited proposal; and

WHEREAS, on August 15, 2021, the County's administration issued a competitive solicitation (RFP No. 01982) for the design, build, finance, operation and maintenance of the Rickenbacker Causeway and the Venetian Causeway, including the development of parkland and beachfront along the Rickenbacker Causeway (the "RFP"); and

WHEREAS, the Village of Key Biscayne (the "Village") is uniquely affected by the RFP given that the Rickenbacker Causeway is its sole means of access to and from the mainland; and

WHEREAS, on September 30, 2021, the Village Council adopted Resolution 2021-44 respectfully requesting that the County Mayor and/or County Commission immediately rescind the RFP and begin a new collaborative public process with all stakeholders; and

WHEREAS, on October 5, 2021, the County Commission adopted Resolution R-942-21 removing the Venetian Causeway in its entirety from the RFP and extending the time for submittal of proposals to allow for adjustments to the RFP and sufficient time to complete and review the Value for Money (VfM) Financial Assessment; and

WHEREAS, the County engaged IMG Rebel Advisory, Inc. to perform the VfM Assessment analyzing both the project delivery and financing options for the Rickenbacker Causeway project and evaluating the delivery model offering the best “value for money” (the “IMG Report”); and

WHEREAS, on November 19, 2021, the County Mayor issued a memorandum entitled “Report Providing the Value for Money Assessment and Executive Report for the Rickenbacker Causeway,” which summarized the strategic procurement options to further ensure “value for money” for the public and offered an option to cancel the procurement and restart a new iterative procurement; and

WHEREAS, the IMG Report concluded that cancelation of the RFP allows for greater optimization of the project’s “value for money” because the procurement process has already been started, which would make significant changes to the RFP more difficult to achieve; and

WHEREAS, on November 23, 2021, County Commissioner Regalado issued a memorandum regarding the “Response to the VfM report on the Rickenbacker Causeway RFP,” which provided that after “reviewing the facts and feedback that have brought us to this point in time, my request is to cancel this procurement and start over;” and

WHEREAS, Commissioner Regalado in her memorandum further provided that she would advocate that the County Mayor create a working group of key stakeholders to flesh out the priorities and develop a detailed survey of all the elements to be considered for the project with the most critical public safety element being the Bear Cut Bridge; and

WHEREAS, the Village Council would like to confirm that it supports Commissioner Regalado's request that: (1) the County Commission cancel the RFP and refresh the process by starting over to align the project with critical priorities and enable creative solutions; and (2) the County Mayor establish a working group of key stakeholders to define and develop priorities for the redevelopment of the Rickenbacker Causeway with the most critical public safety element being the Bear Cut Bridge; and

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

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

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

Section 2. **Support.** The Village Council supports Commissioner Regalado's request that: (1) the County Commission cancel the RFP and refresh the process by starting over to align the project with critical priorities and enable creative solutions; and (2) the County Mayor establish a working group of key stakeholders to define and develop priorities for the redevelopment of the Rickenbacker Causeway with the most critical public safety element being the Bear Cut Bridge.

Section 3. **Transmittal.** The Village Council hereby directs the Village Clerk to transmit this Resolution to the Clerk of the County Commission and the County Mayor.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2021.

MICHAEL W. DAVEY, MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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



VILLAGE OF KEY BISCAIYNE

MEMORANDUM

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

DATE: December 7th, 2021
 TO: Honorable Mayor and Councilmembers
 FROM: Steven C. Williamson, Village Manager
 RE: Manager's Report

Village Manager
Steven C. Williamson

Section 1: Safe and Secure Village

a) Community policing program update (Police Chief Frank Sousa)

The Key Biscayne Police Department continues to introduce and refine our new community resource program to the Village. This initiative focuses on enhancing our community partnerships and elevating our exceptional service throughout the Village. Patrol officers work in conjunction with our community resource unit to collectively address any school matters, safety programs, and community initiatives.

The Community Resource Unit is committed to bridging gaps between the police department and the community. As preparations continue for the deployment of this unit, the Key Biscayne Police Department began its initiatives to work with the community and enhance its presence. The presence throughout the Village will be deliberate and visible by our community.

- The KBPD is working in conjunction with the Chamber to host several events at various locations throughout the village. Brunch with a Cop was hosted on November 18th and we have future events planned to interact with our business and community representatives.
- Police, Fire, and Village Communications introduced the “Key to Street Safety” program in early November. This initiative focuses on pedestrian, bicycle, and golf cart safety. The campaign is on-going, and its focus is to educate and inform all residents, guests, and visitors.
- The KBPD implemented two separate operations plans during the holiday season from mid-November to January. One plan focuses on traffic safety and the second focuses on holiday crime suppression.
- The Key Biscayne Police Department is reading inside of classrooms and meeting with athletic coaches throughout the Village. The goal is to humanize the badge, develop long-lasting relationships with our youth, and deter any juvenile disorder.



VILLAGE OF KEY BISCAIYNE

**** Please note that this is just a preliminary vision into what the program will be focusing on until we continue our collaboration between the Community, Village Administration, & our Community Resource Officers. ****

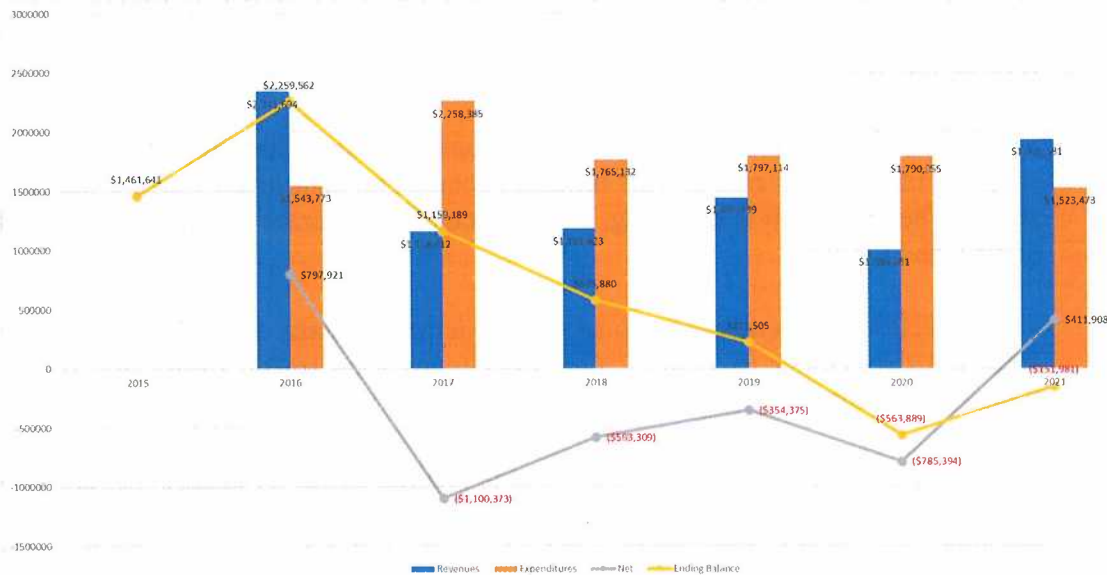
Section 2: Thriving and Vibrant Local Community and Marketplace

a) Building & Zoning fee structure (PW Director Jake Ozyman)

Prior to 2017, the building fee schedule required a fee of \$0.70 per sq. ft. for new construction including additions, and \$0.07 per \$1.00 estimated value of construction (7%) for alternations and repairs. With this fee schedule, on September 30, 2016, the Building Department’s reserves were \$2,259,562.

On February 21, 2017, a resolution was approved to change the 7% of construction value to \$0.70 per square foot with a minimum fee of \$100; maximum of 1% of total cost of work, and \$10,000 cap for any project (*Exhibit 2A, February 21, 2017 Meeting Minutes*). The Council also approved to retain a consultant to perform an independent study to evaluate the fee schedule. FY 2017 ended with \$1,159,189 in reserves (a reduction of \$1,100,373 due to the lowered fees).

The Village then retained JRD & Associates, Inc. (JRD) to conduct a permit fee analysis to examine and assess permit fees, and to evaluate the actual cost of the services provided by the Building, Zoning, and Planning (BZP) Department. The permit fee schedule recommended by JRD was adopted on April 10, 2018 and is currently in effect (*Exhibit 2B, Permit Fee Analysis, JRD & Associates*). Reserves continued to diminish in the following fiscal years and FY 2020 ended with a negative reserve of \$-563,889 in (Figure 1, Expenditure/Revenue Histogram).





VILLAGE OF KEY BISCAIYNE

Figure 1 – Expenditure/Revenue Histogram

In FY 2021, the department experienced a 30% increase in permit activity in comparison to FY 2019, and 58% increase in the average construction value per permit (see Figure 2 – FY2019/FY2021 Comparison). Increase in the average construction value per permit was justified by the proper application of the suggested fee schedule, holding contractors responsible and truthful on actual value of construction, and an increase in construction costs.

FY 2019				
	Permit Quantity	Square Footage	Valuation	Fees
Single Family & Duplex	341	107,969	\$20,259,861	\$466,895
Multifamily & Commercial	605	273,785	\$29,799,698	\$660,041
Total	946	381,754	\$50,059,559	\$1,126,936

FY 2021				
	Permit Quantity	Square Footage	Valuation	Fees
Single Family & Duplex	475	416,975	\$44,535,553	\$668,455
Multifamily & Commercial	758	1,249,141	\$54,076,586	\$1,113,780
Total	1,233	1,666,116	\$98,612,139	\$1,782,235

Figure 2 – FY2019/FY2021 Comparison

Staff recommends the following adjustments to the building and zoning fee structure:

Recommendation 1:

Establish permit and inspection fee rates indexed to the Consumer Price Index (CPI) to take into consideration the inflation rate (See figure 3: CPI FY2019-2022). We calculated cumulative CPI for the fiscal year 2019 through 2022 to be 10%.

Fiscal Year	CPI	Cumulative CPI
2019	3.50%	3.50%
2020	2.20%	5.77%
2021	0.00%	5.77%
2022	4.00%	10.00%

Figure 3: CPI FY2019-2022



VILLAGE OF KEY BISCAIYNE

Staff recommends that all building, zoning, planning, and public works permit fees be increased 10% as shown above (*Exhibit 2C, Fee Schedule Revision 1, Effective Date January 31, 2022*).

Recommendation 2:

Increase minimum permit fee for a single trade to \$150.00 from \$100.00. Any additional trades for the same permit will be charged a rate of \$100.00.

Recommendation 3:

Eliminate the current \$18.00 technology fee, since the cost of technology is built in the department budget.

Based on the implementation of the three recommendations, we estimate that FY2022 revenues will be approximately \$2,186,981.. Indirect expenses are calculated using the JRD formula and lead to projected revenues about 1.6% greater than the projected total expenditures.

OPERATING EXPENSES	FY22 ADOPTED BUDGET
DISCRETIONARY AND NON-DISCRETIONARY	\$1,756,006
INDIRECT EXPENSE	
ADMINISTRATION (MANAGER, FINANCE, HR, IT) (12.7%)	\$360,989
VILLAGE ATTORNEY	\$26,000
VILLAGE CLERK (2%)	\$8,306
SUBTOTAL	\$395,296
GRAND TOTAL	\$2,151,302
PROEJCTED REVENUE	\$2,186,891
NET	\$35,589

b) Building Re-certification update (Building Official Rene Velazco)

- On November 22, 2021, violations with a \$500.00 fine were issued to three (3) properties identified to be 3 or more years non-compliant with the 40-year recertification requirement.
- The Building Official and the Village Manager continue to work with the management companies of the other (16) sixteen properties, identified to be 3 years or less past non-compliant. Violations for this category will be issued on December 15, 2021.
- New changes to the 40-year recertification program have been proposed by the Miami Dade County Board of Rules and Appeals Building Committee, these changes are expected to be ratified by the Board of County Commission at their next meeting; meeting date to be determined.

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VILLAGE OF KEY BISCAIYNE

Village of Key Biscayne Building Recertification Status			
	Due less than 3 yrs. (2018 - 2020)	Due more than 3 yrs. (2017 or before)	Number of Structures
Compliant			54
Recertification In Progress	20	12	32
Auditing Records	2	1	3
Due in 2022			38
Due in 2022 -2026 (40, 50, 60 & 70 yrs.)			40
<i>Total structures = 127</i>			
* Two of the structures are listed as compliant for the 40-year, and as pending for the 50-year due in 2022.			11/19/2021
Definitions:			
1. Compliant: building owner or property management firm has completed, received, and submitted the appropriate recertification document (s) to the Village of Key Biscayne Building and Zoning Department			
2. Recertification In Progress: building owner or property management firm is working with an engineer or architect to ensure compliance measures are met as they relate to the recertification process			
3. Auditing Records: building owner or property management firm has not hired an engineer/architect to perform mandatory inspections related to the recertification requirements, or has not taken any action in addressing the hired engineer's or architect's recommended action(s)			
Proposed Enforcement Action:			
1. November 22, 2021 - Violations with a \$500.00 fine were issued to three (3) properties that are 3 years or more past due for lack of compliance with the 40-year recertification program.			
2. Violations with \$500.00 fines will be issued on Dec 15th to properties that are 3 years or less past due for lack of compliance with the 40-year recertification program.			

Section 3: Engaging and Active Public Spaces and Programs

a) Paradise Park update (PROS Director Todd Hofferberth)

Soil remediation costs for the Paradise Park project site were budgeted at \$45,000. After multiple unforeseen requests for soil testing, excavation and remediation as mandated by Miami Dade County DERM, the Village received a summary report identifying 2 options that require the supplementation of the project budget (see exhibit 3A):

Option 1 soil excavation summary is estimated at \$113,883.46 includes the following activities:

- Site preparation activities including permitting, utility clearance, and equipment mobilization
- Soil samples will be collected from the site for pre-burn purposes based on the disposal requirements of the recommended disposal facility
- Prior to the initiation of source removal activities, monitoring well MW-10, will be properly abandoned. A permit for abandonment will be acquired from Miami-Dade Department of Health prior to abandonment activities. A well completion report will then be submitted to the FDEP upon completion.



VILLAGE OF KEY BISCAIYNE

- Excavation areas will be dug to a depth of 4 feet below the land surface (bis). All soils in these areas will be removed for disposal at a licensed waste facility
- Clean backfill will be imported to fill the soil excavation area.
- Following completion of the excavation, a Source Removal Report will be submitted to DERM documenting the excavation activities. The report will include field notes, photographs, waste manifests, and a figure depicting the final source removal layout. The report will be signed and sealed by a registered professional engineer in the State of Florida.

Option 2 soil excavation summary is estimated at \$88,805.91 includes the same activities as option 1 with the exception of the following:

- Excavations will be backfilled with trenching overburden, and only the remaining trenching overburden being transported off-site for disposal in a waste disposal facility

After careful review of the soil testing findings from DERM, the recommendation of Agua, LLC, the Village's environmental consultant and Dr. Roland Samimy (Chief Resiliency Officer) are to proceed with excavation and remediation option #2.

A resolution to supplement the Paradise Park project budget with will be forwarded to council for approval in January 2022. Funds will come from FY20/21 budget appropriations.

b) Kite Surfing program updates (CRO Roland Samimy)

- CRO continues to collaborate with Miami Dade County DERM on the Class I permit application because DERM has delegated authority to represent the US Army Corps of Engineers (another approving agency for the Vessel exclusion request).
- CRO awaits cost estimate from vendor for vessel exclusion buoy and piles
- Village staff will review the Miami Kiteboarding proposal for 1-year pilot of beach monitoring services and present a recommendation to Council during the January Council Meeting
- PROS and KBPD continue to provide intermittent beach monitoring support as staff is available

Section 4: Accessible, Connected, and Mobile Village-Wide Transportation

No updates to report

Section 5: Resilient & Sustainable Environment and Infrastructure

a) Solid waste updates (PW Director Jake Ozyman)

In September 2020, the Village conducted a community survey measuring the desire for specific services and their frequency. Results from this survey determined that 48.25% preferred side yard service over 47.81% curbside service. It also outlined that 90.83% did not have any physical limitations that would prevent them from taking the bin out to the curb. Even though the community chose side yard by a small margin, Village staff recommended Council approve curbside service, only. This recommendation was based on past experiences with previous



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providers/agreements.

Council reviewed and discussed the survey results and directed the Village Manager to continue providing the same level of service. This translated to residents being given the option to choose between curbside or side yard service. All residents were given the option to change the method at any given time. Notification of this change was communicated to the contractor by the resident not placing the containers at the curb; crews therefore knew that the instruction was to look for the bins on the resident’s property. Residents wanting side yard service were required to leave the containers in easily accessible and visible locations; behind an unlocked gate was acceptable but visible.

On November 17, 2020, the Village Council authorized the Village Manager to execute a contract with Great Waste & Recycling Service, LLC to provide solid waste collection services.

Annual cost breakdown for both services are identified based on service to 1,284 houses:

Service	Monthly	Annually	3 Year	5 Year
Sideyard	70,552	846,618	2,539,854	4,233,090
Curbside	48,184	584,065	1,752,195	2,920,326
Total Savings	(22,367)	(262,553)	(787,659)	(1,312,764)
*Savings/Unit	(17.42)	(204.48)	(613.44)	(1,022.40)
*based on 1284 units				

Great Waste crews went to great lengths to familiarized themselves with the properties and for the most part remain well versed on the ins and outs of each property.

Number of complaints for missed garbage, recycling, as well as containers not returned to their original place are summarized below:

Complaints	Jan - Aug 31	Sept	October	November
	40	10	12	2

In October 2021, 10 complaints were received for missed garbage pickups and 2 submitted for containers not returned to their original location. Great Waste responded to the complaints within 24 hours; 12 properties were visited by Great Waste’s Supervisor, problems identified and solved.

The Public Works department will continue to partner with Great Waste to ensure compliance and adherence to contract terms while attempting to minimize complaints. Staff will also request periodic surveys be issued to residents which will support the generation of biennial updates to council.



Section 6: Effective and Efficient Team

a) *CIP Project updates (PW Director Jake Ozyman)*

See attached CIP summary spreadsheet (Exhibit 6A)

b) *Quarterly Financial updates (CFO Benjamin Nussbaum)*

Exhibit 6B is the budget to actual report for Fiscal Year 2021 for the revenue earned and expenditures incurred from October 1, 2020, to September 30, 2021.

Intergovernmental revenues such as Utility Taxes, State Revenue Sharing, Half Cents Sales Tax, Telecommunication Tax and Local Option Gas Tax and are lagging by one to three months.

Community Center revenues were deferred from FY 20 into FY 21 due to the closure of the community center as a result of COVID-19.

The Village Finance Department in conjunction with Village Department Directors are requesting and processing final FY 21 invoices and making year-end audit adjustments. We expect the figures to change as we work with our external auditors in preparation of the FY 21 Annual Comprehensive Financial Report.

c) *Website update (Communications and Community Engagement Officer, Jessica Drouet)*

Background: The Village of Key Biscayne contracted with Revize, LLC, a company that specializes in the development of government websites, to design and upgrade its existing website. The redesigned website went live on August 2, 2021, with an understanding that there would be ongoing updates and upgrades to the site e.g., uploading of agendas, minutes and information of historical value.

Team Objectives: In an effort to maintain engagement with the Community, the Village created a website refinement team consisting of residents and Village staff with relevant experience willing and able to assist in reviewing and enhancing the Village's website (keybiscayne.fl.gov). One of the primary objectives is to gain a greater understanding of end-user needs AND expectations.

Who: A number of community members have offered their expertise; the Village identified the following participants, who were invited to join the refinement team:

Community team:

- Katie Petros (community member and former councilmember)
- Rafal Momeñe Erhardt (community member and web professional)
- Carolyn Koslen (community member and social media professional)



VILLAGE OF KEY BISCAIYNE

- Theo Holloway (community member, former councilmember and digital marketing professional)
- Jennifer Sterns Buttrick (community member and community advocate)

Village team: Jessica Drouet, Mike Fleming, Todd Hofferberth

When: Meeting frequency and dates have yet to be determined

First Meeting Summary: November 18, 2021

Attendees:

- Jessica Drouet (C&CE)
- Todd Hofferberth (PROS)
- Mike Flemming (IT)
- Katie Petros (community member and former councilmember)
- Rafal Momeñe Erhardt (community member and web professional)
- Tatyana Chiocchetti (Key Biscayne Chamber of Commerce)
- Christine Wing (Key Biscayne Chamber of Commerce)

Summary and Action Items:

Since August 2021, staff continues to update the site for accuracy and timeliness of information. One major hurdle has been migrating agendas from the previous website to the new one. This process is on-going.

The Website Refinement team determined that first steps involve asking Revize, LLC to update the site to ensure its mobile device user friendly; it was also recommended that the homepage be rearranged to ensure accessibility to information.

Quality Assurance issues to be shared with Revize, LLC include:

- On mobile devices there is horizontal overflow on every page that breaks the layout and navigation
- The dropdown menus on the homepage direct the user to a different domain
- On mobile devices the homepage slideshow does not allow the user to scroll down on certain pages
- On mobile devices “Share” and “Language” buttons are obscured

Homepage rearrangement:

Rafal offered to present homepage rearrangement suggestions to be discussed with Revize, LLC



VILLAGE OF KEY BISCAYNE

Next Steps:

- Jessica and Mike met with Revize, LLC on Dec. 2 to discuss improvement suggestions and implementation opportunities
- A website team meeting to include community members will be scheduled in January 2022

6. **SPECIAL INTRODUCTION:** There were no special introductions.

7. **AGENDA:** Mayor Lindsay requested the withdrawal of Item 8D, requested to hear Item 12D3 prior to Item 8 and also requested the addition of a discussion regarding Mashta Island Safety Measures as Item 12A3; Councilmember Petros requested to hear Item 12D1 prior to the Consent Agenda; the Manager requested to hear Item 11C prior to Item 11B, requested to hear Item 11F after Item 11I and also requested to defer Item 12D2 to March 14, 2017. There was no objection to the agenda changes.

At this time Item 11D3 was heard. The Manager addressed the council regarding Building Permit Fees. Building Zoning and Planing Director Jud Kurlancheek made a presentation to Council regarding recommendations for a new Permit Fee Structure. The following is being recommended: 1.) Renovation of apartments and single family homes be charged from 7% of construction value to \$0.70 per square foot with a minimum fee of \$100; 2.) New construction of single family homes remain at \$0.70 per sq. ft.; and 3.) Conduct an independent study to evaluate the true cost of every service provided by the Building Zoning, Planning and Public Works Department.

The following residents addressed the Council: Ignacio Seguro, 881 Ocean Drive; Antonio Camejo, 151 Crandon Boulevard; Don Ellisburg, 177 Ocean Lane Drive; Kara Stearns Sharp, 710 Woodcrest Road and Michele Estevez, 798 Crandon Boulevard.

There was extensive discussion from Council regarding the permit fees.

Vice Mayor Caplan made a motion to accept the BZP Director's recommendation on the new permit fee structure including Councilmember Gross' amendment of 1% of total cost of renovation with a cap of \$10,000 on any project. The motion was seconded by Councilmember McCormick and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

The Attorney also addressed the Council regarding the permitting process.

At this time Item 12D1 was heard. The Manager and Building, Zoning and Planning Director addressed the Council requesting authorization to prepare and issue construction and bid documents for permanent asphalt traffic calming devices at the following locations: 1.) 200-300 block of Glenridge Road; 2.) 200-300 block of Ridgewood Road; 3.) 200-300 and 400-500 blocks of Woodcrest Road; 4.) West Enid Drive; 5.) West McIntyre Street; 6.) Seaview Drive; 7.) Sunrise Drive; 8.) Galen Drive; 9.) 10-91 block of Island Drive (petition); 10.) Cape Florida Drive (petition) and 11.) 200 block of Hampton Lane (petition).

Chief of Fire Rescue Eric Lang and Chief of Police Charles Press addressed the Council regarding traffic calming devices.



VILLAGE OF KEY BISCAYNE

PERMIT FEE ANALYSIS

December 2017



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Exhibit 2B



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Village of Key Biscayne Permit Fee Analysis

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Exhibit 2B

1 EXECUTIVE SUMMARY

The Village of Key Biscayne (Village) contracted JRD & Associates, Inc. (JRD) to conduct a permit fee analysis to examine and assess permit fees and to evaluate the actual cost of the services provided by the Building, Zoning, and Planning (BZP), Public Works (PW), and Fire departments. The findings and recommendations provided in this report are the results of this study.

In developing the recommended permit fees, the following three factors were considered:

- Cost recovery – ensure that the fees charged recover the fully burdened costs of the services provided. These costs include all operational (discretionary and non-discretionary) and indirect support costs (incurred by other departments supporting permit-related services)
- Conciseness – ease for both the customer and the Village to determine the permit fees
- Building reserve amount – amount of revenue required to ensure the Village can maintain its level and quality of permit-related services in the future

The projected FY 2018 revenue was calculated using the recommended fees and compared to the fully burdened costs to determine the amount of cost recovery achieved. For Building permit fees, a comparative analysis was also conducted to compare the fees in comparable cities. The following is a synopsis of the recommended permit fees:

Building

JRD is recommending a permit fee of \$1.30 per SF for all new and renovation construction for which square footage information is collected and a fee of 2.30% of the value of construction for which there is no square footage information. For all permits, a minimum fee of \$100 and a maximum fee of \$25,000 is recommended. These fees are inclusive of administrative, plan review, and inspection services for all building, structural and all trades.

The estimated FY 2018 revenue generated from the recommended fees is projected to be approximately at the level of FY 2018 expenditures. In addition to the recommended permit fees, a strategy was provided on how to manage the current and future Building Inspection Reserve balance surpluses. Recommended investment options and revenue adjustments were identified that will bring the balance from \$2,259,562 in FY 2016 to approximately \$1,335,000 at year end FY 2018.

Village of Key Biscayne Permit Fee Analysis

Zoning and Planning

The majority of the Zoning and Planning recommended permit fees are a flat fee per service. The recommended fees were determined by using the fully burdened hourly rate and the estimated average time needed by staff to deliver that service.

- Zoning Plan Review Fee: \$100
- Site Plan Review Fee: \$300
- Supervisory Variance: \$100

Public Works

All of the Public Works recommended fees are flat fees and are based on the fully burdened hourly rate and the estimated average time needed by staff to deliver that service.

- Driveways: \$60
- Installation or repair of sanitary and storm sewers, waterlines, gas lines, and other underground utilities: \$275
- French Drains: \$350

Fire Prevention

Fire Prevention currently does not utilize a fire permit fee schedule. Instead it performs fire plan reviews and inspections, and collects \$50 per plan review or inspection and \$75 per re-review or reinspection from the Building Division. It is recommended that Fire Prevention institute its own fee schedule to include:

- Fire permit for new buildings or additions, alterations and repairs to buildings and other structures: \$250
- Fire for multi-family unit or commercial renovation: \$75
- Fire Alarms: \$100 for up to 10 devices and \$250 for more than 10 devices
- Fire Suppression Systems: \$100 for up to 20 heads and \$250 for more than 20 heads

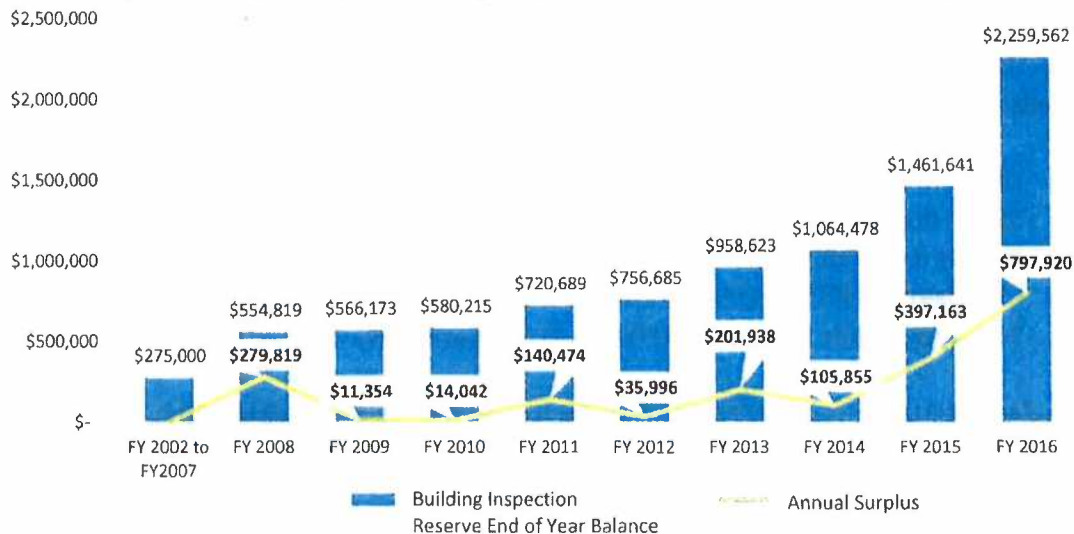
By implementing the recommendations in this report, the Village will establish a permitting fee structure which is cost equitable and concise, and will result in efficient and effective customer service without compromising standards or revenue.

2 OVERVIEW

The Village of Key Biscayne (Village) adopted a fee schedule for the Building Division of the Building, Zoning, and Planning Department in 1994, where the building permit fees for construction of a new single-family home was based on square foot (SF) ranges, and the renovation of a single-family home or apartment was based on 5% of construction value with a maximum cap of \$2,500. In 2002, the building fee schedule was amended and the building permit fee for construction of a new single-family home was changed to \$0.70 per SF¹, and the fee for renovation of a single-family home or apartment was increased from 5% to 7% of the construction value with no maximum cap.

Starting in FY 2008, a surplus was realized in the Building Inspection Reserves. As depicted in Figure 1, at the close of FY 2016, the Building Inspection Reserve Balance was \$2,259,562, a surplus increase of 55% from FY 2008. Per the Florida Building Code 553.80 (7), "the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities². Any unexpended balances shall be carried forward to future years for allowable activities or shall be refunded at the discretion of the local government."

Figure 1: Key Biscayne Building Inspections Reserve Balance and Surplus



¹ The maximum size of the home was capped by the Zoning Ordinance.

² "Allowable activities" are not explicitly described in the Florida Building Code. However, the statute does state that "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with the review of building plans, building inspections, re-inspections, and building permit processing; building code enforcement; fire inspections associated with new construction; and may include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.



Village of Key Biscayne Permit Fee Analysis

To reduce the Building Inspection Reserve, in February 2017, the Village amended the building permit fee for the renovation of single family homes and apartments to \$0.70 per SF with a minimum of \$100, and for all other construction renovation (usually pertaining to commercial and multi-family construction) from 1.8% to 1% of estimated cost with a minimum of \$100 and a maximum of \$10,000. Table 1 depicts the changes in the Village Renovation Building Permit Fee from 1994 to 2017. Additionally, the Village contracted JRD & Associates, Inc. (JRD) to conduct an independent study to examine and reassess the permit fees and to evaluate the true cost of the services provided by the Building, Zoning, and Planning (BZP), Public Works (PW), and Fire departments. The findings and recommendations provided in this report are the results of this study.

Table 1: Key Biscayne Residential Renovation Building Permit Fee

Fiscal Year	Renovation Building Permit Fee	Renovation Building Permit Example Fee Amount (Residential renovation: \$160,000 value of construction and 700 SF)
1994	5% of the value of construction Maximum Fee = \$2,500	\$2,500
2002	7% of the value of construction	\$11,200
2017	\$0.70 per SF	\$490

Exhibit 2B

3 METHODOLOGY

To assess the Village's actual costs of providing permit-related services and to recommend a permit fee schedule, JRD utilized a methodology that ensures that accurate and sufficient data was collected via staff interviews, and from financial and performance reports. This section describes the overall methodology used to develop the findings and recommendations presented in this report.

3.1 KICKOFF MEETING AND STAFF MEETINGS

The permit fee analysis commenced with a kickoff meeting, where the project team discussed and confirmed the scope and methodology for the analysis. The kickoff meeting was followed by one-on-one meetings with staff from departments that provide permitting services: BZP, PW, and Fire. In these one-on-one meetings, JRD captured detailed information of the overall operations that include current department processes, staffing, and the methods used to determine, apply, and charge permit fees. The information, reports, and data obtained in these meetings provided the framework for JRD's findings and recommendations, which are detailed in the sections that follow. A standardized questionnaire was used for each meeting, and is provided in Appendix 1.

One-on-one meetings were also held with other Village departments and staff that provide support to BZP, PW, and Fire. The purpose of these meetings was to gain an understanding of the amount of support provided to these departments and determine the costs incurred in supporting permit activities. In total, JRD conducted one-on-one interviews with the following 18 Village personnel:

- BZP Director
- BZP Director (past)
- Building Official
- Building Inspector
- Chief Building Inspector
- Chief Electrical Inspector
- Chief Permit Clerk
- Chief Plumbing Inspector
- Chief Mechanical Inspector
- Chief of Staff
- Finance Director
- Fire Chief
- Fire Marshall
- IT Administrator

Village of Key Biscayne Permit Fee Analysis

- Public Works Superintendent
- Senior Code Enforcement Officer
- Village Attorney
- Zoning Plan Reviewer

3.2 DATA COLLECTION

At the onset of the project and at staff meetings, JRD requested and collected the following permit-related information:

- Current permit fee schedule
- Permit application forms
- Organizational charts
- Performance reports
- Permit fee transaction data
- Revenue, expenditure, and budget reports
- Policies and procedures

With regards to the permit fee transaction data, JRD worked with the IT Administrator to download the data from the Accela permitting system, focusing on the following information:

- Construction type (new residential construction, residential renovation, commercial renovation, etc.)
- Date applied
- Permit issued date
- Fee description
- Transaction fee amounts
- Transaction fee details
- Total permit fees charged
- Permit type (Building, Plumbing, Electrical, Mechanical, and Public Works)³
- Permit totals for both master and sub-permits
- Construction description
- Square footage
- Value of construction
- Permit status
- Number of Inspections
- Number of Plan reviews

³ Planning, Zoning, and Fire do not have a specific permit type in the Accela system.

Village of Key Biscayne Permit Fee Analysis

3.3 FEE ANALYSIS

Once the staff meetings were completed, and the financial and permitting data was collected, JRD performed an analysis focusing on the revenue collected and the costs incurred by the Village for each of the permitting services provided to and paid for by customers. As part of the project scope, JRD had to achieve two overall project objectives:

- Assess the financial impact of the renovation building permit fee that was amended on February 21, 2017, and
- Conduct a permit fee analysis that includes a recommended permit fee schedule, a cost allocation methodology, a building fund balance strategy, and a comparative analysis of specified permit fees.

Renovation Permit Fee Impact Analysis

As previously described, early this year, the Village amended the building permit fee for the renovation of single family homes and apartments to \$0.70 per SF. and for all other construction renovation (usually pertaining to commercial and multi-family construction) from 7% to 1% of estimated cost. The fee change is a temporary measure to reduce the Building Inspection Reserves until this permit fee analysis is completed.

In addition to the permit fee analysis, the Village contracted JRD to conduct a financial impact analysis of the amended renovation permit fee for permits applied for from February 22, 2017 to May 31, 2017. To complete the analysis, JRD assessed the revenue collected from renovation permits during this time period and compared it with the revenue that would have been collected under the previous renovation permit fee. Additionally, JRD assessed and identified how the revenue collected impacts the financial status of the Building Division. The findings of the renovation permit fee impact analysis were presented at the Village Budget Workshop meeting on June 20, 2017. Finally, JRD analyzed permit activity and revenue from February 22, 2017 to November 7, 2017 in order to develop the recommended permit fees.

Permit Fee Analysis

For the permit fee analysis, JRD reviewed the total budgeted and actual amount of revenue and expenditures for each division providing permit-related services during the current and previous fiscal years. Using revenue and expenditure financial reports and the permit transaction data from the Accela permitting system, JRD calculated the revenue generated by permit type and construction type during the fiscal year.

Village of Key Biscayne Permit Fee Analysis

To properly analyze the permit fees, JRD determined the actual cost, or the fully burdened cost, incurred by the Village in providing services associated with a permit fee. To determine this cost, JRD identified the time and effort spent by staff in providing the services associated with a permit fee. Since time and effort for the services provided can vary by permit due to construction complexity and size, a "typical" amount of time and effort for each permit was determined. Usually for permit fees, staff spends most of their time conducting plan reviews, inspections, and administrative tasks, such as research and answering customer questions. Once the time and effort was identified, the cost incurred by the department or division delivering the service was calculated.

In addition to the aforementioned costs, the indirect support costs were also calculated. These costs are identified by determining the time and effort spent by other Village departments when supporting departments or divisions providing permit-related services. JRD interviewed staff in these departments to gain an understanding of the support provided and the time and effort expended.

After the revenue and expenditures were determined for the permit-related services, JRD developed a recommended fee schedule. Three factors were considered when recommending permit fees:

- Cost recovery – ensure that the fees charged recover the costs of the services provided;
- Conciseness – ease for both the customer and the Village to determine the permit fee; and
- Building reserve amount – amount of revenue that needs to be available to ensure the Village can maintain their level and quality of permit-related service in the future

Once the recommended fees were determined, JRD validated them by estimating the permit revenue that would have been generated in the fiscal year by the recommended permit fees. This estimated revenue was then compared to the total permit-related costs to ensure that cost recovery is being achieved.

3.4 COMPARATIVE ANALYSIS OF PERMIT FEES

An analysis was performed to compare Village permit fees to those charged by the cities of Miami, Miami Beach, and Sunny Isles Beach. The permit types used for the comparative analysis are:

- Residential – Single Family New Construction
- Residential Pool



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- Residential Renovation
- Multi-Family Unit Renovation
- Commercial Renovation

Since the Building permit types being compared can consist of multiple fees, JRD, with the assistance of Building Division staff, randomly selected five closed permits for the comparative analysis. The results are presented in Section 4.5 of this report.

4 BUILDING PERMIT FEES

The Building, Zoning, and Planning (BZP) Department contains four divisions: Building, Zoning and Planning, Code Compliance, and Business Tax. The Building Division’s primary responsibility is the administration of the Florida Building Code. The Division’s staff processes permit applications, performs plan reviews and inspections to ensure that construction complies with the provisions of all applicable codes, verifies that contractors have the proper credentials and licenses to perform work in the Village, and ensures that all construction work is properly permitted. The findings and recommendations for the permit analysis contained in this section pertain to the permit fees related to the Building Division only.

4.1 CURRENT BUILDING PERMIT REVENUE

When completing a permit fee analysis, a review of the current Building permit revenue and volume of construction activity by type is required. JRD examined the volume and revenue of permits for each construction type for FY 2017 as of May 31, 2017. Table 2 contains the composition of the volume and revenue generated from Building permit fees by construction type. The majority of construction activity in the Village is residential remodeling. In FY 2017, there were 630 Residential Remodeling permits that accounted for \$440,014, approximately 46% of the total Building permit revenue.

Table 2: Building Permit Revenue by Construction Type
(10/1/2016 to 5/31/2017)

Construction Type	Number of Permits ⁴	Permit Revenue	Percentage of Total Revenue ⁵
Residential Remodeling	630	\$440,014	46.2%
Other Construction Types	646	\$275,606	29.0%
Single Family New Construction	85	\$93,529	9.8%
Commercial Remodeling	93	\$70,788	7.4%
Standalone Trade Permits	417	\$62,218	6.5%
Commercial New Construction	4	\$9,485	1.0%
Total:	1,875	\$951,640	100%

⁴ Includes Trade Permits

⁵ Total percentage may not equal 100% due to rounding.

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JRD also examined the building permit revenue by trade. Table 3 depicts the number of permits and revenue generated for each trade. As of May 31, 2017, there were 727 Building permits this fiscal year that generated \$655,141 in revenue, which accounted for 68.8% of Building revenue. Total revenue from Other Building fees accounted for the second largest amount of Building revenue, generating \$101,155 (10.6%).

Table 3: Building Revenue by Fees
(10/1/2016 to 5/31/2017)

Building Permit Fees	Number of Permits	Permit Revenue	Percentage of Total Revenue
Building	727	\$655,141	68.8%
Electrical	369	\$89,052	9.4%
Mechanical	358	\$55,932	5.9%
Plumbing	421	\$50,360	5.3%
Building Permit Fee Total:	1,875	\$850,485	89.4%
Other Building Fees	Number of Transactions	Revenue by Fee	Percentage of Total Revenue
Administrative	944	\$52,916	5.6%
Contractor Related	684	\$17,025	1.8%
Penalty	51	\$16,560	1.7%
Permit Software	1,873	\$11,189	1.2%
Reinspection	30	\$2,250	0.2%
Certificate of Completion	16	\$1,215	0.1%
Other Building Fee Total:	3,598	\$101,155	10.6%
Building Totals:	5,473	\$951,640	100%

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4.2 BUILDING PERMIT REVENUE & EXPENDITURES

As detailed in Table 4, the Building Division budgeted \$1,611,000 in revenue in FY 2017, with \$1,500,000 generated through Building permits and \$110,000 in Violation and Penalty Fees, totaling \$1,610,000. However, as of May 31, 2017, \$935,079 in Building permit fees and \$16,561 in Violation and Penalty Fees, totaling \$951,640, had been collected. JRD estimates that the total FY 2017 projected revenue for Building permits will be \$1,361,655, including Violation and Penalty Fees. This is approximately \$249,345 less than budgeted.

Table 4: Building Division's FY 2017 Revenue & Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Building Permits	\$1,500,000	\$935,079	\$1,336,814
Other Fees – Certificate of Occupancy	\$1,000	\$0	\$0
Violation and Penalty Fees ⁶	\$110,000	\$16,561	\$24,841
Fire permit revenue deduction	Not available	-\$51,900	-\$77,850
Total Revenue:	\$1,611,000	\$899,740	\$1,283,805
Expenditures			
Non-Discretionary Spending	\$1,241,711	\$862,451	\$1,293,677
Discretionary Spending	\$257,309	\$204,825	\$307,237
Total Expenditures:	\$1,499,020	\$1,067,276	\$1,600,914
Revenue minus Expenditures:	\$111,980	-\$167,536	-\$317,109

Sources: Accela Permit Plus permitting system, 2017 BZP General Ledger Statement of Revenue and Expenditures, and Profit/Loss Statement for Building Reserve as of May 31, 2017

Building permit revenue decreased predominately because of the amended renovation permit fee and a slight slowdown in construction activity. For example, the amended permit fee implemented on February 22, 2017 generated \$246,589 less revenue between February 22, 2017 and May 31, 2017 than what would have been collected under the previous renovation permit fee. A majority of the permit activity is for renovation permits, therefore the impact of the amended fee on the Building Division total revenue is significant.

⁶ The budgeted revenue number for Violation and Penalty Fees is from the FY 2017 BZP Adopted Budget under the following revenue line items: Fines – Building Code Violations, Service Charges – Lien Searches, and Fines – Property Maintenance Violations. The actual revenue under these line items in the FY 2017 BZP financial expenditure report may contain revenue generated from other non-Building code compliance fines, which is not tracked in the BZP permitting system. At the direction of the Finance Director, the revenue provided in this report should be one that is tracked in the BZP permitting system.

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The Building permit revenue must also be adjusted to account for the revenue transfer to Fire Prevention for fire plan reviews and inspections. Currently, Fire Prevention does not charge permit fees. However, revenue related to fire plan reviews and inspections is collected by the Building Division under Mechanical, Electrical, and Building permits. To recover the costs incurred by Fire Prevention, a revenue transfer is completed by Finance through general ledger journal entries throughout the year. The revenue amount that is transferred is provided by Fire Prevention, which charges the Building Division \$50 per plan review or inspection and \$75 for each re-review and reinspection. Fire permit fees are further described in Section 7: Fire Permit Fees. As of May 31, 2017, \$51,900 was transferred to Fire Prevention and is projected at \$77,850 at the fiscal year end. Taking into account the Fire Prevention permit revenue transfer, the projected FY 2017 Building permit revenue is \$1,283,805.

Building Division expenditures for FY 2017 are budgeted at \$1,499,020. As of May 31, 2017, Division expenditures totaled \$1,067,276, and are projected to be \$1,600,914 at fiscal year-end. In Table 4, the expenditures are divided into two line items: non-discretionary and discretionary. Non-discretionary expenditures represent personnel expenses including staff benefits. Discretionary expenditures are operational expenses under the direct control of the Department Director. The Building Division is projected to generate revenue approximately \$317,000 below its projected expenditures. Revenue and expenditures depicted in Table 4 do not include revenue from Public Works permits and expenditures associated with a portion of certain Public Work employee salaries who work on permit-related services. For the Village's budgetary and financial reporting, Public Works permit-related revenue and expenditures are reported under Building permits. It is recommended that Public Works permit revenue and expenditures are separated from the Building Division's revenue and expenditures, in compliance with State Statute 553.80 (7), which states that Building permit revenue must be used to cover Building direct and indirect expenditures. Public Works permit fees, revenue, and expenditures will be further covered in Chapter 6: Public Works Permit Fees.

Indirect Support Cost Allocation

As described in Section 3: Methodology, when assessing and recommending permit fees, a key factor that must be considered is the recovery of costs incurred to provide permit-related services. Expenditures that are currently not being captured by the Building Division are indirect support costs or those costs incurred by other Village departments when providing support to the Building Division. These costs are important because they need to be included with the direct Building Division expenditures in order to determine the fully burdened cost of providing services related to Building permits.

JRD utilized various methods to capture indirect support costs. Meetings were conducted with staff from support departments to identify the estimated average level of support and time they provided to the Building Division. To calculate the indirect support cost, JRD utilized

Village of Key Biscayne Permit Fee Analysis

the supporting department employee's salary, fringe benefit costs, and associated departmental discretionary costs, as well as the yearly average time spent supporting the Building Division.

Table 5 provides the indirect support costs and percentages used to calculate the Building Division's indirect support costs. Since BZP contains multiple divisions, the table provides a breakdown of the indirect cost percentages across the department. In total, JRD calculated a budgeted indirect support cost of \$205,893 for the Building Division in FY 2017. The total indirect support costs for the Building Division is added to total expenditures to determine the fully burdened cost of providing Building permit services. This fully burdened cost is used to determine the recommended permit fees.

Table 5: Building Division's FY 2017 Indirect Support Cost

Area or Staff Providing Support	FY 2017 Adopted Budget Cost	Indirect Support Cost %	Indirect Support Cost	Indirect Support Description
Village Manager and Chief of Staff	\$529,911	4.0%	\$21,196	<p>The Village Manager and the Chief of Staff provide 10% of their time supporting BZP:</p> <ul style="list-style-type: none"> • 4% for Building • 4% for Zoning and Planning • 2% for Code Compliance • 0% for Business Tax Receipts (BTR) • 0% Public Works permitting
Finance	\$475,641	12.3%	\$58,436	<p>The Finance Director works part-time (2 days per week) and provides 2 hours of support for BZP. This support is divided in BZP as follows:</p> <ul style="list-style-type: none"> • 86% for Building • 3% for Zoning and Planning • 1% for Code Compliance • 9% for BTR • 1% for Public Works <p>The Finance indirect cost percentage is calculated as follows: 2 hours / 14 hours per week x 86% = 12.3%</p>
Human Resources (HR)	\$185,862	6.4%	\$11,935	<p>HR's indirect cost percentage is based on the number of employees. The Village has a total of 166 employees. BZP has a total staff of 16:</p> <ul style="list-style-type: none"> • Building = 10 employees • Zoning and Planning = 1 employees • Code Compliance = 2.5 employees • BTR = 0.5 employees. • The Director and Assistant are distributed as follows: Building (0.66 FTE), P&Z (0.33 FTE), Code (0.66 FTE) and BTR (0.33 FTE) <p>The indirect cost percentage is calculated by the percentage of employees in Building to the total number of Village employees. For example, 10.66 Building employees / 166 Village employees = 6.4%.</p>



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Area or Staff Providing Support	FY 2017 Adopted Budget Cost	Indirect Support Cost %	Indirect Support Cost	Indirect Support Description
IT	\$344,700	30.0%	\$103,410	Fifty percent of IT's support time is spent with BZP: <ul style="list-style-type: none"> • 30% for Building • 5% for Zoning and Planning • 5% for Code Compliance • 5% for BTR • 5% for Public Works
Village Attorney	\$26,000 ⁷	13.33%	\$3,467	Village Attorney spends on average about 2.5 hours a week at a rate of \$200 per hour supporting BZP: <ul style="list-style-type: none"> • 13.33% for Building • 66.67% for Zoning and Planning • 13.33% for Code Compliance • 1.67% for BTR • 5% for Public Works
Village Clerk	\$372,462	2.0%	\$7,449	Village Clerk provides 6% of its time supporting BZPPW: <ul style="list-style-type: none"> • 2% for Building • 3% for Zoning and Planning • 0.33% for Code Compliance • 0.33% for BTR • 0.33% for Public Works
Total Building Indirect Support Cost:			\$205,893	

Table 6 on the next page provides the total FY 2017 expenditures for the Building Division with the indirect support costs. The Building Division is projected to generate revenue approximately \$444,000 below its projected expenditures, reducing the Building Inspection Reserve from \$2,259,562 at the end of FY 2016 to \$1,815,875 for FY 2017.

⁷ The Village Attorney's FY 2017 adopted budget is \$1,210,000. However, the Village Attorney stated that approximately 2.5 hours a week at a rate of \$200 per hour is spent working with the BZP department for a total amount of \$26,000.

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Table 6: Building Division's FY 2017 Revenue & Fully Burdened Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Building Permits	\$1,500,000	\$935,079	\$1,336,814
Other Fees – Certificate of Occupancy	\$1,000	\$0	\$0
Violation and Penalty Fees	\$110,000 ⁸	\$16,561	\$24,841
Fire permit revenue deduction	Not available	-\$51,900	-\$77,850
Total Revenue:	\$1,611,000	\$899,740	\$1,283,805
Expenditures			
Non-Discretionary Spending	\$1,241,711	\$862,451	\$1,293,677
Discretionary Spending	\$257,309	\$204,825	\$307,237
Indirect Support Cost	\$205,893	\$85,541	\$126,578
Total Fully Burdened Expenditures:	\$1,704,913	\$1,152,817	\$1,727,492
Revenue minus Expenditures:	-\$93,913	-\$253,077	-\$443,687
Building Inspection Reserve (as of 9/30/2016)	\$2,259,562	\$2,259,562	\$2,259,562
Projected Building Inspection Reserve Balance for FY 2017 (9/30/2017)	\$2,165,649	\$2,006,485	\$1,815,875

Sources: Accela Permit Plus permitting system, 2017 BZP General Ledger Statement of Revenue and Expenditures, and Profit/Loss Statement for Building Reserve as of May 31, 2017

4.3 RECOMMENDED BUILDING PERMIT FEES

The recommended building permit fees are established based on cost recovery. The permit fee amounts were calculated based on Building expenditures that include discretionary, non-discretionary, and indirect costs. Additionally, the fee structure is concise and simple, where both customer and staff can easily calculate permit fees, and where errors and miscalculations that typically occur with large, complex fee schedules can be mitigated. Table 7 contains the current fees, recommended fees, and a fee description. For more details on the Village's current Building permit fees, refer to Appendix 2.

⁸ The budgeted revenue number for Violation and Penalty Fees is from the FY 2017 BZP Adopted Budget under the following revenue line items: Fines – Building Code Violations, Service Charges – Lien Searches, and Fines – Property Maintenance Violations. The actual revenue under these line items in the FY 2017 BZP financial expenditure report may contain revenue generated from other non-Building code compliance fines, which is not tracked in the BZP permitting system. At the direction of the Finance Director, the revenue provided in this report should be one that is tracked in the BZP permitting system.

Table 7: Recommended Building Permit Fees

Fee Description	Current Fees	Recommended Fees
Construction Permit Fees		
Upfront Fee (non-refundable)	100% of the estimated cost of the Building permit fee including 100% of the Zoning Plan and Site Plan review fees	30% of permit fee
All Construction	<p>Residential <i>New Construction</i> Building: \$0.70 per SF Mechanical: \$0.13 per SF Electrical: \$0.13 per SF Plumbing: \$0.13 per SF \$100 minimum fee for each trade permit</p> <p><i>Renovation, Repairs, and All Other Construction</i> Building: \$0.70 per SF Mechanical: \$0.13 per SF Electrical: \$0.06 per \$1 of estimated cost Plumbing: \$0.13 per SF \$100 minimum fee for each trade permit</p> <p>Commercial <i>New Construction</i> Building: \$12.25 for each \$1,000 of construction cost Minimum fee: \$250 Maximum fee: \$10,000 Mechanical: Dependent on construction items Electrical: \$0.13 per SF Plumbing: Dependent on construction items \$100 minimum fee for each trade permit, except Building permits</p> <p><i>Renovation, Repairs, and All Other Construction</i> Building: 1% of construction cost Minimum fee: \$250 Maximum fee: \$10,000 Mechanical: Dependent on construction items Electrical: \$0.06 per \$1 of estimated cost Plumbing: Dependent on construction items \$100 minimum fee for each trade permit, except Building permits</p> <p>Other Building fees may apply based on the specific type of construction. Please refer to the current Building schedule provided in Appendix 2.</p>	<p>\$1.30 per SF for permits with square footage (for structures)</p> <p>2.30% of the value of construction for permits with no square footage or for non-structures</p> <p>\$100 minimum fee \$25,000 maximum fee</p> <p>Fees are inclusive of plan reviews and inspections for building, structural, and all trades</p>

Village of Key Biscayne Permit Fee Analysis

Fee Description	Current Fees	Recommended Fees
Plan Re-Review Fees	None	\$75 on the third plan review where the plans fail to correct the same issue \$150 on the fourth and subsequent review where the plans fail to correct the same issue
Reinspection Fees When extra inspection trips are necessary due to: <ul style="list-style-type: none"> • Wrong address being given on call for inspection • Prior rejection of work due to faulty construction • Work not being ready for inspection at time specified • Failure to call for final or other inspections • Required correction not being made or completed at time specified 	\$75 for each reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection	\$75 for the first reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection
Plan Revisions	Major plan revisions: \$25 per page Minor plan revisions: \$12.50 per page for each review that takes longer than 5 minutes \$100 for failure to make required corrections from a previous review, but not less than 50% of the original application fee for each trade	\$25 per each 15 minutes or fraction thereof
Inspections requiring overtime	1.5 times the inspector's hourly rate	\$135 per hour (3-hour minimum)
Certificate of Completion (CC)	Single Family Residence, townhouse=\$50 All others: \$65	Single Family Residence, townhouse=\$50 All others: \$65
Certificate of Occupancy (CO)	Duplexes, Townhouses, Bungalow court: \$75 per unit Apartment: \$100 per unit Private school, day nursery, convalescent and nursing home, hospital, ACFL and Developmentally Disabled home care: \$96 Business, wholesale and retail: \$0.05 per SF Minimum Fee: \$100	Duplexes, Townhouses, Bungalow court: \$75 per unit Apartment: \$100 per unit Private school, day nursery, convalescent and nursing home, hospital, ACFL and Developmentally Disabled home care: \$96 Business, wholesale and retail: \$0.05 per SF Minimum Fee: \$100
Temporary Certificate of Completion (TCC)	None	Single Family Residence, townhouse: \$50 All others: \$65



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Fee Description	Current Fees	Recommended Fees
Temporary Certificate of Occupancy (TCO)	Single Family Residence, Townhouse=\$50 All Others: \$65	Duplexes, Townhouses, Bungalow court: \$75 per unit Apartment: \$100 per unit Private school, day nursery, convalescent and nursing home, hospital, ACFL and Developmentally Disabled home care: \$96 Business, wholesale and retail: \$0.05 per SF Minimum Fee: \$100
40-Year Building Recertification Fee	\$250 for each building	\$250 for each building
Structural Glazing System Recertification Fee	\$250 for each building	\$250 for each building
Periodic Reinspection Fees for the following: <ul style="list-style-type: none"> • Steam boilers • Hot water Boilers • Unfired Pressure Vessels • Miniature Boilers • Shop inspection of boiler or pressure vessel 	\$60 - \$160.50	\$75
Technology Fee	\$6	\$18
Change of contractor or qualifier	\$100	\$100
General Administration Fees		
Lost Plans	30% of the original building permit fee Minimum fee for residential: \$75 Minimum fee for all other construction: \$150	\$15 plus cost of reproduction
Lost Building Permit Document(s) or Records	\$30	\$30 per document
Permit Extension	\$60	\$60 or less if permit amount is less than \$60
Permit Renewal	50% of the original permit fee if renewal is made within 6 months of the expiration date of the original permit 100% of the permit fee for renewals made after 6 months of the expiration date	\$100 plus 10% of the original base permit fee
Document Cost of Reproduction	Plan Reproduction from microfilm or disc-per sheet \$5 per sheet Reproduced Records: \$0.15 per page Double sided copies: \$0.20 per page Certified copies: \$1 per page Notary Public Service: \$1per document Research and Ordering Plans: \$5.00	Sheets up to 8-1/2"x14": \$0.15 per sheet plus \$0.05 for double sided Sheets larger than 8-1/2"x14" and up to and including 11"x17": \$0.30 per sheet plus \$0.10 for double sided Sheets larger than 11"x17": \$5 per sheet side Certified copies: \$1 per page Notary Public Service: \$1 per document Research and Ordering Plans: \$5 per order

Exhibit 2B

Village of Key Biscayne Permit Fee Analysis

Fee Description	Current Fees	Recommended Fees
Document Electronic Conversion	None	\$20 plus the per sheet cost Documents up to and including 11"x17": \$0.15 per sheet side Documents larger than 11"x17": \$3 per sheet side
Permit Document Electronic Conversion Fee	None	0.05% plus \$20 with a \$5,000 maximum of the job value
Violation Fees		
Work without permit	1st offense: \$125 plus a double permit fee 2nd offense: \$250 plus a double permit fee 3rd offense: \$500 plus a double permit fee	1st offense: \$125 plus 100% of the base permit fee 2nd offense: \$250 plus 100% of the base permit fee 3rd offense: \$500 plus 100% of the base permit fee
Occupancy without a Certificate of Occupancy	\$192.00 plus double CO fee	\$200 plus double the CO fee
Unsafe Structure Fees	None	Staff Time: \$15 per quarter hour Case Processing Fee: \$400 Initial Inspection Fee for unsafe structures: \$180 Re-Inspection Fee: \$90 each Posting of Notices: \$40 each Unsafe Structures Board Processing Fee: \$150 Title Search: Actual Cost Court Reporting Transcription: Actual Cost Legal Advertising: Actual Cost for each advertisement Permit Fees: Actual Cost Lien/Recording/Cancellation of Notices: Actual Cost for each notice Bid Processing Fee: \$125 Demolition/Secure Services: Actual Cost

The Building permit fee for all construction is recommended to be set \$1.30 per SF when square footage is collected (for structures) and 2.30% of the value of construction when square footage information is not available or for non-structures, with a \$100 minimum fee and a \$25,000 maximum fee. The fee is inclusive of administrative, plan review, and inspection services for building, structural, and all trades. This fee does not include any Zoning, Planning, Public Works, and Fire permitting services. The Building permit fee was derived using permit data of all permitted construction projects from February 22, 2017 to November 7, 2017.



Village of Key Biscayne Permit Fee Analysis

Other fees were generally set based on the average fully burdened hourly rate of \$90 per hour for inspectors in the Building Division. With the understanding that plan reviews and inspections can vary depending on the construction project, the fee was set with an approximate duration of 30 minutes per plan review or inspection. Finally, the Building Technology Fee, utilized to maintain the Building Division's technology, was adjusted from \$6 to \$18. Currently, the Building Technology Fee is charged for each trade permit, therefore a typical new construction project would be required to pay the fee for each trade permit. For example, a new construction with a Building master permit and three trade (Mechanical, Plumbing, and Electrical) permits is charged the current \$6 Building Technology Fee four times, once for each permit, for a total of \$24. In the new fee structure, the Building Technology Fee is charged once per construction project. Estimating a five-year replacement plan for the technology equipment at \$100,000, the fee is set to generate approximately \$20,000 per year. To project the revenue generated from the Building Technology Fee, the number of master permits and standalone trade permits were used to project the number of transactions.

Table 8 depicts the projected FY 2017 permit fee revenue based on the current fees and the projected FY 2018 revenue based on recommended fees. The estimated FY 2018 revenue with recommended fees is \$1,888,049.

Village of Key Biscayne Permit Fee Analysis

Table 8: Building Permit Fee Estimated Revenue Based on Current and Recommended Fees

Permit Type	Recommended Fee	Estimated FY 2018 Revenue with Recommended Fees
New Construction and Renovations	\$1.30 per SF for permits with square footage, 2.30% of the value of construction for permits with no square footage, \$100 minimum fee, \$25,000 maximum fee	\$1,782,982
Reinspection (All Trades)	\$75 for each reinspection \$150 for second and subsequent reinspections	\$3,375
Permit Renewal Fee	\$100 plus 10% of the original base permit fee	\$6,848
Permit Extensions	\$60 or less if permit amount is less than \$60	\$0
Certificate of Completion	Single Family Residence, townhouse = \$50 All others: \$65	\$1,200
Certificate of Occupancy	Refer to CO fees in Table 7	\$0
Permit Software	\$18	\$19,494
Lost/Revised Plan Fee	\$15 plus cost of reproduction	\$1,800
Copies & Reproductions	Refer to the document cost of reproduction and conversion fees in Table 7	\$191
Scanning Fee	\$5 per scan	\$47,318
Penalty Fees	Refer to the violation fees in Table 7	\$24,841
Contractor Registration	Building can no longer collect contractor registration fees	\$0
	Total:	\$1,888,049

The overall recommended fee structure was set to be cost equitable to FY 2018 proposed budgeted expenditures. Table 9 provides the projected FY 2018 revenue with the recommended fees and the FY 2018 proposed budgeted expenditures for the Building Division, inclusive of the indirect support costs. Additionally, JRD is recommending that Fire Prevention implement a separate Fire permit fee schedule eliminating the need for a revenue transfer out of the Building permit revenue for Fire plan reviews and inspections.

Village of Key Biscayne Permit Fee Analysis

Table 9: Building Division's FY 2018 Projected Revenue and Fully Burdened Expenditures

Projected FY 2018 Revenue & Expenditures	
Total Projected Building FY 2018 Revenue	\$1,888,049
Total FY 2018 Proposed Budget Expenditures⁹	\$1,876,108
Non-Discretionary Spending	\$1,348,744
Discretionary Spending	\$400,786
Indirect Support Cost	\$126,578 ¹⁰
Revenue minus Fully Burdened Expenditures:	\$11,941
Projected Building Inspection Reserve Balance for FY 2017 (9/30/2017)	\$1,815,875
Projected Building Inspection Reserve Balance for FY 2018 (9/30/2018)	\$1,827,816

4.4 BUILDING RESERVE STRATEGY

At the close of FY 2016 the Building Inspection Reserve balance was at \$2,259,562, an increase of 55% from the previous year. Carrying a reserve balance is allowable as long as the funds are utilized for Building Division operational costs. As stated in the Florida Building Code 553.80 (7), "When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances shall be carried forward to future years for allowable activities or shall be refunded at the discretion of the local government."

Through feedback received and observations made while conducting the fee analysis, JRD identified investment opportunities to improve Building permitting operations. For example, the technology currently utilized in the Building Division is outdated as compared to similar municipalities. Therefore, a recommended option was purchasing a new permitting system (\$167,400). This investment has been approved and will soon be implemented. Additional investment options that can be funded by the Building Inspection Reserve include:

- Permitting system software licenses (cost increases 3% per year): \$40,975
- Technology hardware costs for new equipment that will support the new permitting system: \$73,000
- Technology equipment for permit clerks (computers and printers): \$12,000

⁹ The expenditures are based on the FY 2018 adopted budget.

¹⁰ The table lists the projected FY 2017 indirect support cost based on the actual cost as of May 31, 2017.

Village of Key Biscayne Permit Fee Analysis

In addition, a Building Division revenue adjustment in the estimated amount of \$199,726 is required by the close of the fiscal year. In FY 2015 and FY 2016, county and state fees (i.e. Miami-Dade County Fee, Radon Gas Fee, State Department of Community Affairs Surcharge, and Department of Business and Professional Regulation Surcharge) received by the Village were inadvertently allocated to Building revenue.

Table 10 provides the estimated FY 2018 Building Inspection Reserve balance after accounting for the cost adjustments from the investment options and the county and state fee revenue adjustments. The FY 2018 Reserve balance FY 2018 is estimated to be \$1,334,715. JRD believes that this balance amount appears reasonable and allowable for the Building Inspection Reserves. However, if the Village desires to further reduce the Reserve balance, an additional deduction can be made as payments to other departments for indirect support costs incurred from the previous fiscal years.

Table 10: Estimated FY 2018 Building Inspection Reserve Balance After Adjustments

	Cost	Building Inspection Reserve Balance
Projected FY 2018 End of Year Building Inspection Reserve Balance (with recommended fees)		\$1,827,816
<i>Investment Options</i>		
New Permitting System	\$167,400	
Software Licenses	\$40,975	
Technology Hardware Costs	\$73,000	
Technology Equipment for Permit Clerks	\$12,000	
Total Cost of Investment Options	\$293,375	\$1,534,440
County and State Fee Revenue Adjustment	\$199,726	
Projected FY 2018 End of Year Building Inspection Reserve Balance:		\$1,334,715

Village of Key Biscayne Permit Fee Analysis

4.5 BUILDING PERMIT COMPARATIVE ANALYSIS

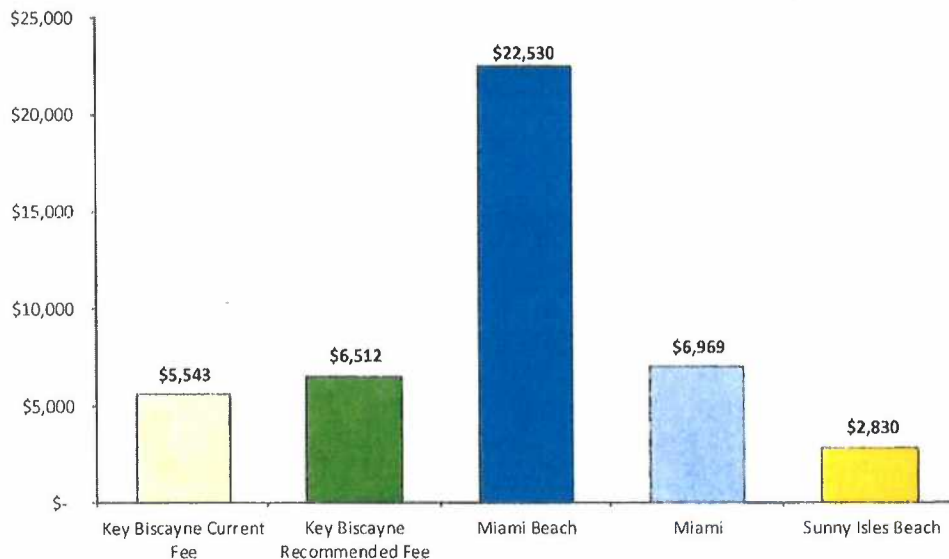
A comparative analysis of building permit fees in the cities of Miami, Miami Beach, and Sunny Isles Beach, was conducted to determine how the Village's Building permit fees compare. Actual permits were selected by Building Division staff and provided to JRD.

Permits selected for the analysis represent each Village construction type in terms of size (SF) of construction and cost. For example, the permit selected for a single-family new residence new construction consisted of a value of construction of \$1,385,000 and 5,009 SF in size. The size and value of construction for this single-family residence is representative of a single family new construction project in Key Biscayne. This methodology was followed for the four following construction types being compared.

Residential – Single-Family New Construction

Village permit fees for the construction of a 5,009 SF single-family residence with a value of construction of \$1,385,000 were compared to those of the comparable municipalities. Similar to the Village, Sunny Isles Beach's fee is based on SF. On the other hand, Miami Beach and Miami utilize a percentage of the value of construction. Figure 2 depicts the comparison of total fees per city. Miami Beach's total permit fee is \$22,530, significantly higher than Miami, Sunny Isles Beach and the Village's current fee. With the recommended fee of \$1.30 per SF, the Village's fee for a new single-family residence would be approximately \$6,512, higher than what it is currently.

Figure 2: Permit Fees Charged for a New 5,009 SF Single-Family Residence With a Construction Value of \$1,385,000



Village of Key Biscayne Permit Fee Analysis

Residential Pool

The Village's permit fees for the construction of a residential pool were compared to Miami, Miami Beach, and Sunny Isles Beach, as depicted in Figure 3. Compared to the other cities, the Village's current fee of \$905 is the highest, while Sunny Isles Beach's fee is slightly less at \$890, and Miami's is significantly lower at \$269. Based on the recommended fee of 2.30% of the value of construction, the permit fee for this pool would be \$475, the second lowest of the comparable cities.

Figure 3: Permit Fees Charged for a Residential Pool With a Construction Value of \$20,650

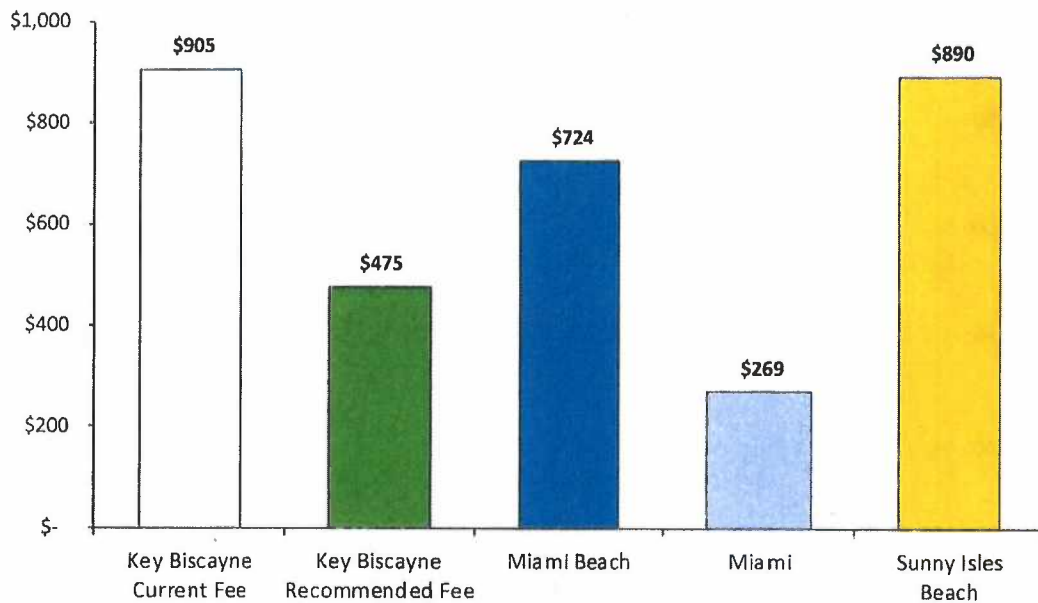


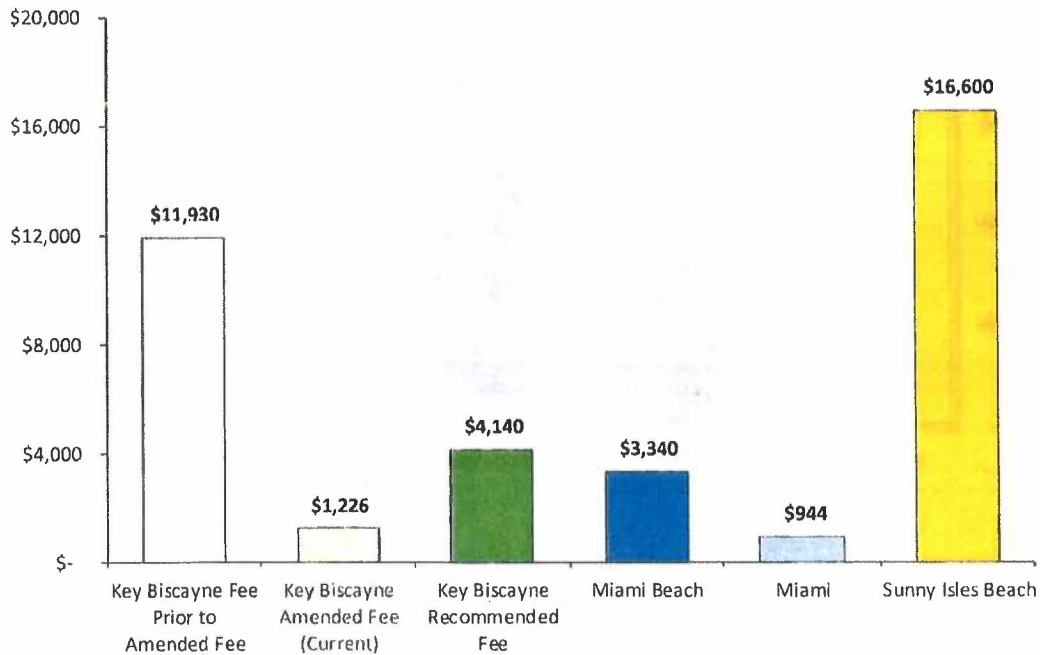
Exhibit 2B

Village of Key Biscayne Permit Fee Analysis

Residential Renovation

The fees associated with a Village Building permit (including trade permits) issued for the renovation of a single-family residence were also compared to Miami, Miami Beach, and Sunny Isles Beach. Sunny Isles Beach's fee is significantly higher at \$16,600. The Village's current fee is \$1,226, Miami is \$944, and Miami Beach is \$3,340. Prior to the February 2017 fee amendment, the Village's fee would have been \$11,930. Figure 4 depicts this comparison. The recommended Village permit fee (2.30% of the value of construction) for residential renovation is \$4,140, which is higher than the amended fee of \$1,226, but significantly lower than the \$11,930 fee prior to the February 2017 amendment and lower than the average of the other municipalities.

Figure 4: Permit Fees Charged for a Residential Renovation with a Construction Value of \$180,000

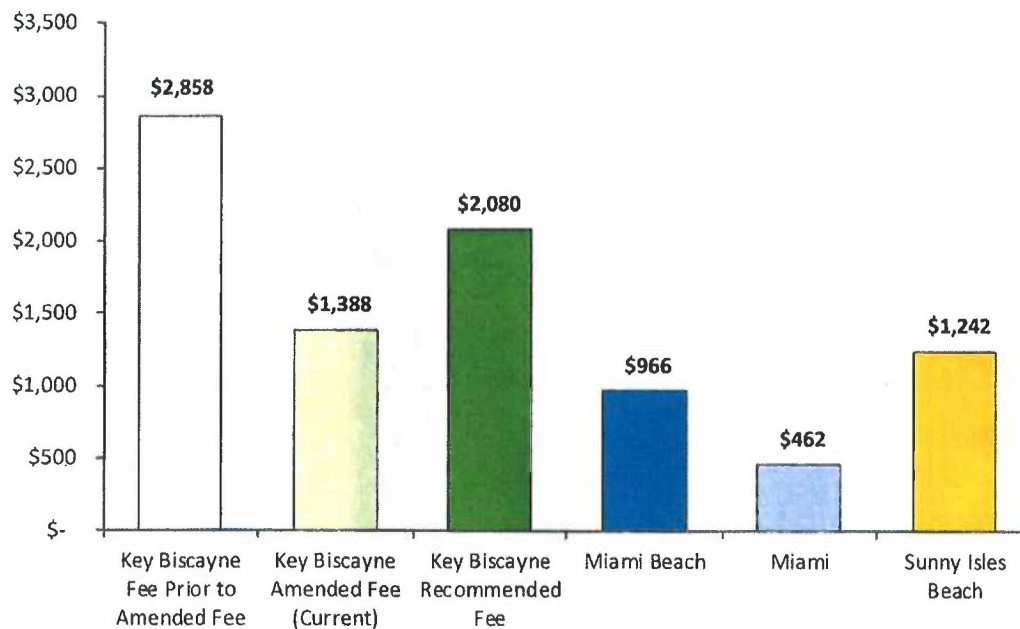


Village of Key Biscayne Permit Fee Analysis

Multi-Family Unit Renovation

The Village's permit fees for the renovation of a 1,600 SF Multi-Family Unit was compared to Miami, Miami Beach, and Sunny Isles Beach. As demonstrated in Figure 5, the Village's current total fees are \$1,388, the highest of the cities. Sunny Isles Beach's fee of \$1,242 is slightly lower, but Miami's is significantly lower at \$462. The recommended permit fee (\$1.30 per SF) totals \$2,080, which is higher than the current amended fee, but 27% lower than the fee prior to the February 2017 amendment.

Figure 5: Permit Fees Charged for a 1,600 SF Multi-Family Unit Renovation With a Construction Value of \$41,800

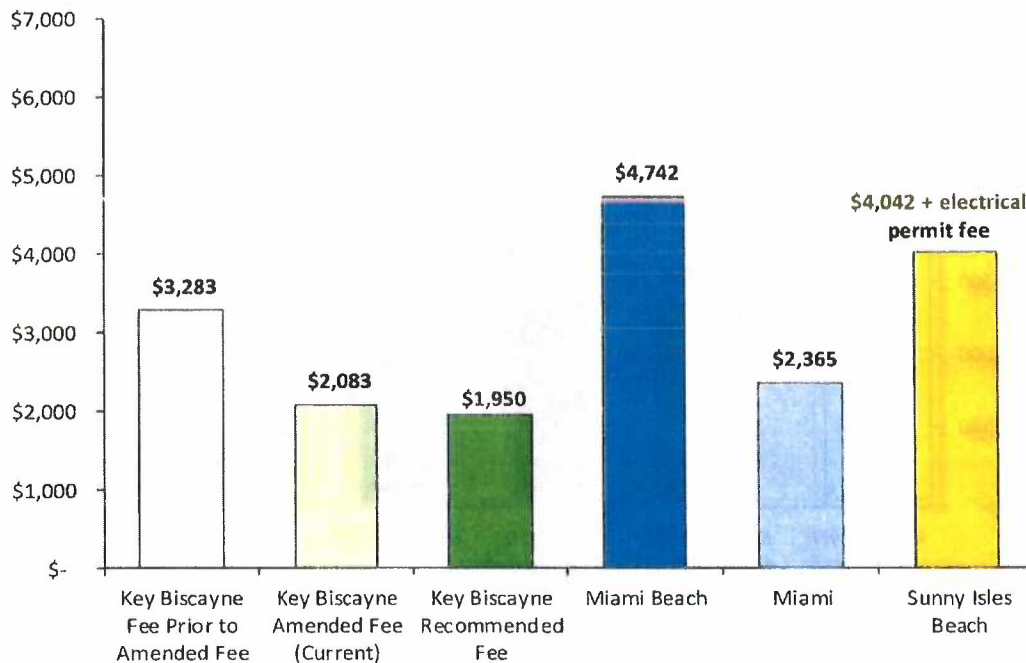


Village of Key Biscayne Permit Fee Analysis

Commercial Renovation

The fees associated with a Village commercial renovation permit issued for a 1,500 SF commercial property were compared to the fees charged by Miami, Miami Beach, and Sunny Isles Beach, as detailed in Figure 6. The Village's current permit fee (amended) of \$2,083 is the lowest of the comparable cities, with Miami having the second lowest at \$2,365. The Village's recommended fee (\$1.30 per SF) is \$1,950, significantly lower than the other municipalities. Note that the Sunny Isles Beach permit fee total in Figure 6 does not contain electrical permit fees because the information needed was not readily available.

**Figure 6: Permit Fees Charged for a 1,500 SF Commercial Renovation
With a Construction Value of \$232,080**



5 ZONING AND PLANNING PERMIT FEES

The Zoning and Planning Division (ZPD) is responsible for reviewing plans for compliance with the Zoning and Land Development Regulations and providing information to residents and architects on the development potential of property. The Division administers the Comprehensive Development Master Plan (CDMP) as set forth in the Florida Statutes, including the processing, monitoring, and evaluation of amendments to the Plan, Concurrency Regulations, and other issues that relate to the overall planning of the Village. The Division is also responsible for the preparation of new Zoning and Land Development Regulations consistent with the CDMP. Finally, staff makes recommendations to the Village Council regarding Site Plan Review applications and variances.¹¹

5.1 CURRENT ZONING AND PLANNING REVENUE

As part of the fee analysis, JRD assessed ZPD fees and transactions from October 1, 2016 to May 31, 2017. Table 11 contains the Village’s breakdown of the ZPD fees, which generated \$14,454 in revenue, with the majority generated by Zoning reviews and site plan reviews.

Table 11: Key Biscayne Zoning and Planning Revenue
(10/1/2016 to 5/31/2017)

Fee Description	Number of Transactions	Permit Revenue	Percentage of Total Revenue
Zoning Review Fee	137	\$10,993	76%
Site Plan Review Fee	37	\$2,761	19%
Planning Re-Review Fee	8	\$625	4%
Zoning Reinspection Fee	1	\$75	1%
Total:	183	\$14,454	100%

5.2 ZONING AND PLANNING DIVISION REVENUE AND EXPENDITURES

For FY 2017, the Village budgeted \$6,000 in ZPD revenue, and as of as of May 31, 2017, \$14,454 had been collected, with a year-end projection of \$21,681. ZPD expenditures are budgeted at \$152,088, and as of May 31, 2017, \$104,639 had been expended with a year-end projection of \$156,958. Table 12 details the ZPD FY 2017 Revenue and Expenditures.

¹¹ From the Building, Zoning, Planning, and Public Works Department Fiscal Year 2017 Budget.



Village of Key Biscayne Permit Fee Analysis

As of May 31, 2017, ZPD generated approximately \$90,000 less in revenue than expenditures. For FY 2017, ZPD is projected to generate \$135,000 less than expenditures. Unlike the Building Division, which is funded through the revenue collected from fees and violations, the ZPD is predominately funded by the General Fund. Table 12 highlights the aforementioned.

**Table 12: Key Biscayne Zoning and Planning Division's
FY 2017 Revenue and Expenditures**

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Zoning and Planning Fees	\$6,000	\$14,454	\$21,681
Total Revenue:	\$6,000	\$14,454	\$21,681
Expenditures			
Non-Discretionary Spending	\$143,713	\$99,230	\$148,845
Discretionary Spending	\$8,375	\$5,409	\$8,113
Total Expenditures:	\$152,088	\$104,639	\$156,958
Revenue minus Expenditures:	-\$146,088	-\$90,185	-\$135,277

Sources: Accela Permit Plus permitting system and 2017 BZP General Ledger Statement of Revenue and Expenditures

Indirect Support Cost Allocation

Similar to Building, the indirect support cost allocation needs to be applied to the ZPD expenditures. The indirect support costs are costs incurred by other Village departments that support ZPD. For information on how the indirect support cost was calculated, please refer to Section 4.2: Building Expenditures. Table 13 provides the indirect support costs and percentages utilized to calculate the Zoning and Planning Division's indirect support costs. Since BZP contains multiple divisions, the table provides a breakdown of the indirect cost percentages across the department. In total, JRD calculated a budgeted indirect support cost of \$70,465 for the ZPD in FY 2017. The majority of the indirect support is from the Village Attorney.

Village of Key Biscayne Permit Fee Analysis

Table 13: Zoning and Planning Division's FY 2017 Indirect Support Cost

Area or Staff Providing Support	FY2017 Adopted Budget Cost	Indirect Support Cost %	Indirect Support Cost	Indirect Support Description
Village Manager and Chief of Staff	\$529,911	4.0%	\$21,196	The Village Manager/Chief of Staff provide 10% of their time supporting BZP: <ul style="list-style-type: none"> • 4% for Building • 4% for Zoning and Planning • 2% for Code Compliance • 0% for Business Tax Receipts (BTR) • 0% Public Works permitting
Finance	\$475,641	0.43%	\$2,038	The Finance Director works part-time (2 days a week) and provides 2 hours of support for BZP. This support is divided as: <ul style="list-style-type: none"> • 86% for Building • 3% for Zoning and Planning • 1% for Code Compliance • 9% for BTR • 1% for Public Works permitting The Finance indirect cost percentage is calculated as follows: 2 hour/14 hours per week x 86% = 0.43%
Human Resources (HR)	\$185,862	0.8%	\$1,489	HR's indirect cost percentage is based on the number of employees. The Village has a total of 166 employees. BZP has a total staff of 16: <ul style="list-style-type: none"> • Building = 10 employees • Zoning and Planning = 1 employee • Code Compliance = 2.5 employees • BTR = 0.5 employees. • The Director and Assistant are distributed as follows: Building (0.66 FTE), P&Z (0.33 FTE), Code (0.66 FTE) and BTR (0.33 FTE) The indirect cost percentage is calculated by the percentage of employees in Zoning and Planning to the total number of Village employees. For example, 1 Zoning and Planning employee / 166 Village employees = 0.8%.
IT	\$344,700	5.0%	\$17,235	Fifty percent of IT's support time is spent with BZP: <ul style="list-style-type: none"> • 30% for Building • 5% for Zoning and Planning • 5% for Code Compliance • 5% for BTR • 5% for Public Works permitting
Village Attorney	\$26,000 ¹²	66.67%	\$17,333	Village Attorney spends on average about 2.5 hours a week at a rate of \$200 per hour supporting BZP: <ul style="list-style-type: none"> • 13.33% for Building • 66.67% for Zoning and Planning • 13.33% for Code Compliance • 1.67% for BTR • 5% for Public Works

¹² The Village Attorney's FY 2017 adopted budget is \$1,210,000. However, the Village Attorney stated that approximately 2.5 hours a week at a rate of \$200 per hour is spent working with the BZP department for a total amount of \$26,000.

Village of Key Biscayne Permit Fee Analysis

Area or Staff Providing Support	FY2017 Adopted Budget Cost	Indirect Support Cost %	Indirect Support Cost	Indirect Support Description
Village Clerk	\$372,462	3.0%	\$11,174	Village Clerk provides 6% of its time supporting BZP: <ul style="list-style-type: none"> • 2% for Building • 3% for Zoning and Planning • 0.33% for Code Compliance • 0.33% for BTR • 0.33% for Public Works permitting
Total ZPD Indirect Support Cost:			\$70,465	

The total indirect support costs for ZPD is added to the total expenditures to determine the fully burdened cost, which is used to determine the recommended permit fees. Table 14 provides the fully burdened expenditures for ZPD, which is projected to total \$217,763, approximately \$196,000 more than the revenue generated. As previously mentioned, ZPD is also funded by the General Fund.

Table 14: Zoning and Planning Division's FY 2017 Revenue & Fully Burdened Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Zoning and Planning Fees	\$6,000	\$14,454	\$21,681
Total Revenue:	\$6,000	\$14,454	\$21,681
Expenditures			
Non-Discretionary Spending	\$143,713	\$99,230	\$148,845
Discretionary Spending	\$8,375	\$5,409	\$8,113
Indirect Support Cost	\$70,465	\$46,314	\$60,805
Total Fully Burdened Expenditures:	\$222,552	\$150,953	\$217,763
Revenue minus Expenditures:	-\$216,552	-\$136,499	-\$196,082

Sources: Accela Permit Plus permitting system and 2017 BZP General Ledger Statement of Revenue and Expenditures

5.3 RECOMMENDED ZONING AND PLANNING FEES

The recommended ZPD permit fees are intended to recover the cost of providing services. To determine the recommended fees, JRD met with staff to determine the time and staff required to provide the service associated with the fee. The fees were determined by using the fully burdened hourly rate and the estimated average time needed by staff to deliver that service.

Village of Key Biscayne Permit Fee Analysis

Table 15 lists the recommended ZPD fees. The majority of the recommended fees are flat fees that are charged for each service. For example, a flat fee of \$100 is being recommended for Zoning plan review and \$300 for a site plan review. The recommended re-review and reinspection fees are being kept the same as the recommended fees for the Building Division. Finally, the majority of the Planning fees, which include the services from a supervisory variance to the preparation of a certified record for the court, are recommended to increase. Planning services can vary greatly in the amount of staff time required.

Table 15: Recommended Zoning and Planning Permit Fees

Fee Description	Current Fee	Recommended Fee
Zoning Plan Review Fee	\$25 or \$0.13 per SF, whichever is greater	\$100
Site Plan Review Fee (New construction of any single-family residence, duplex, apartment building, commercial building, addition, any renovation or repair that exceeds 50% of the floor are of the present structure)	\$200	\$300
Re-Review Fees	\$100 for failure to make required corrections that were provided under a previous review but not less than 50% of the original application fee	\$75 on the third plan review where the plans fail to correct the same issue \$150 on the fourth and subsequent review where the plans fail to correct the same issue
Reinspection Fees	\$75 for each reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection	\$75 for the first reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection
Supervisory Variance (any type of use)	\$55	\$100
Administrative and Regulatory Variance	Single family and duplex: \$150 Multiple Family: \$315 Commercial and Hotel: \$500	Single family and duplex: \$400 Multiple Family: \$800 Commercial and Hotel: \$900
Appeal on Administrative Decision	\$1,000	\$1000
Appeal on Village Council Decisions	\$315 per application \$315 for site plan modifications	\$600
Amendment to the Zoning and Land Development Regulations	\$1,000	\$3,000
Change of Zoning District	\$1,000	\$1,500
Comprehensive Plan Amendment or Change of Land Use	\$2,500	\$3,000
Preparation of Certified Record for the Court	\$265	\$300
Advertising Fee (i.e. published in the Village or newspaper as required by Chapter 163 of Florida Statutes)	Published in the Village: \$300 Published in a newspaper as required by Chapter 163 of Florida Statutes: \$4,500	Actual Cost
Mailing Fee	\$0.50 per mailing address	Actual Cost

Village of Key Biscayne Permit Fee Analysis

Table 16 depicts the Zoning and Planning projected FY 2017 revenue based on the current fees and the projected FY 2018 revenue based on recommended fees. The projected revenue calculated for the recommended fees assumes a similar volume as FY 2017. As shown in the table, many of the ZPD services had no transactions based on the data provided from the permitting system. The estimated FY 2018 revenue with recommended fees is \$38,869.

Table 16: Zoning and Planning Permit Fee Estimated Revenue Based on Current and Recommended Fees

Fee Description	FY 2017 Projected Revenue (Current Fees)	Recommended Fee	Estimated FY 2018 Revenue with Recommended Fees	Revenue Difference
Zoning Plan Review Fee	\$16,489	\$100	\$20,700	\$4,211
Site Plan Review Fee	\$4,142	\$300	\$17,100	\$12,958
Re-Review Fees	\$938	\$75 on the third plan review where the plans fail to correct the same issue \$150 on the fourth and subsequent review where the plans fail to correct the same issue	\$900	-\$38
Reinspection Fees	\$113	\$75 for each reinspection \$150 for second and subsequent reinspections	\$169	\$56
Supervisory Variance	\$0	\$100	\$0	\$0
Administrative and Regulatory Variance	\$0	Single family and duplex: \$600 Multi-family: \$1,200 Commercial and Hotel: \$1,500	\$0	\$0
Appeal on Administrative Decision	\$0	\$1000	\$0	\$0
Appeal on Village Council Decisions	\$0	\$600	\$0	\$0
Amendment to the Zoning and Land Development Regulations	\$0	\$3,000	\$0	\$0
Change of Zoning District	\$0	\$1,500	\$0	\$0
Comprehensive Plan Amendment or Change of Land Use	\$0	\$3,000	\$0	\$0
Preparation of Certified Record for the Court	\$0	\$300	\$0	\$0
Total:	\$21,681		\$38,869	\$17,187

Village of Key Biscayne Permit Fee Analysis

The overall recommended fee structure is based on the amount of time spent at a fully burdened hourly rate for the service provided for the permit fee. Table 17 provides ZPD's FY 2018 projected revenue based on the recommended fees and its fully burdened expenditures using its FY 2018 proposed budget operating expenditures. The estimated ZPD revenue generated is projected to be over \$223,000 less than the fully burdened expenditures in FY 2018. As previously mentioned, the Division is also predominately funded by the General Fund.

Table 17: Zoning and Planning Division's FY 2018 Projected Revenue and Fully Burdened Expenditures

Projected FY 2018 Revenue & Expenditures	
Total Projected Planning and Zoning FY 2018 Revenue	\$38,869
Total Fully Burdened Expenditures¹³	\$262,274
Non-Discretionary Spending	\$148,748
Discretionary Spending	\$13,797
Indirect Support Cost	\$60,805 ¹⁴
Revenue minus Fully Burdened Expenditures:	-\$223,405

¹³ The expenditures are based on the FY 2018 proposed budget as of June 20, 2017.

¹⁴ The table lists the projected FY 2017 indirect support cost based on the actual cost as of May 31, 2017.

6 PUBLIC WORKS PERMIT FEES

The Public Works Department (PWD) is responsible for maintaining and improving the infrastructure below and above grade including curbs, gutters, sidewalks, traffic calming, the public rights-of-way, street trees, beach, and public open space.¹⁵ PWD was a division within the BZP department, but prior to the commencement of the permit fee analysis, Public Works became a stand-alone department. The permitting functions of PWD, however, remain in BZP since revenue generated and expenditures incurred from PWD permits are recognized as Building revenue and expenditures.

6.1 CURRENT PUBLIC WORKS PERMITTING REVENUE

PWD's permitting function is a small portion of all its departmental functions. The number of transactions for PWD permits is also much smaller in comparison to the other permitting activities experienced in BZP and Fire. In addition to having a small amount of transactions, the fees charged for PWD permits are low because they are based on an outdated Miami-Dade County Public Works fee schedule (Appendix 3). These PWD permit fees are not currently in the Village's adopted permit fee schedule. Additionally, based on interviews and the data collected from the permitting system, the PWD fees are inconsistently applied. Table 18 contains a breakdown of all PWD fees and transactions charged by the Village for FY 2017 as of May 31, 2017. A total of \$4,863 was collected in PWD permit fees and \$75 for reinspection fees.

Table 18: Public Works Revenue
(10/1/2016 to 5/31/2017)

Fee Description	Number of Transactions	Permit Revenue	Percentage of Total Revenue
Public Works Fees	38	\$4,863	98%
Public Works Reinspection Fees	1	\$75	2%
Total:	39	\$4,938	100%

¹⁵ From the Building, Zoning, and Planning, and Public Works departments FY 2017 Budget.

Village of Key Biscayne Permit Fee Analysis

6.2 PUBLIC WORKS PERMITTING REVENUE AND EXPENDITURES

As of May 31, 2017, a total of \$4,938 in PWD permit fees were collected, with a projection of \$7,407 to be collected in FY 2017. The expenditures for the permitting functions of PWD are currently recognized under BZP's departmental budget. These expenditures amount to 5% of the salary plus fringe benefits of three PWD staff with no discretionary costs. As of May 31, 2017, PWD permitting had expended \$9,201, and is projected to spend \$13,802 in FY 2017. PWD permitting is projected to spend approximately \$6,000 more than revenue generated. Similar to the Zoning and Planning Division, PWD permitting is also funded by the General Fund. Table 19 lists the FY 2017 Revenue and Expenditures for PWD permitting.

Table 19: Public Works Permitting FY 2017 Revenue and Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Public Works Fees	\$0	\$4,938	\$7,407
Total Revenue	\$0	\$4,938	\$7,407
Expenditures			
Non-Discretionary Spending	\$14,973	\$9,201	\$13,802
Discretionary Spending	\$0	\$0	\$0
Total Expenditures	\$14,973	\$9,201	\$13,802
Revenue minus Expenditures	-\$14,973	-\$4,263	-\$6,395

Indirect Support Cost Allocation

As previously described, the indirect support costs are those costs incurred by other Village departments that provide support to PWD permitting. For information on how the indirect support cost was calculated, please refer to Section 4.2: Building Expenditures. Table 20 provides the indirect support costs and percentages utilized to calculate the indirect support costs for the permitting function of PWD. Since the FY 2017 expenditures for PWD permitting are reflected in BZP's budget, and since BZP contains multiple divisions, the table provides a breakdown of the indirect cost percentages across the department. In total, JRD calculated a budgeted indirect support cost of \$21,731 for PWD permitting in FY 2017.

Village of Key Biscayne Permit Fee Analysis

Table 20: Public Works Permitting FY 2017 Indirect Support Cost

Area or Staff Providing Support	FY2017 Adopted Budget Cost	Indirect Support Cost %	Indirect Support Cost	Indirect Support Description
Finance	\$475,641	0.14%	\$679	<p>The Finance Director works part-time (2 days a week) and provides two hours of support for BZP. This support is divided in BZP as follows:</p> <ul style="list-style-type: none"> • 86% for Building • 3% for Zoning and Planning • 1% for Code Compliance • 9% for BTR • 1% for Public Works permitting <p>The Finance indirect cost percentage is calculated as follows: 2 hour / 14 hours per week x 1% = 0.14%</p>
Human Resources (HR)	\$185,862	0.7%	\$1,288	<p>HR's indirect cost percentage is based on the number of employees. The Village has a total of 166 employees. Public Works permitting has 1.15 FTEs. The indirect cost percentage is calculated by the percentage of employees working on Public Works permitting to the total number of Village employees. For example, 1.15 Public Works permitting FTEs / 166 Village employees = 0.7%.</p>
IT	\$344,700	5.0%	\$17,235	<p>Fifty percent of IT's support time is spent with BZP:</p> <ul style="list-style-type: none"> • 30% for Building • 5% for Zoning and Planning • 5% for Code Compliance • 5% for BTR • 5% for Public Works permitting
Village Attorney	\$26,000 ¹⁶	5.0%	\$1,300	<p>Village Attorney spends on average about 2.5 hours a week at a rate of \$200 per hour supporting BZP:</p> <ul style="list-style-type: none"> • 13.33% for Building • 66.67% for Zoning and Planning • 13.33% for Code Compliance • 1.67% for BTR • 5% for Public Works
Village Clerk	\$372,462	0.33%	\$1,229	<p>Village Clerk provides 6% of its time supporting BZP:</p> <ul style="list-style-type: none"> • 2% for Building • 3% for Zoning and Planning • 0.33% for Code Compliance • 0.33% for BTR • 0.33% for Public Works permitting
Total Public Works Indirect Support Cost:			\$21,731	

¹⁶ The Village Attorney's FY 2017 adopted budget is \$1,210,000. However, the Village Attorney stated that approximately 2.5 hours a week at a rate of \$200 per hour is spent working with the BZP department for a total amount of \$26,000.

Village of Key Biscayne Permit Fee Analysis

The total indirect support cost for PWD permitting is added to the total expenditures to determine the fully burdened cost, which is used to determine the recommended Public Works permit fees. Table 21 provides the total FY 2017 fully burdened expenditures for PWD permitting. The FY 2017 fully burdened total projected cost for PWD permitting is \$29,724, approximately \$22,317 more than the revenue generated. PWD permitting expenditures are also covered by the General Fund.

Table 21: Public Works FY 2017 Revenue & Fully Burdened Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Public Works Fees	\$0	\$4,938	\$7,407
Total Revenue	\$0	\$4,938	\$7,407
Expenditures			
Non-Discretionary Spending	\$14,973	\$9,201	\$13,802
Discretionary Spending	\$0	\$0	\$0
Indirect Support Cost	\$21,731	\$11,048	\$15,922
Total Fully Burdened Expenditures	\$36,704	\$20,249	\$29,724
Revenue minus Expenditures	-\$36,704	-\$15,311	-\$22,317

6.3 RECOMMENDED PUBLIC WORKS PERMIT FEES

To determine the recommended PWD fees, JRD met with the Public Works Superintendent to determine the time and staff required to provide the service associated with the fees. The fees were determined by using the fully burdened hourly rate and the estimated average time required by staff to deliver services.

Table 22 lists the recommended PWD permit fees, which are flat for each service and also provides the current Public Work permit fees¹⁷. For example, a flat fee of \$60 is proposed for the inspection of driveways. The current fee is tiered and dependent on the width of the driveway. However, the width of the driveway does not impact the time required by PWD staff to deliver the services for the permit. The recommended re-review and reinspection fees remain the same.

¹⁷ For more details on the current Public Works permit fees, refer to Appendix 3.

Village of Key Biscayne Permit Fee Analysis

Table 22: Recommended Public Works Permit Fees

Fee Description	Current Fees	Recommended Fees
Installation or repair of sanitary and storm sewers, waterlines, gas lines, and other underground utilities	For 100 lineal feet or less: \$28 For each additional 100 lineal fee or fraction thereof: \$12.50	\$275
French drains	For the installation consisting of one or two catch basins, and seepage trench or soakage pit of lengths not to exceed 100 lineal feet: \$25	\$350
Installation of poles or down guys for overhead utilities	\$10 each pole or unit	\$125
Construction or replacement of sidewalks, curb and gutter	For 100 lineal feet or less: \$25 For each additional 100 lineal fee or fraction thereof: \$12.50	\$35
Driveways	Driveway width of 20 feet or less: \$10 Driveway width greater than 20 feet but less than 40 feet: \$20 Driveway width greater than 40 feet: \$40	\$60
Construction of street pavements	<u>One Lane or Two-Lane Pavements</u> (Width of pavement 1 to 24 feet) For 100 lineal feet or less: \$75 For each additional 100 lineal fee or fraction thereof: \$25 <u>Three or More Lanes of Pavement</u> (Aggregate width greater than 24 feet) For 100 lineal feet or less: \$100 For each additional 100 lineal fee or fraction thereof: \$50	\$275
Paving of parkways and shoulders	For 100 lineal feet or less: \$50 For each additional 100 lineal fee or fraction thereof: \$25	\$200
Construction of curb separators	For 100 lineal feet or less: \$25 For each additional 100 lineal fee or fraction thereof: \$10	\$35
Re-Review Fees	\$100 for failure to make required corrections that were provided under a previous review but not less than 50% of the original application fee	\$75 on the third plan review where the plans fail to correct the same issue \$150 on the fourth and subsequent review where the plans fail to correct the same issue
Reinspection Fees	\$75 for each reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection	\$75 for the first reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection
The same general administration and penalty fees that apply for the Building permits should apply for Public Works permits and should be processed by the permit clerks in the BZP department.		

Exhibit 2B

Village of Key Biscayne Permit Fee Analysis

Table 23 depicts the Public Works projected FY 2017 permit revenue based on the current fees and the projected FY 2018 revenue based on recommended fees. The projected revenue calculated for the recommended fees assumes a similar volume as FY 2017. As shown in the table, many of the Public Works permitting services had no transactions based on the data provided from the permitting system. The estimated Public Works FY 2018 revenue with recommended fees is \$7,613.

Table 23: Public Works Permit Fee Estimated Revenue Based on Current and Recommended Fees

Fee Description	FY 2017 Projected Revenue (Current Fees)	Recommended Fee	Estimated FY 2018 Revenue with Recommended Fees	Revenue Difference
Installation or repair of sanitary and storm sewers, waterlines, gas lines, and other underground utilities	\$1,430	\$275	\$4,950	\$3,521
French drains	\$0	\$350	\$0	\$0
Installation of poles or down guys for overhead utilities	\$0	\$125	\$0	\$0
Construction or replacement of sidewalks, curb and gutter	\$0	\$35	\$0	\$0
Driveways	\$3,990	\$60	\$2,250	-\$1,740
Construction of street pavements	\$0	\$275	\$0	\$0
Paving of parkways and shoulders	\$1,875	\$200	\$300	-\$1,575
Construction of curb separators	\$0	\$35	\$0	\$0
Reinspection Fees	\$113	\$75 for each reinspection \$150 for second and subsequent reinspections	\$113	\$0
Total:	\$7,407		\$7,613	\$206

Exhibit 2B



Village of Key Biscayne Permit Fee Analysis

The overall recommended fee structure is based on the amount of time spent at a fully burdened hourly rate for the service provided for the permit fee. Table 24 provides PWD permitting's FY 2018 projected revenue based on the recommended fees and its fully burdened expenditures using its FY 2018 proposed budget operating expenditures. The estimated PWD permitting revenue generated is projected to be approximately \$23,000 less than the fully burdened expenditures in FY 2018. The Division is also funded by the General Fund.

Table 24: Public Works' FY 2018 Projected Revenue and Fully Burdened Expenditures

Projected FY 2018 Revenue & Expenditures	
Total Projected Public Works FY 2018 Revenue	\$7,613
Total Fully Burdened Expenditures¹⁸	\$30,899
Non-Discretionary Spending	\$14,977
Discretionary Spending	\$0
Indirect Support Cost	\$15,922 ¹⁹
Revenue minus Fully Burdened Expenditures:	-\$23,286

¹⁸ The expenditures are based on the FY 2018 proposed budget as of June 20, 2017.

¹⁹ The table lists the projected FY 2017 indirect support cost based on the actual cost as of May 31, 2017.

7 FIRE PREVENTION PERMIT FEES

The Fire Rescue Department (Fire) strives to ensure that adequate, effective, and efficient programs are directed toward fire prevention; life safety; risk reduction of hazards; the detection, reporting and controlling of fires and other emergencies; the provision of occupant safety and exiting; and the provisions for first aid fire-fighting equipment. Fire Prevention within the department utilizes fire prevention laws and ordinances to provide inspection and enforcement activities, and also works closely with BZP for plan review and new construction.²⁰

7.1 CURRENT FIRE PREVENTION REVENUE

Currently, Fire Prevention revenue is generated by a \$50 fee that is charged for each plan review or inspection. A \$75 fee is charged on re-reviews and reinspections. These fees are not charged to the customer, instead they are charged to the Building Division, which transfers the revenue via a general ledger journal entry completed by Finance. These journal entries are conducted throughout the year. Table 25 contains a breakdown of the Fire Prevention revenue for FY 2017 as of May 31, 2017. Inspection revenue accounted for 55% of all Fire revenue and totaled \$28,350. Plan review generated \$23,550. Total Fire Prevention revenue as of May 31, 2017 was \$51,900.

Table 25: Fire Prevention Revenue by Activity
(10/1/2016 to 5/31/2017)

Activity	Number of Transactions	Revenue	Percentage of Total Revenue
Inspections	506	\$28,350	55%
Plan Reviews	448	\$23,550	45%
Total:	954	\$51,900	100%

²⁰ From:

http://keybiscayne.fl.gov/index.php?submenu= fire_prevention&src=gendocs&ref=FirePreventSafety&category=FireRescue

Village of Key Biscayne Permit Fee Analysis

7.2 FIRE PREVENTION REVENUE AND EXPENDITURES

As of May 31, 2017, Fire Prevention generated \$51,900 in revenue from fire plan reviews and inspections and is projected to total \$77,850 in FY 2017. The Fire Prevention costs are based on a percentage of the salary, fringe, and associated operational costs for 7.5% of the Fire Chief, 70% of the Deputy Chief and Fire Marshal, and 100% of three part-time Fire Inspectors. As of May 31, 2017, Fire Prevention expended \$216,013, and is projected to expend \$324,019 by fiscal year end. For a good portion of FY 2017, the part-time Fire Inspector positions were vacant and back-filled by firefighters on an as-needed basis. Table 26 details Fire Prevention's FY 2017 revenue and expenditures.

Table 26: Key Biscayne Fire Prevention's FY 2017 Revenue and Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Fire permit revenue	\$50,000	\$51,900	\$77,850
Total Revenue:	\$0	\$51,900	\$77,850
Expenditures			
Non-Discretionary Spending	\$274,095	\$149,154	\$223,731
Discretionary Spending	\$103,882	\$66,859	\$100,288
Total Expenditures:	\$377,977	\$216,013	\$324,019
Revenue minus Expenditures:	-\$377,977	-\$164,113	-\$246,169

Village of Key Biscayne Permit Fee Analysis

Indirect Support Cost Allocation

Table 27 provides the indirect support costs and percentages used to calculate Fire Prevention’s indirect support costs. In total, the budgeted indirect support cost for Fire Prevention in FY 2017 is \$16,678. For information on how the indirect support cost was calculated, please refer to Section 4.2: Building Expenditures.

Table 27: Fire Prevention’s FY 2017 Indirect Support Cost

Area or Staff Providing Support	FY2017 Adopted Budget Cost	Indirect Support Cost %	Indirect Support Cost	Indirect Support Description
Village Manager and Chief of Staff	\$529,911	0.5%	\$2,650	Village Manager/Chief of Staff percentage is 0.5% or about 10 hours per year.
Finance	\$475,641	0.3%	\$1,427	The Finance Director works about 2 hours per year supporting Fire Prevention.
Human Resources (HR)	\$185,862	2.4%	\$4,479	The indirect cost percentage for HR is calculated by the percentage of employees in Fire Prevention to the total number of Village employees. The Village has a total of 166 employees. Fire Prevention has a staff size of 4 employees. Therefore, 4 Fire Prevention employees / 166 Village employees = 2.4%.
IT	\$344,700	2.0%	\$6,894	IT provides approximately 2% of its time or about 36 hours per year supporting Fire Prevention
Village Clerk	\$372,462	0.33%	\$1,229	Village Clerk provides 0.33% of its time supporting Fire Prevention.
Total Fire Prevention Indirect Support Cost:			\$16,678	

The total indirect support cost is added to Fire Prevention’s total expenditures to determine the fully burdened cost, which is used to determine the recommended permit fees. Table 28 provides the total FY 2017 fully burdened expenditures for Fire Prevention. The FY 2017 fully burdened total projected cost for Fire Prevention is \$336,082, approximately \$258,000 more than the revenue generated. Fire Prevention expenditures are not expected to be funded solely by revenue generated from Fire permits.

Village of Key Biscayne Permit Fee Analysis

Table 28: Fire Prevention’s FY 2017 Revenue & Fully Burdened Expenditures

	FY 2017 Budget	FY 2017 Actual (as of May 31, 2017)	FY 2017 Projected
Revenue			
Fire permit revenue	\$50,000	\$51,900	\$77,850
Total Revenue:	\$0	\$51,900	\$77,850
Expenditures			
Non-Discretionary Spending	\$274,095	\$149,154	\$223,731
Discretionary Spending	\$103,882	\$66,859	\$100,288
Indirect Support Cost	\$16,678	\$8,042	\$12,063
Total Fully Burdened Expenditures:	\$394,655	\$224,055	\$336,082
Revenue minus Expenditures:	-\$394,655	-\$172,155	-\$258,232

7.3 RECOMMENDED FIRE PREVENTION PERMIT FEES

Fire Prevention currently performs fire plan reviews and inspections without collecting permit fees. However, the Building Division collects fees for some fire permit-related work under mechanical, electrical, and building permits. For example, the current Village fee for the installation of a fire sprinkler system, which is classified as mechanical permit, is \$25.68 per standpipe, \$1.28 per sprinkler head, and \$12.89 per hose rack or bib. The Mechanical Inspector calculates the fee and enters the information into the permitting system, and Fire is notified. The customer is then directed to take their plans for a Fire plan review. Once the plans are approved and the construction is complete, a Fire inspection is scheduled and conducted. The Building Division, and not Fire Prevention, collects the mechanical permit fee once inspection approval is received by the customer. In this example, the Mechanical Inspector does not play a role in permit approval, and is only involved for the purpose of assessing and collecting the fee. In addition, the current permitting system is not configured with the functionality to enter, manage, and track fire permits. To recover its costs, Fire Prevention charges the Building Division \$50 per plan review or inspection, and \$75 per re-review or reinspection. The revenue collected is transferred to Fire by Finance as a General Ledger transaction.

The recommended Fire Prevention permit fees are new since the current fee schedule did not include fees to enforce the Fire and Life Safety Codes. Table 29 lists the recommended Fire Prevention permit fees. The majority of the recommended fees are flat fees; however, some are tiered to account for the number of components for the fire prevention system being installed. For example, a fire alarm permit fee is dependent on the number of devices.

Village of Key Biscayne Permit Fee Analysis

No more than two tiers are recommended for these permits to prevent the pitfalls of having the plan reviewer or inspector validate and charge for the exact number of components.

Table 29: Recommended Fire Prevention Permit Fees

Fee Description	Current Fees	Recommended Fees
Preliminary Review	None	\$100 per hour
New Building or Additions, alterations and repairs to buildings and other structures	None	\$250
Multi-Family Unit / Commercial Renovation	None	\$75
Additional plan reviews or inspections	None	\$75
CO or TCO Inspection	None	\$75
Re-Inspection	None	\$75 for the first reinspection \$150 for second reinspection, if inspector determines that the job has the same problem after the first reinspection
Fire Alarm	<i>These fees are listed on the fee schedule, but are not being charged.</i> Master control (new and upgrades): \$161.70 Each device: \$4.80 Repairs and additions to existing systems: \$120	Up to 10 devices: \$100 More than 10 devices: \$250
Fire Suppression System	<i>These fees are listed on the fee schedule, but are not being charged.</i> Per standpipe: \$25.68 Per sprinkler head: \$1.28 Per hose rack or hose bib: \$12.89 Per connection to community supply: \$64.20 Each 50ft of underground piping or part thereof: \$25.68 Fire pump and/or Siamese connection, each: \$96.30 Minimum Fee: \$100	Up to 20 heads: \$100 More than 20 heads: \$250
Fire Pumps test and Inspection/Recertification	None	\$300
Fire Watch for Fireworks, Pyrotechnic Displays and Flame Effects	None	\$65 per hour (Minimum 4 hours)
Appeals to the Fire Prevention and Safety Appeals Board	None	\$100 per hour
Fire Alarm Registration	None	\$20
The same general administration and penalty fees that apply for the Building permits should apply for Fire permits and should be processed by the permit clerks in the BZP department.		

Village of Key Biscayne Permit Fee Analysis

Table 30 depicts the Fire Prevention projected FY 2017 permit revenue based on the current fees and the projected FY 2018 revenue based on recommended fees. The projected revenue in the table are estimated based on the fire plan review and inspection data that is manually tracked by Fire Prevention on an Excel spreadsheet²¹. The spreadsheet has limited information on the type of items that is being reviewed and inspected. Additionally, since Fire Prevention does not have a formal fee schedule and many of the recommended Fire permit fees are new, the projected revenue in the table may vary to the actual permitting activity experienced under the recommended fee schedule. The estimated Fire Prevention FY 2018 revenue with recommended fees is \$127,025.

Table 30: Fire Prevention Permit Fee Estimated Revenue Based on Current and Recommended Fees

Permit Type	FY 2017 Annualized Revenue	Recommended Fee	Estimated FY 2018 Revenue with Recommended Fees	Revenue Difference
Preliminary Inspection	\$0	\$100 per hour	\$0	\$0
New Building or Additions, alterations and repairs to buildings and other structures	\$5,588	\$250	\$21,500	\$15,913
Multi-Family Unit / Commercial Renovation	\$40,238	\$75	\$60,225	\$19,988
CO or TCO Inspection	\$0	\$75	\$0	\$0
Re-Inspection	\$13,800	\$75 for first reinspection \$150 for second reinspection	\$13,950	\$150
Re-Review	\$4,950		\$4,950	\$0
Fire Alarm	\$2,025	Up to 10 devices: \$100 More than 10 devices: \$250	\$3,600	\$1,575
Fire Suppression System	\$11,250	Up to 50 heads: \$100 More than 50 heads: \$250	\$22,800	\$11,550
Fire Pumps test and Inspection/Recertification	\$0	\$300	\$0	\$0
Fire Watch for Fireworks, Pyrotechnic Displays and Flame Effects	\$0	\$65 per hour (Minimum 4 hours)	\$0	\$0
Appeals to the Fire Prevention and Safety Appeals Board	\$0	\$100 per hour	\$0	\$0
Fire Alarm Registration	\$0	\$20	\$0	\$0
Total:	\$77,850		\$127,025	\$49,175

²¹ Fire Prevention plan review and inspection data is currently not tracked in the Accela permitting system

Village of Key Biscayne Permit Fee Analysis

The overall recommended fee structure is based on the amount of time spent at a fully burdened hourly rate for the service provided for the permit fee. Table 31 provides Fire Prevention’s FY 2018 projected revenue based on the recommended fees and its fully burdened expenditures using its FY 2018 proposed budget operating expenditures. The proposed FY 2018 budget operating expenditures includes several changes from the FY 2017 expenditures. These changes are as follows:

- Adding a new Assistant Fire Marshall position
- Reducing the number of part-time Fire inspectors from 3 to 2
- Adding 50% of the Community Outreach liaison

The estimated Fire Prevention revenue generated is projected to be approximately \$401,000 less than the fully burdened expenditures in FY 2018. However, the Fire Prevention Division is also funded by the General Fund. As previously mentioned, Fire Prevention expenditures are not expected to be funded solely by revenue generated from Fire permits

Table 31: Fire Prevention FY 2018 Projected Revenue and Fully Burdened Expenditures

Projected FY 2018 Revenue & Expenditures	
Total Projected Fire FY 2018 Revenue	\$127,025
Total Fully Burdened Expenditures²²	\$528,425
Non-Discretionary Spending	\$399,356
Discretionary Spending	\$117,006
Indirect Support Cost	\$12,063 ²³
Revenue minus Fully Burdened Expenditures:	-\$401,400

²² The expenditures are based on the FY 2018 proposed budget as of June 20, 2017.

²³ The table lists the projected FY 2017 indirect support cost based on the actual cost as of May 31, 2017.

APPENDIX 1 – INTERVIEW QUESTIONNAIRE

Name: _____

Position: _____

Operations

1. Give a brief description of your operations and how they function.

2. Please confirm the number of employees that work in your area?
 - Are there any part-time employees?
 - Do you have vacancies?

3. How do you monitor/measure the performance/workload of your staff? Do you currently have workload standards for your staff?

4. Please estimate a breakdown of your time between the operational and managerial/supervisory functions of your area. On an annual basis, what percentage of time do you spend for each of the functions you just described?

5. Does your area have policies and procedures and if so can we get a copy?

6. What are obstacles or challenges that your area faces in carrying out its duties and responsibilities?
 - Is staffing adequate to complete all the work in your area? If not, please explain.

Village of Key Biscayne Permit Fee Analysis

Fees

7. Walk me through the fees on the schedule that pertain to your area and how they are charged to your customers. As we discuss each fee, we would like to know the following:
 - Do you believe there are any fees that should be eliminated?
 - Do you believe the fees are adequate?
 - How much time per position is spent on average to provide the service? Include time spent on administrative, plan review, and inspection functions.

8. Are there fees that you believe should be added?

Current and Future Construction Activity

9. What is driving the volume of your area's work/activity today?

10. What is the anticipated volume of work/activity in the next 1 to 3 years?

Technology and Equipment

11. Is the technology used adequate and what is needed if not?

12. Is the equipment used adequate and what is needed if not?

13. Do you have any recommendations for improvement?

14. Additional comments?



**APPENDIX 2 – Key Biscayne Current Building, Zoning, and
Planning Fee Schedule**

Exhibit 2B

VILLAGE OF KEY BISCAYNE
BUILDING, ZONING AND PLANNING FEE
SCHEDULE



Adopted by the Village Council
September 24, 2002
Resolution No.: 2002-45

For additional information contact:

Building, Zoning, and Planning Department 88
West McIntyre Street Key Biscayne, Fl
33149

305 365 5512
305 365 5556 (fax)
www.keybiscayne.fl.gov

Exhibit 2B

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BUILDING, ZONING AND PLANNING FEE SCHEDULE

GENERAL INFORMATION ON SPECIAL FEES, REFUNDS, EXTENSIONS AND CANCELLATIONS

DOUBLE FEES: When work for which a permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay one hundred twenty five dollars (\$125.00) plus a double permit fee. In no event shall the applicant pay less than one hundred and seventy dollars (\$170.00). The payment of the required fee shall not relieve any person, firm or corporation from fully complying with all of the requirements of all applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein. The double fee requirements shall be applicable to all divisions of the Building, Zoning and Planning Department.

For second offense of doing work without a permit, the permit applicant shall be required to pay twice the double permit fee plus two hundred and fifty dollars (\$250.00). For each offense thereafter, the permit applicant shall be required to pay twice the double permit fee plus five hundred dollars (\$500.00).

REINSPECTION FEES: When extra inspection trips are necessary due to (1) wrong address being given on call for inspection, (2) prior rejection of work due to faulty construction, (3) work not being ready for inspection at time specified, (4) failure to call for final or other inspections, (5) required corrections not being made or completed at time specified, a fee of seventy five dollars (\$75.00) for each reinspection shall be charged to the permit holder in the trade concerned. If it is determined by the field inspector concerned, that the job has the same problem after the reinspection fee is assessed and paid, then a second reinspection fee of one hundred and fifty dollars (\$150.00) shall be charged. The reinspection fee requirement shall be applicable to all divisions of the Building, Zoning and Planning Department. The payment of reinspection fees shall be required prior to requesting final inspections.

The reinspection fee for inspection of existing buildings by all trades to determine compliance with the South Florida Building Code, but not annual inspections as required by 305.1 (d) shall be seventy five dollars (\$75.00) per inspection per trade.

LOST AND REVISED PLANS FEE

- a. **Lost Plans:** When plans for new buildings and additions are lost by the owner or contractor, a recertification fee will be required to review, stamp and approve a new set of plans as a field copy. Such fee shall be based on thirty percent (30%) of the original building permit fee, with a minimum fee for Group R (single family residence) seventy five dollars (\$75.00), and a minimum fee for all others of one hundred twenty five (\$125.00).

- b. Revised Processing Fees:
 - 1. Major plan revision after permit is issued shall be subject to a fee of twenty five dollars (\$25.00) per page.
 - 2. Minor plan revision shall be subject to a fee at the rate of twelve dollars and fifty cents (\$12.50) per page for each review that takes longer than five (5) minutes.
 - 3. A fee of one hundred dollars (\$100.00) shall be charged for failure to make required corrections that were provided under a previous review but not less than 50% of the original application fee for each building trade including zoning.
- c. Lost Building Permit Fee: A replacement fee of thirty dollars (\$30.00) shall be charged for the loss of a Building Permit document after a permit has been issued.
- d. Retrieval of Records Fee: A fee of \$1.00 per inspection shall be charged for copies of inspection results.

4. REFUNDS, TIME LIMITATION, and CANCELLATIONS: The fees charged pursuant to this schedule, provided the same are for a permit required by Section 105 of the Florida Building Code, may be refunded by the Director of the Building, Zoning and Planning Department, subject to the following:

- a. No refunds shall be made on requests involving:
 - 1. permit fees of one hundred dollars (\$100.00) or less; or
 - 2. permits revoked by the Building Official under authority granted by the Florida Building Code, or permits canceled by court order; or conditional permits; or
 - 3. permits which have expired; or
 - 4. permits under which work has commenced as evidenced by any recorded inspection having been made by the Department; or
 - 5. the original permit holder when there is a change of contractor.

- b. A full refund less one hundred dollars (\$100.00) or fifty percent (50%) of the permit fee, whichever is greater, rounded to the nearest dollar, shall be granted to a permit holder who requests a refund provided that:
 - 1. the Department receives a written request from the permit holder prior to the permit expiration date; and
 - 2. the permit holder submits with the written request the applicant's validated copy of said permit; and
 - 3. no work has commenced under such permit as evidenced by any recorded inspection.
- c. Where there is a change of contractor or qualifier involving a permit, the second permit holder shall pay a fee of one hundred dollars (\$100.00) to cover the cost of transferring the data from the original permit to the second permit, except when the original permit has expired or the original permit fee is under one hundred dollars (\$100.00), in which case the original permit fee shall be paid.
- d. A fee of sixty dollars (\$60.00) shall be paid by the permit holder who submits a written request for a permit extension as authorized under Section 105.3.2 and Section 105.4.1.3 of the Florida Building Code.
- e. Where a permit has become null and void a credit of fifty percent (50%) of the original permit fee shall be applied to any reapplication fee for a permit covering the same project and involving the same plans, provided that the complete reapplication is made within six (6) months of the expiration date of the original permit, and provided that no refund had been made as provided in this section. If reapplication is made after six (6) months of the expiration date or if this is not the first reapplication made on the project, the full permit fee shall be charged on the renewal application. The permit reapplication must be submitted with the plans and the applicant's validated copy of the original permit. The amount of this fee shall be at least equal to or higher than the minimum fee for the trade concerned.

SPECIAL PROJECTS

A fee equal to actual staff time and related costs shall be assessed for special projects requiring research by the department in order to answer questions proposed by developers, attorneys, realtors, or municipalities, etc., in connection

with the use, re-subdivision, and development of properties, or to determine if any existing violations are on the property through a review of departmental records. Such special fee only will be levied for requests outside the scope of normal Department work. A minimum fee of fifty-five dollars (\$55.00) shall be charged. A fee equal to two dollars (\$2.00) per page shall be assessed for pre-programmed computer reports on department records. The minimum fee shall be fifty five dollars \$55.00).

6. GENERAL INFORMATION

- a. A \$0.01 per square foot fee will be added to building permits for the State of Florida to study building code requirements for radon gas.
- b. For concurrency review, a fee of six percent (6%) of the total permit fee, Certificate of Use and Occupancy or Zoning application fee, will be added to original fees where a concurrency review was performed.
- c. Impact fees are assessed on certain building permits, including reapplication on expired permits.

7. INSPECTIONS REQUIRING OVERTIME: Charges for construction inspections, which are requested in advance and where the permit applicant has requested an employee to work overtime, shall be 1.5 times the employees hourly rate. The fee shall be paid to the Village within 48 hours of the inspection.

8. FEES BASED ON ESTIMATED COST-DOCUMENTATION REQUIRED: The Department may require the permit applicant to submit appropriate documentation as proof of estimated cost of construction used to compute permit fees.

9. BUILDING PERMIT PROCESSING FEE: A fee of thirty dollars (\$30.00) shall be charged for processing each permit application.

10. CONTRACTOR REGISTRATION FEE: Twenty five dollars (\$25.00). An annual fee of twenty five dollars (\$25.00) shall be charged for registering general contractors.

11. ZONING PLAN REVIEW FEE: Twenty five dollars (\$25.00) or thirteen cents (\$.13 per sq. ft. of floor area), whichever is greater, shall be applied to any building permit application that requires review for compliance with the Zoning and Land Development Regulations.

12. SITE PLAN REVIEW FEE: Two hundred dollars (\$200.00) shall be charged for the review of a site plan for new construction of any single family or duplex, for an apartment building, or commercial building or any addition, renovation or repair that exceeds 50% of the floor area of the present structure.

B. BUILDING PERMIT FEES: Fees listed in section B include only building permit fees and do not include plumbing, electrical or mechanical fees, certificate of occupancy fees, zoning, planning or contractor/tradesmen fees which are listed in the following sections:

1. UP-FRONT PROCESSING FEE: When the building permit application is received, the applicant shall pay an up-front Processing fee equal to 100% of the estimated cost of the building permit fee including 100% of the Zoning Plan and Site Plan Review Fees. This processing fee is not refundable, but shall be credited toward the final building permit fee.

2. MINIMUM BUILDING PERMIT FEE:

Minimum Fee for a Building Permit: This minimum does not apply to add on building permits issued as supplementary to current outstanding permits for the same job.	\$100.00
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3. NEW BUILDINGS OR ADDITIONS:

a. Single Family, Apartments, and Duplex (Group I):

New construction including additions	\$0.70 per sq. ft.
Alterations or repairs	\$0.70 per sq. ft. (amended 2-21-2017)
	Minimum fee \$ 100.00

b. All Other Construction:

Repairs due to fire damage	\$ 0.05 per \$ 1.00 of estimated value of work. Minimum fee of \$ 225.00
Storage and industrial use of Group F and S occupancies	\$ 9.25 per 100 sq. ft. or fraction thereof. Minimum fee of \$ 225.00
Shade houses	\$ 0.35 per 100 sq. ft. or fraction thereof
Slabs	\$ 70.00
New construction other than as specified herein: (water towers, pylons, bulk storage-tank found on, unusual limited-use buildings, marquees, and similar construction)	\$12.25 for each \$ 1,000 of estimated cost of fraction thereof.
Subsoil preparation for each \$1,000 of estimated costs	\$5.25
All other construction, alterations, and repairs	Minimum fee of \$ \$250.00 or 1% of estimated cost whichever is greater but not to exceed \$10,000 (amended 2-21-2017).

4. ROOFING AND RE-ROOFING FOR ANY BUILDING*:

Roofing shingle	\$0.13 \$ 100.00	per sq. ft. minimum fee
Roofing tile	\$0.13 \$ 100.00	per sq. ft. minimum fee
Other types of roofing material	\$0.13 \$ 100.00	per sq. ft. minimum fee

* Fees for buildings multiple roofs shall be based on the square footage cost of each type.

FENCES AND/OR WALL, PERIMETER:

For each 100 linear ft. or fractional part thereof	\$1.92
Minimum fee	\$ 100.00

ORNAMENTAL IRON:

Per sq. ft. of coverage | \$0.66

SWIMMING POOLS, SPAS, AND HOT TUBS

|| Installation or repair | \$144.00 ||

TEMPORARY PLATFORMS AND TEMPORARY BLEACHERS TO BE USED FOR PUBLIC ASSEMBLY

For each 100 square feet or fractional part of platform area	\$6.30
For each 100 lineal ft. or fraction part of seats	\$5.40

DEMOLITION OF BUILDINGS

|| For each sq. ft. of floor area | \$0.15 per sq. ft. minimum \$100.00 ||

DEMOLITION OF SIGNS, FENCES, AND/OR WALL STRUCTURES OTHER THAN BUILDINGS

Fee	\$ 100.00
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11. SHOP DRAWING REVIEW

a. Trusses First 600 sq. ft. or fractional part For each 100 sq. ft. or fractional part there of	316.38
b. Precast/prestress Roof, floor, walls, and similar structures -each 1,000 sq. ft. or fractional part	\$8.40
c. Overhead doors, each	\$8.40
d. Skylights, each	\$8.40
e. Handrails and stair rails per linear ft.	\$1.20
f. Storefront/fixed glazing (Under 8 ft. high x 4 ft. wide) 100 sq. ft. or part	\$9.30
g. Walk-in coolers, each	377.04

12. INSTALLATION OR REPLACEMENT OF WINDOWS OR DOORS: Replacement of windows and exterior doors in all buildings or installation of windows or doors in building exceeding two stories in height; or storefronts and fixed glass 8 ft. in height or 4 ft. in vertical mullion spacing; or curtain walls including windows and doors therein.

For each 100 sq. ft. or fractional part	\$8.10 Minimum fee \$ 100.00
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13. SCREEN ENCLOSURES, CANOPIES, AND AWNINGS

a. Screen enclosures: each 100 sq. ft or fraction thereof	\$11.22
b. Free standing canopies per \$ 1000.00 of estimated cost	\$11.22
c. Awnings and canopies attached to structures: horizontal projection per sq. ft. of area covered	\$0.20
d. Storm shutters: per sq. ft. of area covered	\$0.20
e. Minimum fee	\$ 100.00

14. TRAILER TIE DOWN

Tie down inspection fee: including tie down, plug in of plumbing and electrical service connections per trailer (This does not include installation of meter mounts and service equipment. Separate mechanical plumbing and related electrical permits are required.

\$96.00

15. SIGN PERMIT FEES

a. Minimum fee	\$ 100.00
b. Signs: non-illuminated (per sq. ft.) (Illuminated signs under electrical permit)	\$1.62
c. Annual renewal of Class C signs on or before October 1st of each year (per sign)	\$38.40

16. SATELLITE DISH, ANTENNA, OR DEVICE USED TO RECEIVE OR TRANSMIT A SIGNAL THROUGH AIR OR SPACE

Serving a single family home, duplex, or a dwelling unit for any device that is more than 36 inches in diameter - One fee total for all trades	\$45.00
Serving more than two dwelling units. Per dish, antenna even if mounted on one pole.	\$192.00

17. TIE DOWN RE-INSPECTION

Minimum fee	\$ 100.00
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C. PLUMBING PERMIT FEES

1. MINIMUM PLUMBING PERMIT FEE

Except as otherwise specified. This minimum does not apply to add on plumbing permits issued as supplementary to current outstanding permits for the same job.	\$ 100.00
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RESIDENTIAL PLUMBING (GROUP R3)

New single family residence or duplex per sq. ft.	\$0.13
Addition or remodeling of existing floor area to single family residence or duplex per sq. ft.	\$0.13
Minimum fee	\$ 100.00

ALL GROUPS EXCEPT GROUP SINGLE FAMILY & DUPLEX GROUP R3

Roughing-in Plugged Outlets for: Bathtubs, closets, doctors, dentists, and hospital sterilizers, autoclaves, autopsy tables and other fixtures, appurtenances or other appliances having water supply or waste outlet, or both, drinking fountains, fixtures discharging into traps or safe waste pipes,

floor drains, laundry tubs, lavatories, showers, sinks, slop sinks, urinals, water heaters:

For each roughing-in or plugged outlet	\$7.68
Each roughing-in or plugged outlet replaced on old roughing in: each fixture	\$11.22
Pool heaters installed, replaced, or repaired	\$ 100.00

SEPTIC TANKS, SETTLING TANKS, GAS AND OIL INTERCEPTORS, GREASE TRAPS

Including tank abandonment, draintile and relay for same | \$38.04

SEWER

Each building storm sewer and each building sewer where connection is made to a septic tank, to a collector line or to an existing sewer or to a city sewer or soakage pit or to a building drain outside a building.	\$38.52
Sewer capping/demolition	\$38.52

CONDENSATE DRAIN (AIR CONDITIONING)

Per outlet	\$5.14
Except single not manifolded A/C not exceeding 5 HP	No charge

7. WATER PIPING

Water service connection to a municipal or private water supply system (for each meter on each lot)	\$10.20
Water connection or outlets for appliance or installations not covered by fixture set above	\$10.20
Irrigation system, and underground sprinkler system for each zone	\$21.84
Solar water-heater installation, equipment replacement or repair	\$115.56
Swimming pool maintenance, water heater piping, not including well (new installation of replacement including service connection	\$128.40
Residential	\$128.40
All groups excluding residential	\$128.40
Sump pump	\$10.26
2 inch or less water service backflow assembles	\$44.94
2 1/2 inch or less water service backflow assembles	\$70.62
Repairs to water piping: for each \$1,000 estimated cost or fractional part	\$7.38

WELLS

All wells	\$67.44
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9. NATURAL GAS OR LIQUEFIED PETROLEUM

Group R: For each outlet (includes meters and regulators)	\$8.64
Group R: For each appliance (does not include warm air heating units, but does include invented space heaters and vented wall heaters-No duct work) (See Fee section E (3) for heating)	\$8.64
All other Groups: For each outlet (includes meters and regulators)	\$10.92
All other Groups: For each appliance (does not include warm air heating units, but does include invented space heaters and vented wall heaters-No duct work) (See Fee section E (3) for heating)	\$10.92
For each meter (new or replacement)	\$5.16
For major repairs to gas pipe where no fixture or appliance installation is involved	\$128.40
Underground LP. Gas Tanks	\$128.40
Above ground LP. Gas Tanks	\$128.40
Change of company (no additional appliances or outlets)	\$28.40

10. WATER TREATMENT PLANTS, PUMPING STATIONS, SEWAGE TREATMENT PLANT AND LIFT STATIONS

Water treatment plant (interior plant piping)	\$269.64
Sewage treatment plant (interior plant piping)	\$192.60
Lift station (interior station piping)	\$308.16
Sewage ejector	\$ 75.00

11. **WATER AND GAS MAINS**

Minimum fee	\$120.00
Each 50 ft. or part thereof (On private property and other than utility easement)	\$9.00

12. **STORM AND SANITARY UTILITY AND/OR COLLECT FOR LINES AND BUILDING DRAIN FIELDS**

Minimum fee	\$ 100.00
Each 50 ft. or part thereof	\$9.00
Each manhole or catch basin	\$12.84

13. **TEMPORARY TOILETS - WATERBORNE OR CHEMICAL**

First temporary toilet	\$57.78
For each additional	\$10.62
Renewal of temporary toilet	Same fee as original fee

14. **DENTAL VACUUM LINES**

	Each system	\$128.40	
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15. **CONSTRUCTION TRAILER OR MANUFACTURED HOME CONNECTIONS**

Each unit	\$128.40
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ELECTRICAL PERMIT FEES

1. MINIMUM ELECTRICAL PERMIT FEE INCLUDING REPAIR WORK FOR PERMIT

Except as otherwise specified. This minimum does not apply to add on electrical permits issued as supplementary to current outstanding permits for the same job.	\$ 100.00
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PERMANENT SERVICE TO BUILDINGS - NEW WORK ONLY

The following fee shall be charged for total amperage of service: for each 100 amp. or fraction thereof	\$6.48
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FEEDERS

Each feeder (Includes feeders to panels, M.C.C.; switch-boards, generators; automatic transfer switches, elevators, etc.)	\$15.42
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AGRICULTURAL SERVICE

Per Service	\$ 53.50
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TEMPORARY SERVICE FOR CONSTRUCTION

Per service	\$ 53.50
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6. TRAILER SERVICE (RESIDENTIAL)

Per service	\$64.20
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7. TRAILER SERVICE (ALL OTHER GROUPS)

Per amp (per service)	\$70.62
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Exhibit 2B

8. TEMPORARY SERVICE FOR TEST

a. Equipment and service (30 day limit) per meter	\$115.56
b. Elevator (180 day limit) per elevator	\$115.56

9. RESIDENTIAL WIRING: New construction of Group R3 and living units of Groups R1 and R2. Applies to all electrical installations except common areas, parking lot area and/or buildings and house service of Group R1 and R2.

For new construction, additions, rehabilitation of existing floor area or new wiring for each sq. ft. of floor area.	\$0.13 Minimum fee \$ 100.00
Alterations or repairs per \$ 1.00 estimated cost or fractional part	\$0.06 Minimum fee \$ 100.00

Common areas of Groups R1 and R2 includes: corridors, public lounges, elevators, pumps, A/C (public area), lights, outlets, house and emergency service, etc. These areas shall be subject to the fees below:

10. ALL OTHER WIRING

a. Includes boxes, receptacles, switches, sign, fractional motor, fans, low voltage outlets, empty outlets for telephone, CTV, each outlet, 110 volt smoke detectors each outlet box	\$2.04
b. Special outlet up to 60 amps	\$9.00
c. Special outlet over 60 amps	\$16.68

d. Commercial equipment VA rated) X-ray outlets, commercial cooking equipment, presses, generators, transformers, permanently connected. For each 10 KW or fractional part	\$9.00
e. Motors (Fractional already covered on general outlet Each motor	\$11.58
f. Air conditioning and refrigeration system (new work). Applies to commercial and residential, agricultural and industrial. Covers related work, except wall or window units which are covered under special outlets. 1. Per ton or fraction part thereof 2. Air conditioning and refrigeration system strip heating, space heating. For each 10 KW of fractional part 3. Replacement or relocation of existing A/C and refrigeration units (same size) a. Per ton b. PerKW	\$7.68 \$8.40 \$2.58 \$1.07
g. Electrical equipment - replacement (existing facilities) Fee based on cumulative cost of the following components: 1. Switchboards, M.C.C., panels, control boards. For each board 2. Motor replacement for same size a. From 1 HP to 5 HP for each motor b. From 5 HP to 100 HP for each motor c. Over 100 HP for each motor	\$21.40 \$6.00 \$8.40 \$18.12

11. LIGHTING FIXTURES: Fee based on cumulative cost of the following components: Includes floodlights, spotlights, parking lights, tennis court lights, fluorescent and incandescent fixtures, etc.

a. Per fixture	\$1.90
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b. Plugmold, light track, neon strips. Each 5 feet or fractional part	\$3.96
c. Per lighting pole (standards) (Fixture to be charged separately)	Group 1 pole \$12.84 Commercial pole \$19.20

12. SIGNS AND ARCHITECTURAL FEATURES (INDOOR/NEONS)

Per outlet	\$16.08
Per sq. ft. of sign (non-neon signs only)	\$1.62
Repairs and re-connection each	\$96.30
Neon strips each 5 ft. or fractional part	\$3.20
Minimum fee	\$ 100.00

13. TEMPORARY WORK ON CIRCUSES, CARNIVALS, FAIRS, CHRISTMAS TREE LOTS, FIREWORKS, TENTS, ETC.:

Per ride or structure	\$64.20
Minimum fee	\$ 200.00

14. FIRE DETECTION SYSTEM: . Includes fire alarm systems, Halon, etc. Does not include single 110 volt residential detectors.(needs category 04 processing).

a. Master control, New and upgrades	\$161.70
b. Each device	\$4.80
c. Repairs and additions to existing systems	\$120.00

15. MASTER TELEVISION ANTENNA AND RADIO SYSTEM: Does not include CABLE and telephone empty conduit system. Does include free wiring of same

a. Master Control		\$25.68
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b. Each device

\$1.56

16. BURGLAR ALARM SYSTEM

a. Installation wiring	\$57.78
b. Master control Installation devices-fee pe device	\$57.78 \$1.44 per device
c. Complete system	\$115.56
d. Repair per system	\$57.78

17. INTERCOM SYSTEM: Includes residential, nurse call, paging, etc.

a. Each new system all groups	\$115.56
b. Each device	\$1.56
c. Repair each system, all groups except Group R	\$128.40

18. ENERGY MANAGEMENT

a. Per floor	\$135.00
b. Each device	\$1.56
c. Repair per floor	\$128.40

19. SWIMMING POOL, ELECTRICAL: Fee based on cumulative cost of the following components:

a. Residential pool & spa (Group R3) (Includes motor and pool lights)	\$200.40
b. Residential combination pool/ spa (Includes motor and pool lights)	\$128.40

c. Pool deck lights outlets per fixture or outlet	\$1.92
d. Pool/spa heater per unit (residential/commercial)	\$115.56
e. Commercial and multi-family dwelling pool and spa	\$180.00
f. Commercial and multi-family dwelling combination pool and spa	\$243.60

20. FREE STANDING SERVICE: New meter and service (requires processing). Fee based on cumulative cost of the following components: Includes lift stations, sprinkler systems, street lighting, parking lots, etc. that require new service with separate meter.

a. Service-per pump	\$0.96
b. Outlet per outlet	\$1.92
c. Lighting fixture, per fixture	\$1.92
d. Motor 105 HP, per motor	\$7.68
e. Over 5 HP to 100 HP, per motor	\$10.56
f. Over 100 HP, per motor	\$25.68
g. Per lighting pole (standards)	\$9.00

E.M MECHANICAL PERMITS

1. MINIMUM MECHANICAL PERMIT FEE

Except as otherwise specified. This minimum does not apply to add on mechanical permits issued as supplementary to current outstanding permits for the same job.

\$ 100.00

MECHANICAL SINGLE FAMILY RESIDENCES AND DUPLEXES GROUP R3

a. New construction per sq. ft.	\$.13
b. Additions to single family residences and duplexes per sq. ft.	\$0.13
c. Minimum fee	\$ 100.00

AIR CONDITIONING AND REFRIGERATION, INCLUDING THE RELOCATION OF EQUIPMENT: separate permits are required for electrical, water and gas connections

a. For each ton capacity or fractional part thereof	\$19.20
b. Room A/C unit	\$44.94
c. Minimum fee	\$ 100.00

FURNACES AND HEATING EQUIPMENT, INCLUDING COMMERCIAL DRYERS, OVENS AND OTHER FIRED OBJECTS NOT ELSEWHERE CLASSIFIED: (Includes all component parts of the system except field and electrical lines). For vented and unvented wall heaters, see paragraph C.

a. For each KW or fraction thereof	\$3.84
b. Minimum fee	\$ 100.00

FIRE SPRINKLER SYSTEM

a. Per standpipe	\$25.68
b. Per sprinkler head	\$1.28
c. Per hose rack or hose bib	\$12.89
d. Per connection to community supply	\$64.20

e. Each 50 ft. of underground piping or part thereof	\$25.68
f. Fire pump and/or Siamese connection, each	\$96.30
g. Minimum fee	\$ 100.00

6. STORAGE TANKS FOR FLAMMABLE LIQUIDS

Per tank	\$ 160.00
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7. INTERNAL COMBUSTION ENGINES

Stationary, each	\$96.30
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8. COMMERCIAL KITCHEN HOODS

: Each hood	\$160.50
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9. OTHER FEES

a. Fire chemical halon and spray booths	\$134.82
b. Insulation, Pneumatic Tube, Conveyor Systems, Pressure and Process Piping, Sheet al or Fiberglass Air Conditioning Duct, Cooling Towers, Mechanical Ventilation Ductwork or Ductless Ventilation	\$13.50
1. For each \$ 1,000.00 or fractional of part of estimated cost	\$ 100.00
2. Minimum fee	

F. ELEVATORS, ESCALATORS, AND OTHER LIFTING APPARATUS

Permits and inspections are provided by Miami-Dade County. If the Village provides these services, then the fees established by the County shall be used by the Village.

1. AMUSEMENT RIDES AND DEVICES

a. For each portable, ride, or temporary unit (maximum of 30 day	\$121.98
b. For each permanent unit installed or altered	3404.40
c. Annual inspection for each ride or device at any location (permanent installation only)	\$39.80

G. BOILERS AND PRESSURE VESSELS: Installation permit fees: Including initial inspections and certificate. Does not include installation or connection of field and water lines.

1. BOILERS: the following fees apply to each boiler to be installed:

a. Boilers less than 837 MBTU each	\$128.40
b. Boilers 837 MBTU to 6,696 MBTSU each	\$128.40
c. Boilers 6,695 MBTSU and up each	\$ 133.75
d. Steam drivers prime movers, each	\$128.40
e. Steam activated machinery, each	\$128.40

f. Unfired pressure vessels (operating at pressures in excess of 60 psi and having volume of more than 5 cubic feet) each pressure vessel	\$128.40
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2. FEES FOR PERIODIC RE-INSPECTION

a. Steam boilers (annual) each	\$160.50
b. Hot water boilers (annual) each	\$66.78
c. Unfired pressure vessels (annual) each	\$60.00
d. Miniature boilers (annual) each	\$60.00
e. Certificate of inspection (where inspected by insurance company) each	\$96.30
f. Shop inspection of boiler or pressure vessels per completed vessel	\$96.30
g. Minimum fee \$ 165.00 per half day, regardless of number of vessels inspected	\$430.20

CERTIFICATE OF USE AND OCCUPANCY AND CERTIFICATE OF COMPLETION:

The following original fees shall be paid for all uses. The indicated renewal fee applies to those uses which are required to be renewed annually by Code or by Resolution. Nonrenewable uses are issued permanent use and occupancy certificates which shall remain valid for an unlimited time, unless revoked for cause or abandoned and providing there is no change of use, ownership, or name, or that there is no enlargement, alteration or addition in the use or structure.

1. RESIDENTIAL (CO.)

Building Type	Fee Per Unit
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Duplexes, per unit Townhouses, per unit	\$75.00
Bungalow court	\$75.00
Apartment unit or hotel unit (regardless of the type of ownership)	\$100.00 per unit
Private school, day nursery, convalescent and nursing home, hospital, ACFL and Developmentally Disabled home care	\$ 96.00

2. BUSINESS, WHOLESALE AND RETAIL

	Fee
Per sq. ft. of business area	\$0.05
Minimum	\$100.00

3. UNUSUAL USES, SPECIAL PERMITS, BUSINESS, AND INDUSTRIAL USES

Use	Fee
All unusual uses , except the following	\$252.00
Churches	\$0.00
Cabaret, nightclub, liquor, or package store	\$312.00
Carnival, circus, or amusement rides	\$150.00

4. TRAILER USE CERTIFICATES: Covers administrative and initial field inspection cost for all types of construction site trailers. Fee also covers cost of site plan review.

a. Construction field offices	\$162.00
b. Demolition C. O.	\$385.20

5. CHANGE OF USE OR NAME

When there is a change of use or name, the fee shall be the original fee listed for the use

proposed.

6. REFUNDS

No refunds shall be made of fees paid for use and occupancy permits. In case of error, adjustment may be made by the Director of the Building, Zoning and Planning Department.

7. OCCUPANCY WITHOUT A CERTIFICATE OF OCCUPANCY

\$192.00 plus double of the CO. fee as set forth in this schedule.

8. CERTIFICATE OF COMPLETION (C.C.)

Type	Fee
a. Single family residence, townhouse unit.	\$50.00
b. All others	\$65.00

9. TEMPORARY CO. "UP-FRONT" FEE

When the temporary CO. (T.C.O.) application is received, the applicant shall pay a fee equal to the cost of the Certificate of Occupancy.

10. SHUTTER CERTIFICATION

A fee of twenty five dollars (\$25.00) will be charged to certify per unit.

PLANNING AND ZONING APPLICATION FEES

1. Planning and Zoning Fee Schedule: At the time of filing an application, the appropriate fee must be paid. The amount of the fee is based on the below schedule (calculation of the fee is cumulative for each line item):

- a. Base application fee for any type of application (double base fee if the application is the result of a violation).
 - Supervisory Variance (any type of use) \$ 55.00
 - Single family and duplex (Administrative and Regulatory Variance) \$ 150.00
 - Multiple Family (Administrative and Regulatory Variance) \$315.00
 - Commercial and Hotel (Administrative and Regulatory Variance) \$ 500.00
 - Site Plan Review
 - Administrative \$ 200.00
 - Village Council \$ 500.00
 - Appeal of an Administrative Decision \$ 1,000.00
 - Amendment to the Zoning and Land
 - Development Regulations \$ 1,000.00
 - Change of Zoning District \$ 1,000.00
 - Comprehensive Plan, Amendment \$ 2,500.00
 - Comprehensive Plan, Change of Land Use \$ 2,500.00
- b. Advertising fee if notice in a newspaper
 - 1. published in the Village S 300.00
 - 2. published in a newspaper that meets the requirements of Chapter 163 of Florida Statutes \$ 4,500.00
- c. Mailing fee: \$.50 per mailing address.
- d. Size of property \$ 100.00 per 10 acres or any fraction thereof

- e. Number of hotel or apartment units \$ 55.00 per 15 units or any fraction thereof
- f. Size of buildings - non residential only \$ 55.00 per 5,000 sq. ft. or any fraction thereof

2. APPEALS OF VILLAGE COUNCIL DECISIONS

For every application for an appeal of a decision by the village Council, there shall be paid to the Building, Zoning and Planning Department, for the processing for each and every application, a fee of three hundred and fifteen dollars (\$315.00), to be paid at the time of application. Site plan modification, where permitted, to appeal requests will be processed at an additional cost of three hundred and fifteen dollars (\$315.00)

3. PREPARATION OF CERTIFIED RECORD FOR COURT

For the purpose of court appeals, herein the Director for the Building, Zoning and Planning Department is requested to make available the record upon which the decision of the Council is based, there shall be paid to the Building and Zoning Department, for the preparation of a certified copy for the record, a fee of two hundred and sixty five dollars (\$265.00) to be paid at the time of request

J. COST OF PUBLICATIONS AND RECORDS

1. FLORIDA BUILDING CODE, OTHER CODE BOOKS, SUPPLEMENTS, AND DEPARTMENTAL PUBLICATION FEES:

The charge for each copy of the Florida Building Code, other code books or supplements thereto or other Departmental Publications shall be assessed by the Building and Zoning Department in the amount equal to the low bid printing cost plus the demonstrable cost to the department selling and distributing such code books, code supplements or departmental publications. The charge for publications of Construction Lien Law information are limited to five dollars (\$5.00) per copy of publication as permitted under Chapter 713 of the Florida Statute.

2. COPIES OF DEPARTMENTAL RECORDS

Plan Reproductions from microfilm or CD disc:

Plan Reproduction from microfilm or disc-per sheet	5.00
Reproduced Records - per page	.15
Double sided copies - per page	.20

Certified copies - per page	1.00
Notary Public Service - per document	1.00
Research and Ordering Plans	5.00

K. PREMISE PERMIT FEE

In accordance with provisions of the Florida Building Code and Chapter 10 of the Code of Metropolitan Dade County, each firm or organization in Dade County which performs its own maintenance work with certified maintenance personnel as well as helpers thereunder may pay to Village of Key Biscayne an annual Master and subsidiary premise permit fee in lieu of other fees for maintenance work. Such fee shall be paid to the Building, Zoning and Planning Department and such permit shall be renewed annually at a fee which is calculated in accordance with the provisions of this subsection.

1. CALCULATION OF THE INITIAL MASTER PREMISE PERMIT FEE:

Each firm or organization which obtains an annual Master premise permit shall include in their application for such permit the total number of maintenance personnel, including helpers and trainees thereunder assigned to building, electrical, plumbing or mechanical work. The Master Premise Permit fee shall be computed by multiplying the total number of such employees times fifty dollars (\$50.00). The minimum Master premise permit fee shall be nine hundred and forty-five dollars (\$945.00).

2. CALCULATION OF THE INITIAL SUBSIDIARY PREMISE PERMIT FEE:

Each firm or organization which utilizes decentralized locations in addition to the main location described under point 1 above, may additionally apply for a Subsidiary Premise Permit for each such decentralized location. Such application for a Subsidiary Premise Permit shall include the same information required in point 1 above. The Subsidiary Premise Permit Fee shall be computed by multiplying the total number of such employees times fifty dollars (\$50.00). The minimum Subsidiary Premise Permit fee shall be two hundred and sixty-five dollars (\$265.00).

3. RENEWAL OF PREMISE PERMIT:

Prior to each premise permit expiration, the holder will be sent a renewal notice to continue the premise permit for the next renewal period. The calculation of the renewal premise permit fee shall be the same as the method used to calculate the original premise permit fee. No allowances shall be made for late renewal fees or part year renewal fees.

L. 40-YEAR RECERTIFICATION FEES

For every application for 40-year recertification under Section 8-11 of the Miami-Dade County Code there shall be paid to the Building, Zoning and Planning Department, for the processing of each application, a fee of two hundred and fifty dollars (\$250.00). For every application for subsequent recertification at 10 year intervals thereafter, there shall be paid to the Building, Zoning and Planning Department, for the processing of each application, a fee of two hundred and fifty dollars (\$250.00).

Recording Fees: Established by the Clerk of the Court).

M. STRUCTURAL GLAZING SYSTEMS - RECERTIFICATION FEES

For the initial application for structural glazing recertification and each subsequent application under Sections 2415.7 of the Florida Building Code and Section R4410.6.6 of the Florida Residential Building Code there shall be paid to the Building, Zoning and Planning Department, for the processing of each application, a fee of two hundred and fifty dollars (\$250.00).

N. PERMIT SYSTEM FEES

For every building permit (building, electrical, public works, plumbing, mechanical, signs and zoning) a fee of six dollars (\$6.00) shall be assessed. These fees shall be used to purchase and maintain the building permit system including software and upgrades.

O. FIRE INSPECTION FEE SCHEDULE

1. Any inspection related to the issuance of a building permit excluding the trade permits (\$100.00 electrical, mechanical, plumbing, and building) and minor permits (\$50.00)
2. Annual Fire Life Safety Inspection:
 - a. Multiple Family - Restaurant and places of assembly \$0.30 per allowed occupant
 - b. Hotel
 1. Restaurant and places of assembly \$0.50 per allowed occupant
 2. Retail and Office- see schedule in subparagraph (c) below
 - c. Retail and Office

1. Less than \$5,000 sq. ft.	\$ 20.00
2. 5,001-10,000 sq. ft.	\$ 40.00
3. 10,001-15,000 sq. ft.	\$ 60.00
4. 15,001-20,000 sq. ft.	\$ 80.00
5. More than 20,000 sq. ft.	\$100.00
d. Private Clubs	\$100.00
e. Day care centers	\$ 50.00



**APPENDIX 3 – Key Biscayne Current Public Works Fee
Schedule**

Exhibit 2B

APPENDIX "A"

PERMIT FEES FOR PUBLIC WORKS CONSTRUCTION
DADE COUNTY, FLORIDA

The Dade County Public Works Department shall charge and collect fees for the items and rates listed in the following schedules:

(A) Fees for public works construction, under permit issued by the Public Works Department, in canal, road and street rights of way and easements in the unincorporated area of Dade County and in rights of way of canals, roads and streets located within municipalities that are maintained by Dade County are fixed as follows:

- (1) For installation or repair of sanitary and storm sewers, waterlines, gas lines, and other underground utilities:
 - For 100 lineal feet or less \$28.00
 - For each additional 100 lineal feet or fraction thereof .. \$12.50
- (2) For french drains, consisting of catch basin and seepage trench or slab covered trench:
 - For the installation consisting of one or two catch basins, and seepage trench or soakage pit of lengths not to exceed 100 lineal feet \$25.00
- (3) For installation of poles or down guys for overhead utilities:
 - For each pole or unit \$10.00
- (4) For construction or replacement of sidewalks, curb and gutter:
 - For 100 lineal feet or less \$25.00
 - For each additional 100 lineal feet or fraction thereof .. \$12.50
- (5) For construction of driveways:
 - For driveway width of 20 feet or less \$10.00
 - For driveway width greater than 20 feet but less than 40 feet: (each driveway) \$20.00
 - For driveway width greater than 40 feet: (each driveway).. \$40.00

- (6) For construction of street pavements:
- (a) One lane or two lane pavements
(width of pavement 0 to 24 feet)
- For 100 lineal feet or less \$75.00
- For each additional 100 lineal feet or
fraction thereof \$25.00
- (b) Three or more lanes of pavement (aggregate width
greater than 24 feet):
- For 100 lineal feet or less \$100.00
- For each additional 100 lineal feet or
fraction thereof \$50.00
- (7) For paving of parkways and shoulders:
- For 100 lineal feet or less \$50.00
- For each additional 100 lineal feet or fraction thereof ... \$25.00
- (8) For construction of curb separators:
- For 100 lineal feet or less \$25.00
- For each additional 100 lineal feet or fraction thereof ... \$10.00
- (9) For erection of street name signs:
- For each sign \$5.00
- (10) For construction of bridges:
- For bridge roadway area of 1000 square feet or less \$200.00
- For each additional 100 square feet \$50.00
- (11) For installation of permanent-type traffic barricades,
guardrails and guide posts:
- For each 100 lineal feet or less \$25.00
- (12) For construction of street or driveway culvert crossing
of canals and drainage ditches: (not controlled by
DERM) See Appendix "B" for DERM Permit Fees.
- For each lineal foot pipe \$2.00 per
foot of pipe diameter
or fraction thereof.
- A permit fee for a multiple-pipe culvert
shall be determined by regarding the
aggregate lengths as one continuous pipe.

(B) Penalty Fees

When work for which a permit is required is commenced prior to obtaining a permit, a penalty fee will be imposed.

The penalty fee will be \$25.00 plus double the original permit fee.

The payment of such penalty fee shall not relieve any person, firm, or corporation from fully complying with all of the requirements of all applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein.



**VILLAGE OF KEY BISCAIYNE
BUILDING, ZONING AND PLANNING
FEE SCHEDULE**

Effective: April 23, 2018

Revision 1, Effective: January 31, 2022

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BUILDING FEES

The following permit fees, charges and expenses shall be exacted by the Village of Key Biscayne upon application for permits to construct, erect, alter, repair, enlarge, move, or demolish any building or structure; or to erect, install, enlarge, alter, repair, remove, correct, or replace any electrical, gas, mechanical or plumbing system or site work and excavation that require permitting, review, and inspection by the appropriate Village Division.

Any misrepresentation in scope of work or cost of improvements may cause the revocation of the permit and/or penalties and fines to be assessed.

APPLICATION FEES

PROCESSING FEE: \$33.00~~\$30.00~~

A processing fee is applicable to all permit applications, shop drawings and revisions, unless otherwise noted. The processing fee is collected at the time of application submittal. The fee is non-refundable and it is not applied towards the base permit fee. The processing fee is charged in addition to the permit fee.

SUBMITTAL FEE: **50% of Base Permit Fee**

A submittal fee is charged to all applications for additions, alterations, and new construction at 50% of the base permit fee and shall be paid at the time of permit application submittal. The submittal fee is non-refundable, but will be credited towards the base permit fee upon issuance of the permit.

EXPEDITED PLAN REVIEW PROCESSING FEE: \$110.00~~\$100.00~~

Upon written request, and contingent upon availability of plan reviewers, expedited plan review is possible. So that this program does not impact other projects, expedited plan review may be performed outside normal work hours at the Expedited Plan Review rate as provided herein. An expedited plan review processing fee is charged in addition to the regular processing fee for such requests. This fee is non-refundable and is not applied towards permit or plan review fees.

DRY-RUN/COURTESY REVIEW PROCESSING FEE: \$330.00~~\$300.00~~

A dry-run or courtesy review processing fee is charged when requesting a preliminary review prior to official permit submittal. In addition to this fee, Plan Review time per discipline is charged as provided herein. A dry-run or courtesy review does not convert to an official permit process or become a permit. The fee is not refundable nor applied towards the official permit fee.

Exhibit 2C

EARLY START AUTHORIZATION:

Upon written request, the Building Official may issue written authorization to commence preliminary and exploratory work prior to permit issuance, as per Section 105.12 of the Florida Building Code.

Job Value ≤ \$25,000:	\$275.00 \$250.00
Job Value > \$25,000 and ≤ \$100,000	\$550.00 \$500.00
Job Value > \$100,000	\$825.00 \$750.00

PLAN REVIEW FEES

PLAN REVIEW FEE (MASTER PERMIT): ~~\$27.50~~ **\$25.00** per quarter hour

Plan review fees after the second review per discipline will be charged based on additional time spent re-reviewing submittal.

PLAN REVIEW FEE (REVISIONS AND SHOP DRAWINGS): ~~\$27.50~~ **\$25.00** per quarter hour

All plan reviews for revisions and shop drawings will be charged based on the time spent reviewing submittal. Revisions increasing the floor area or value of the project will be assessed additional base permit fees as established herein.

EXPEDITED PLAN REVIEW FEE: ~~\$44.00~~ **\$40.00** per quarter hour

All plan reviews performed outside normal hours will be charged based on the time spent reviewing submittal.

DRY-RUN (COURTESY REVIEW) PLAN REVIEW FEE: ~~\$27.50~~ **\$25.00** per quarter hour

All dry-run or courtesy reviews will be charged based on the time spent reviewing submittal.

BUILDING BASE PERMIT FEES

BASE PERMIT FEE:

The base permit fee is the primary permit fee and shall include the fees for sub-permits (i.e. electrical, plumbing, HVAC/Mechanical, roofing and building) ~~The Master Building permit fee is calculated by square footage of conditioned space. Each sub-permit is calculated by a percentage of the cost of work, as per Section 109.3 of the Florida Building Code. provided that all subcontractor qualifier applications are submitted with the prime contractor's application and plans include the details of all subcontractor work included in said sub-permits. Failure to include the required information at the time of application may require that a separate permit be issued with appropriate fees being charged to the applicant.~~ The base permit fee covers the first plan review and one follow-up review, one of each required inspection, and one follow-up of the same type of inspection. Additional plan reviews and inspections will be separately charged as described herein.

Valuation for permitted work shall be established in accordance with the Marshall and Swift, RS Means, ICC Building Valuation Data, or other nationally recognized sources of construction valuation in their latest editions or copy of a detailed estimate, executed

~~contract~~, whichever is higher. The Building Official may require a copy of the detailed estimate signed executed contract at the time a building permit application is submitted to assess the valuation indicated on the application.

The Village Manager or their designee shall have the discretion to adjust permit fees for those projects that do not fit the fee scales established in order to avoid an inequitable fee.

All Residential and Commercial New Construction, and Renovations based on area:

~~\$1.43~~**\$1.30** per total sq. ft. of floor area

Minimum Permit Fee:	\$100.00 per applicable discipline
<u>Minimum Permit Fee for just one trade</u>	\$150.00 for the discipline
Maximum Permit Fee:	Not Applicable

All Other Permit Types, and Renovations not based on area: Construction

~~2.53%~~**2.30%** Value of

Minimum Permit Fee:	\$100.00 per applicable discipline
<u>Minimum Permit Fee for just one trade</u>	\$150.00 for the discipline
Maximum Permit Fee:	\$27,500 \$25,000.00

WORK WITHOUT PERMIT

EARLY COMMENCEMENT PENALTY:

If a property owner commences work without first securing a permit they are subject to a penalty equal to one hundred percent (100%) of the base permit fee in addition to the required permit fees; plus

~~\$137.50~~**\$125.00** fine for first offense
~~\$275.00~~**\$250.00** fine for second offense
~~\$550.00~~**\$500.00** fine for each subsequent offense

VOLUNTARY CODE COMPLIANCE:

If a property owner voluntarily seeks the assistance of Village staff in permitting work which may have been performed in the past, illegally, or without the benefit of a prerequisite permit, with the express intent of making the work safe and legal, the Director may waive the penalty and fine portion of the permit fee applicable to such work, only if such work was not previously cited or issued a stop work order by Code Compliance or Building Division staff.

MISCELLANEOUS PERMIT FEES

PERMIT EXTENSION or PERMIT APPLICATION EXTENSION (prior to expiration): ~~\$66.00~~**\$60.00**

PERMIT RENEWAL: ~~\$110~~**\$100.00** plus ~~13.75%~~**12.5%** of the original base permit fee
 When renewing expired permits, based on the original master permit fee.

ANNUAL PREMISE PERMIT:

An annual premise permit only covers regular maintenance of existing facilities. The property owner is required to use of Florida or County licensed contractors for each trade (structural, plumbing, electrical and mechanical). A letter from the owner or association identifying contractors that will be employed to perform the work shall be submitted with the application in addition to a copy of the contractor's license, workers compensation and general liability insurance. A log of maintenance and repairs identifying the scope of work being performed shall be kept on site for Village review and inspection. Condominiums, co-ops and other similar facilities are limited to performing regular maintenance in the common areas only. This permit is subject to cancellation by the Building Official upon determining the scope of work allowed under regular maintenance has been exceeded.

All Condominium and Commercial Buildings

First Trade (per building):	\$550.00 \$500.00
Each additional trade (per building):	\$330.00 \$300.00

BURGLAR ALARM VOUCHER: ~~\$44.00~~**\$40.00** each

Plus, State and County surcharges, as set by Statute

INSPECTION FEES

RE-INSPECTION FEE for disapproved work: ~~\$82.50~~**\$75.00**
 Each re-inspection per discipline beyond the first re-inspection

RE-INSPECTION FEE for partial inspections: ~~\$82.50~~**\$75.00**
 Additional inspections of the same type for partial work, per discipline

CANCELLATION INSPECTION FOR EXPIRED PERMIT (per inspection): ~~\$82.50~~**\$75.00**

AFTER-HOURS or WEEKEND INSPECTION:

Upon written request in advance, payment of appropriate fees, and contingent upon availability of inspectors, inspections outside the normal work hours are possible. On regular working or non-working days, weekends and holidays, a ~~three hundred and thirty three-hundred dollar (\$330.00)~~**\$300.00** minimum is charged. Additional time after the first two-hours will be charged at the rate of ~~one-hundred and ten dollars (\$110.00)~~**\$100.00** an hour, rounded up to the next hour.

CERTIFICATE OF OCCUPANCY or COMPLETION

CERTIFICATE OF OCCUPANCY or COMPLETION (CO or CC), or PROVISIONAL CO:

The following fee shall be paid for all uses. All structures are issued a permanent CO or CC that shall remain valid for an unlimited time unless revoked for cause or abandoned, provided there is no change of occupancy, or that there is no enlargement, alteration, or addition in the use or structure. A Provisional CO is issued on a temporary basis and expires at the end of the specified term.

One and two family, townhouses, per unit	\$82.50 \$75.00
Bungalow court	\$82.50 \$75.00

Exhibit 2C

Apartment, hotel or condominium unit, per unit	\$110.00 \$100.00
Private school, day nursery, convalescent and nursing home, hospital, ACFL and Developmentally Disabled home care	\$105.00 \$96.00
Commercial (such as Retail, Mercantile, Assembly)	\$0.06 \$0.05/sq. ft. with \$110.00 \$100.00 Minimum
Unusual Uses	\$277.20 \$252.00
Churches	No Fee
Cabaret, nightclub, liquor or package store	\$343.20 \$312.00

TEMPORARY CERTIFICATE OF OCCUPANCY or COMPLETION (TCO or TCC):

Equal to the cost of the CO or CC as set forth herein, for the initial and each subsequent extension

OPTIONAL CERTIFICATE OF COMPLETION (CC Optional):

An Optional Certificate of Completion is a certificate requested at the option of the permit holder signaling the closure of the project and not a regulatory requirement.

One and two family, townhouse; per unit	\$55.00 \$50.00
All others	\$71.50 \$65.00

OCCUPANCY WITHOUT A CERTIFICATE OF OCCUPANCY PENALTY:

~~\$220.00~~**\$200.00** fine plus 100% of the regular CO or CC fee in addition to the regular CO or CC fee.

BUSINESS TAX RECEIPT INSPECTION FEE:

Inspection fee per discipline	\$82.50 \$75.00
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MISCELLANEOUS SERVICE FEES

LOST PLANS REPLACEMENT: **\$30.00 plus the reproduction cost**

When permit documents related to an ongoing project must be reproduced from archives, a replacement fee will be required to authenticate a new job set of documents for construction purposes.

PERMIT CARD REPLACEMENT: ~~\$33.00~~**\$30.00**

CHANGE OF CONTRACTOR OR SUB-CONTRACTOR: ~~\$110.00~~**\$100.00** or base permit fee, whichever is less.

DOCUMENT CONVERSION:

When converting paper based documents to electronic format for plan review purposes, the following charge shall apply:

Base charge:	\$22.00 \$20.00 plus the per sheet cost
Per Sheet Cost for documents up to and including 11"x17"	\$0.15 per sheet side
Per Sheet Cost for documents larger than 11"x17"	\$3.00 per sheet side

DOCUMENT COST OF REPRODUCTION:

Sheets up to 8-1/2"x14" **\$0.15 per sheet plus \$0.05 for double sided**

Sheets larger than 8-1/2"x14" and up to and including 11"x17" **\$0.30 per sheet plus \$0.10 for double sided**

Sheets larger than 11"x17" **\$5.00 per sheet side**
Certified copies **\$1.00 per page**
Notary Public Service **\$1.00 per document**
Research and Ordering Plans **\$5.00 per order**

SERVICES NOT CONTEMPLATED IN CURRENT FEE STRUCTURE:

The Director has the authority to invoice for actual costs on project(s) or services not contemplated in the current fee structure at the rate of:

~~\$27.50~~**\$25.00** per quarter hour

REGULATORY SURCHARGES

MIAMI-DADE COUNTY: **\$0.60 per \$1,000.00 value of construction**
Surcharge based on construction value of \$81.25 per square foot or contract value when area is not applicable.

STATE OF FLORIDA:

DBPR (F.S. 553.721) **1.0% of base permit fee or as determined by Florida Statute**
BCAI (F.S. 468.631) **1.5% of base permit fee or as determined by Florida Statute**

CONCURRENCY REVIEW: **6% of total permit fee**

IMPACT FEE: **As determined by county or village ordinances on certain building permits**

DISHONORED CHECK (NSF): **5% of Check Amount or \$20.00, whichever is greater**

~~TECHNOLOGY FEE (per Master Permit):~~ ~~_____~~ ~~\$18.00~~

PERMIT DOCUMENT ARCHIVE FEE: **10% of base permit fee with a \$1,000 maximum**
Archive fee covers the cost to retain historical public records as required by Chapter 119, F.S.

RECERTIFICATION FEES

40-YEAR RECERTIFICATION FEE: **~~\$375.00~~**\$250.00** each building**

Owners of buildings or structures meeting the requirements of Miami-Dade County Code Section 8-11 shall conduct an inspection using the minimum guidelines issued by the Board of Rules and Appeals for buildings 40-years old or older and every 10-year interval thereafter. Finalized report shall be submitted together with payment of fee herein.

STRUCTURAL GLAZING SYSTEMS – RECERTIFICATION FEE: **~~\$375.00~~**\$250.00** each building**

Structural glazing systems installed on threshold buildings shall be inspected by the owner at 6 months intervals for the first year after completion of the installation.

Subsequent inspections shall be performed at least once every 5-years. Finalized report shall be submitted together with the payment of fee herein.

BOILERS AND PRESSURE VESSELS

FEE FOR PERIODIC RE-INSPECTION:

Periodic inspections after installation of vessel.	
Steam boilers (annual), each	\$82.50 \$75.00
Hot Water Boilers (annual), each	\$82.50 \$75.00
Unfired Pressure Vessels (annual), each	\$82.50 \$75.00
Miniature Boilers (annual), each	\$82.50 \$75.00
Certificate of Inspection, each	\$82.50 \$75.00
Shop Inspection of Boiler or Pressure Vessel, each	\$82.50 \$75.00

UNSAFE STRUCTURES FEES

Staff Time	\$22.00 \$20.00 per quarter hour
Case Processing Fee, each	\$440.00 \$400.00
Photographs, each	\$2.75.00 \$2.50
Initial Inspection Fee	\$154.00 \$140.00
Re-Inspection Fee, each	\$88.00 \$80.00
Posting of Notices, each	\$44.00 \$40.00
Unsafe Structures Board Processing Fee	\$165.00 \$150.00
Title Search	Actual Cost
Court Reporting Transcription	Actual Cost
Legal Advertising, each	Actual Cost
Permit Fees	Actual Cost
Lien/Recording/Cancellation of Notices, each	Actual Cost
Bid Processing Fee	\$137.50 \$125.00
Demolition/Secure Services	Actual Cost

REFUNDS, TIME LIMITATION and CANCELLATIONS

The fees charged pursuant to this schedule, provided the fee is required for a permit in accordance with the Florida Building Code or Village Ordinance, may be refunded by the Department Director, subject to the following:

No refunds shall be made on requests involving:

- Permit Fees of one-hundred dollars (\$100.00) or less per discipline; or
- Permits revoked by the Building Official under authority granted by the Florida Building Code, or permits canceled by court order, or conditional permits; or
- Permits which have expired; or
- Permits under which work has commenced as evidenced by any recorded inspection having been made by the Department or physical work having been installed; or

Exhibit 2C

- The original permit holder when there is a change of contractor.

A cancellation inspection will be required to verify field conditions at the fee described herein.

A full refund less one hundred dollars (\$100.00) per discipline or fifty percent (50%) of the permit fee, whichever is greater, rounded up to the nearest dollar, shall be granted to a permit holder who requests a refund provided that:

- The Department receives a written request from the permit holder prior to the permit expiration date; and
- The permit holder submits with the written request all applicant's validated job copy set of permit documents issued; and
- No work has commenced under such permit as evidenced by any recorded inspection or physical work having been installed.

A cancellation inspection will be required to verify field conditions at the fee described herein.

PLANNING AND ZONING FEES

Fees established to recover the costs for reviewing and inspecting Zoning Permits and processing Planning requests. When work has commenced without the required permit(s), a penalty of 100% of the usual permit fee plus the usual permit fee will be assessed on all Zoning permits and Planning processes.

BUILDING DIVISION PROCESSING FEE: ~~\$33.00~~**\$30.00**

A processing fee is applicable to all Planning and Zoning standalone permits and processes to cover the cost of servicing application processing through the Building Division. The processing fee is collected at the time of application submittal; it is non-refundable and it is not applied towards the base permit fee. The processing fee is charged in addition to the permit fee.

ZONING PLAN REVIEW FEE:

The base permit fee covers plan reviews, first and one follow-up review, and required inspections, one of each required type and one follow-up of the same type of inspection. Additional plan reviews and inspections will be separately charge as described herein.

All Residential or Commercial New Construction:	\$0.15 \$0.13 per sq.ft. of floor area
Walk-thru Type Permits as defined, each:	\$27.50 \$25.00
All Other Permit Types, each:	\$110.00 \$100.00
Re-review Fee beyond the first re-review:	\$30.00 \$25.00 per
quarter hour	
<u>Beach Management Plan Application</u>	\$150.00

INSPECTION FEE: ~~\$82.50~~**\$75.00**

Re-inspection fee for each additional re-inspection after the second inspection of the same type

APPLICATION FEE:

For the following types of processes:

Supervisory Variance (per variance any type of use):	\$165.00 \$150.00
Single family and duplex (Administrative and Regulatory Variance):-	\$440.00 \$400.00
Multiple Family (Administrative and Regulatory Variance):	\$880.00 \$800.00
Commercial and Hotel (Administrative and Regulatory Variance):	\$990.00 \$900.00

SITE PLAN REVIEW:

Charged for the review of a site plan for new construction of any single family or duplex, for an apartment building, or commercial building, or any addition, renovation or repair that exceeds 50% of the floor area of the present structure.

Administrative:	\$600.00 \$500.00
Village Council:	\$1,650.00 \$1,500.00
Appeal of an Administrative Decision:	\$1100.00 \$1,000.00
Amendment to the Zoning and Land Development Regulations:	\$3,300.00 \$3,000.00
Change of Zoning District:	\$1,650.00 \$1,500.00
Comprehensive Plan, Amendment:	\$3,300.00 \$3,000.00
Comprehensive Plan, Change of Land Use:	\$3,300.00 \$3,000.00

ADVERTISING FEE IF NOTICE IN A NEWSPAPER:

Published in the Village:	Actual Cost
Published in a newspaper that meets the requirements of Chapter 163 of Florida Statutes:	Actual Cost
Mailing fee:	Actual Cost

SUPPLEMENT FEE BASED ON PROJECT SIZE FOR SITE PLAN REVIEWS AND VARIANCES:

Size of property:	\$110.00 \$100.00 per 10 acres or any fraction thereof; and
Number of hotel or apartment units:	\$165.00 \$150.00 per 15 units or any fraction thereof; or
Size of buildings – non-residential only:	\$165.00 \$150.00 per 5,000 sq. ft. or any fraction thereof

ZONING VERIFICATION LETTERS:

<u>Residential (Single Family and Duplex):</u>	<u>\$75</u>
<u>Residential (Multifamily) and Non-Residential</u>	<u>\$150</u>

ZONING DETERMINATION LETTERS:

<u>Residential (Single Family and Duplex):</u>	<u>\$150</u>
<u>Residential (Multifamily) and Non-Residential</u>	<u>\$225</u>

ADDRESS ASSIGNMENT FEE:

\$25.00

Fee for each new address for new development, adding an address to an existing building or property (including new unit numbers)

APPEALS OF VILLAGE COUNCIL DECISIONS

For every application for an appeal of a decision by the Village Council, there shall be paid to the Development Services Department, for the processing for each and every application, a fee of **six hundred and sixty dollars** (~~\$660.00~~)(~~\$600.00~~), to be paid at the time of application. Site plan modification, where permitted, to appeal requests will be processed at an additional cost of **six hundred and sixty dollars** (~~\$660.00~~)(~~\$600.00~~).

PREPARATION OF CERTIFIED RECORD FOR COURT

For the purpose of court appeals, herein the Director for the Development Services Department is requested to make available the record upon which the decision of the Council is based, there shall be paid to the Development Services Department, for the preparation of a certified copy for the record, a fee of **three hundred and thirty dollars ~~(\$330.00)~~~~(\$300.00)~~** to be paid at the time of request.

PUBLIC WORKS FEES

Fees established to recover the costs for reviewing and inspecting Public Works Permits within the street right-of-way (ROW). Total permit fee is made up by adding each component of a project listed below. When work has commenced without the required permit(s), a penalty of 100% of the usual permit fee plus the usual permit fee will be assessed on all Public Works permits.

BUILDING DIVISION PROCESSING FEE: \$33.00~~\$30.00~~

A processing fee is applicable to all permit applications for Public Works to cover the cost of servicing application processing through the Building Division. The processing fee is collected at the time of application submittal; it is non-refundable and it is not applied towards the base permit fee. The processing fee is charged in addition to the permit fee.

RE-REVIEW FEE:

Each re-review of submittal documents: \$27.50~~\$25.00~~ per quarter hour

REINSPECTION FEE:

Each re-inspection or additional inspections: \$82.50~~\$75.00~~

DRIVEWAY APPROACH/APRON:

Residential or Commercial driveway approach/apron. Includes first review and first inspection. Additional reviews and inspections as provided herein. \$66.00~~\$60.00~~

SIDEWALKS/CURB/GUTTERS:

An additional charge for each review and inspection of installation of sidewalks, curb and gutters: \$42.50~~\$35.00~~

WATER METER INSTALLATIONS:

Review and inspection of new water meter installation: \$82.50~~\$75.00~~

MAINTENANCE OF TRAFFIC (M.O.T.) PLANS:

Review and inspection of M.O.T. Plans: \$82.50~~\$75.00~~

FRENCH DRAINS:

Review and inspection of installation of catch basins, seepage trench or soakage pit: \$385.00~~\$350.00~~

Exhibit 2C

RIGHT-OF-WAY PAVING:

Review and inspection of construction of street pavements, plus M.O.T., if applicable:

~~\$302.50~~ ~~\$275.00~~

SWALE PAVING:

Review and inspection of pavement for parkways/swales, plus M.O.T., if applicable:

~~\$220.00~~ ~~\$200.00~~

RIGHT-OF-WAY CURBING:

Review and inspection of street curbing, plus M.O.T., if applicable:

~~\$42.50~~ ~~\$35.00~~

UNDERGROUND UTILITIES:

Review and inspection of Installation or repair of sanitary and storm sewers, waterlines, gas lines, and other underground utilities, plus M.O.T., if applicable:

~~\$302.50~~ ~~\$275.00~~

POLES/GUY WIRES:

Review and inspection of installation of poles or down guy wires for overhead utilities, plus M.O.T., if applicable:

~~\$137.50~~ ~~\$125.00~~

FIRE ENGINEERING FEES

Fees established to recover the costs for reviewing and inspecting Fire Engineering Permits within the Village.

BUILDING DIVISION PROCESSING FEE: \$33.00~~\$30.00~~

A processing fee is applicable to all stand-alone fire permit applications for Fire Engineering to cover the cost of servicing application processing through the Building Division. The processing fee is collected at the time of application submittal; it is non-refundable and it is not applied towards the base permit fee. The processing fee is charged in addition to the permit fee.

SPECIAL PRELIMINARY REVIEW (SPR):

Some projects may request a SPR to understand any possible request to be made for Life Safety. Such review will be a **\$100.00 per hour**

WORK DONE WITHOUT PERMIT:

When work for which a permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay a penalty of 100% of the usual permit fee plus the usual permit fee and the following fine:

~~\$137.50~~**\$125.00** fine for first offense

~~\$275.00~~**\$250.00** fine for second offense

~~\$550.00~~**\$500.00** fine for each subsequent offense

NEW BUILDING OR ADDITIONS, ALTERATIONS, AND REPAIRS TO BUILDINGS AND OTHER STRUCTURES:

Plan Review

One plan review ~~and one inspection~~ for ~~Building~~ Permit is ~~\$170.00~~. **Minimum fee for all permits is applicable \$250.00.** This fee includes fire plans review and one life safety inspection request (field inspection by inspector). ~~Subject to Special Request Inspections herein.~~

Plan review fees after the first review will be charged based on additional time spent re-reviewing submittal. ~~\$27.50~~**\$25.00** per quarter hour

Inspection

~~One field inspection by inspector for Building Permit fee is \$130.00~~

New Building Construction may require special consultations and review that may be considered a Technical Professional Services

MULTI-FAMILY UNIT OR COMMERCIAL TENANT RENOVATION:

Plan Review

One plan review ~~for permit and one inspection at a~~ minimum fee of \$100.00 ~~75.00~~ fee that applies to a specific unit for renovations only.

Plan review fees after the first review will be charged based on additional time spent re-reviewing submittal. ~~\$27.50~~ \$25.00 per quarter hour

Inspection

One field inspection at a minimum of \$130.00 fee that applies to a specific unit for renovations only.

REPAIRS, RENOVATION, MODIFICATIONS, RECONSTRUCTION AND ALTERATION TO BUILDINGS AND OTHER STRUCTURES AND TO ESTABLISH USE:

Such fees shall be a minimum fee of \$250.00.

LIFE SAFETY INSPECTION FOR CERTIFICATE OF TEMPORARY OCCUPANCY OR CERTIFICATE OF OCCUPANCY:

This fee will be charged for the life safety inspection leading to the issuance of a Temporary Certificate of Occupancy (TCO) and for a Certificate of Occupancy (CO). An ~~inspection fee of \$80~~ inspection fee of \$75.00 for the inspection and ~~\$80~~ \$50.00 for each additional second re-inspection.

RE-INSPECTIONS:

~~\$130.00~~ 75.00 for the first re-inspection and ~~\$150.00~~ for each additional re-inspection.

FIRE ALARM PLAN REVIEW, ACCEPTANCE TEST AND INSPECTION/RECERTIFICATION:

Less than 10 devices

- The plan review for the upgraded system is \$130.00.
- The inspection for the upgraded system is \$170.00.

Greater than 10 devices

- The plan review for the upgraded system is \$220.00.
- The inspection for the upgraded system is \$220.00.
 - Each device over 100 will be charged \$1.40 per device for the inspection.

~~This includes fire plan review of the upgraded system and one life safety inspection request: \$150.00 plus \$100.00 for 1 to 10 devices or \$250.00 for more than 10 devices.~~

FIRE SUPPRESSION SYSTEM PLAN-REVIEW AND INSPECTION:

Less than 10 devices

- The plan review for the upgraded system is \$100.00.
- The inspection for the upgraded system is \$130.00.

Greater than 10 devices

- The plan review for the upgraded system is \$130.00.
- The inspection for the upgraded system is \$220.00.
 - Each device over 100 will be charged \$1.40 per device for the inspection.

~~Test and Inspection/Recertification each request: \$100.00 for up to 20 heads or \$250.00 for 21 heads or greater. b~~

FIRE SAFETY SYSTEMS (I.E. FIRE ALARM, SPRINKLERS, SMOKE CONTROL, ETC.):

~~\$300.00 per item.~~ This includes Fire pumps, Smoke Control, Fire Well, Standpipes, Hydrant flow test and recertifications.

- The plan review for the upgraded system is \$130.00.
- The inspection for the upgraded system is \$220.00.

SPECIAL REQUEST INSPECTIONS (SRI):

~~\$4300.00 per inspector~~ and in addition to applicable inspection or re-inspection fee. SRIs lasting over 4 hours will incur an **additional charge of \$100.00+15.00 per hour** or portion thereof per inspector.

Inspections that are required to be performed before or after normal business hours or on holidays or weekends will result in an additional special request inspection fee.

FIRE WATCH FOR SPECIAL EVENTS FIREWORKS, PYROTECHNIC DISPLAYS AND FLAME EFFECTS:

Requires Fire department review and approval. Authority Having Jurisdiction can require a Fire watch for any event deemed necessary at the owner's expense.

\$65.00 per hour (Minimum 4 hours)

Note: Plans that are submitted less than thirty (30) days prior to the event may result in additional fees such as expedited plan review fee and/or a special request inspection fee or may result in denial of the plan and non-approval of the event.

- The plan review for the upgraded system is \$170.00.

- The inspection for the upgraded system is \$590.00.

APPEALS TO SPECIAL MAGISTRATES, OR THE FIRE PREVENTION AND SAFETY APPEALS BOARD:

Fee for Special Magistrates is \$470.00.

An additional \$100.00 per hour for in-addition-to administrative costs and expenditure of resources associated **will be provided with an affidavit of cost to the Special Magistrates. with-ease.**

FIRE ALARM REGISTRATION:

\$20.00. Applicant must provide proof of underwriter's license from approved company or manufacturer.

TECHNICAL PROFESSIONAL SERVICES:

Assessed for technical professional services requiring research, preliminary plans review, expedited plan review, zoning hearing applications, land subdivision projects, subcontract for specific review or review of engineered life safety plans. Expedited plan review fees shall be in addition to the applicable plan review fee: **First hour or portion thereof \$200.00. Each additional hour or portion thereof \$75.00.**

Exhibit 2C



**BAP SOIL EXCAVATION AND SOIL DISPOSAL
PROPOSAL for
FORMER ISLAND STANDARD GAS STATION**

**Florida Department of Environmental Protection
Facility ID 138504998**

Prepared for:

**Village of Key Biscayne Civic Center Park
530 Crandon Blvd, Village of Key Biscayne, Florida**

Prepared by:
AGUA LLC
6216 NW 43rd St, STE B
Gainesville FL 32653
352-745-7733

November 10, 2021

1.0 INTRODUCTION & OVERVIEW

The former Island Standard Service Station (“the site”) is in the process of being redeveloped into a community park. The site is located at 530 Crandon Blvd., Key Biscayne, Miami-Dade County, Florida.

The site formerly supported Island Standard/CITGO and Anthony’s Automotive businesses. A Discharge Reporting Form (DRF) was submitted to the FDEP on July 18, 1996, after petroleum hydrocarbons were reported in a groundwater monitoring well at the then-active retail gasoline sales and automotive repair facility. This release was determined to be eligible for Florida Petroleum Liability Restoration Insurance Program (PLRIP) funding. After years of assessment, partial cleanup, and monitoring of the petroleum release, the Miami-Dade County Department of Environmental Resource Management's (DERM) has indicated that the petroleum release would be eligible for a No Further Action (NFA) closure if two remaining areas of benzo(a)pyrene (BAP) soil contamination are remediated through soil removal and clean soil replacement (see DERM Supplemental Site Assessment Report comment letter dated September 8, 2021). The two figures provided in **Attachment A** show the DERM required soil excavation boundaries and estimated volume of soil within each planned removal area, respectively. As shown on the second figure, the total volume of BAP impacted soil requiring removal and replacement without any safety factors (S.F.) included was 219 cubic yards (yd³) or 307 tons of soil.

In addition to the petroleum release, waste oil contamination was also reported for the west section of the site. After years of assessment, cleanup, and monitoring of the waste oil cleanup area, DERM is also considering an NFA closure for this area. It should be noted that arsenic soil results for this area exceeded Florida Department of Environmental Protection (FDEP) Soil Cleanup Target (Levels). However, DERM subsequently determined that the reported arsenic concentrations were within the established background documented for the Miami-Dade County Barrier Islands. As such, DERM determined no proposed arsenic based soil removal was necessary. Proposed site improvements will include trenching and excavation activities in addition to the BAP excavation in both the petroleum cleanup area and the waste cleanup area.

The above information indicates that it may be prudent to dispose of excess soil material that cannot be used on site in a licensed waste disposal facility. As indicated above, 307 tons of BAP soil will require removal and replacement per DERM requirements. Based on excavation estimates provided by the site redevelopment contractor, approximately 1,537 yd³ non-BAP impacted soil will be excavated during site redevelopment. Their estimates indicate that approximately 35% of this material will not be able to be placed back in its place of excavation because of swelling. Therefore, approximately 538 yd³ or 753 tons of soil overburden will require reuse at other locations on the subject property or need to be transported off-site and disposed at a licensed waste disposal facility.

Two scenarios that are being considered for the handling of contaminated BAP removal and replacement and soil trenching overburden include:

1. Dispose of BAP impacted soil (338 tons with S.F.) and all trenching overburden soil (829 tons with S.F.) at a waste disposal facility.
2. Dispose of excavated BAP impacted soil (338 tons with S.F.) at a licensed waste disposal facility, backfill BAP excavations with trenching overburden (338 tons with S.F.), and dispose of remaining trenching overburden at a licensed waste disposal facility. The remaining overburden mass after backfilling of BAP excavation with trenching overburden that would require off-site disposal is estimated at 458 tons with S.F. included.

The technical activities that will be required by DERM and FDEP to implement each of these two scenarios is summarized below. Soil volume and mass estimates for soil excavation, replacement, and disposal at a licensed waste disposal facility, including FDEP safety factors, are included on the attached FDEP Source Removal (SR) Tables. Costs for completing the proposed scopes of work (SOWs) were built up using AGUA's FDEP approved contract rates.

2.0 SOURCE REMOVAL SOWS

2.1 BAP Source Removal, Imported Clean Backfill, and Off-Site Disposal of All Trenching Overburden

The information summarized in this section pertains to above soil handling Scenario One.

The first SR table provided as page one of Attachment B summarizes the amount of soil requiring handling from the BAP excavation:

- The volume of soil excavated and loaded from BAP soil removal areas 1 and 2 will be 219 yd³.
- The maximum volume and mass of clean soil brought from off site that will be required to backfill the BAP excavation areas is 263 yd³ or 368 tons including a 20% S.F. for compaction.
- The maximum mass of contaminated soil from the BAP excavation requiring transportation and disposal is 338 tons including a 10% S.F.

The second SR table provided as page 2 of Attachment B summarizes the amount of trenching overburden that will need to be handled:

- The volume and mass of trenching overburden that will require handling and loading is 538 yd³, or 829 tons with a 10% safety factor.
- The maximum mass of trenching overburden requiring transportation and disposal is 538 yd³, or 829 tons with a 10% S.F.
- The total mass of soil to be transported and disposed for Scenario 1 is 338 tons (BAP) soil + 829 tons (trenching overburden) = 1,167 tons.

The above amounts correspond to the following SPI Cost Summary Table Task 3 amounts shown below. Complete costs for Scenario 1 are provided on the Scenario 1 Cost Summary Table provided at the back of Attachment B.

- SPI Item 10-8 Conventional Soil Excavation and Loading > 300 cubic yards: 757 yds³ total (219 yds³ from BAP excavation plus 538 yds³ trenching overburden).
- SPI Item 10-14 Clean Backfill Material Compaction and Testing (includes transport) <300 yds: 263 yds³.
- SPI Item 12-7 Transport Petroleum Impacted Soil (bulk) <= 100 miles: 1,167 tons total (388 tons from BAP soil areas plus 829 tons trenching overburden).
- SPI Item 12-10 Disposal of Petroleum Impacted Soil at a Landfill (bulk) > 450 tons: 1,167 tons (388 tons from BAP soil area plus 829 tons trenching overburden)

It should be noted that the Village will only be invoiced for the documented mass of soil disposed. This amount is weighed and documented by the disposal facility.

As shown on the Cost Summary SPI Table provided at the back of **Attachment B**, the cost to complete the technical activities summarized below is **\$113, 883.46**.

Provided below is a summary of required BAP soil removal and replacement activities needed to implement SOW Scenario One.

Site preparation activities including permitting, utility clearance, and equipment mobilization will be conducted prior to initiating excavation activities. AGUA and the selected excavation contractor will meet onsite prior to initiation of the source removal to plan soil staging, truck loading, and ingress and egress locations for the site traffic. Additionally, utility locating personnel will be called to the site to identify all underground utility locations that might affect the excavation.

Soil samples will be collected from the site for pre-burn purposes based on the disposal requirements of the recommended disposal facility. This sampling is likely to only require the analysis of benzene, arsenic, cadmium, chromium and lead using EPA methods 8260 and 6010, as well as TCLP extraction and analysis for each analyte

Also, a sample will be collected from the backfill facility for required analyses of volatile organics via EPA 8260; semi volatiles via EPA 8270, 8081, and 8082; RCRA 8 Metals via EPA 6010 and 7471; and TRPH via FL-PRO.

Prior to the initiation of source removal activities, monitoring well MW-10, which is located within the excavation footprint, will be properly abandoned. A permit for abandonment will be acquired from Miami-Dade Department of Health prior to abandonment activities. The well will be abandoned via the tremie method, with a tremie pipe inserted into the bottom of the well, a grout slurry will be placed into the well, and the tube slowly raised to allow for proper settling. A well completion report will then be submitted to the FDEP upon completion.

As shown on the figures in **Attachment A**, the proposed BAP excavation areas will be dug to a depth of 4 feet below the land surface (bls). All soils in these areas will be removed for disposal at a licensed waste facility.

Excavation activities will be performed utilizing a track-mounted excavator, which will remove the soil from the excavation pit. As numerous soil samples have been collected during assessment activities, and laboratory results from soil samples have demarcated and defined the limit of contaminated soil above SCTLs in the area of soil removal, no confirmation samples will be collected from the source removal areas. Proper sloping will be maintained during excavation activities. Soil will be directly loaded onto trucks for transport to a certified landfill.

Clean backfill will be imported to fill the BAP soil excavation area. The excavation will be compacted with a drum compactor and will be subjected to a proctor test to verify compliance with a 95% compaction goal. The backfill will be procured from a local borrow pit. If required, prior to initiating the source removal, the proposed back fill will be tested as mentioned above per FDEP backfill procedures for volatile organics via EPA 8260; semi volatiles via EPA 8270, 8081, and 8082; RCRA 8 Metals via EPA 6010 and 7471; and TRPH via FL-PRO.

Following completion of the source removal and backfilling, AGUA will ensure that the surface grade is equivalent to the surface grade that existed prior to initiating the excavation

Following completion of the excavation, AGUA will submit a Source Removal Report to DERM documenting the excavation activities. The report will include field notes, photographs, waste manifests, and a figure depicting the final source removal layout. The report will be signed and sealed by a registered professional engineer in the State of Florida.

2.2 BAP Source Removal, Overburden Backfill, and Off-Site Disposal of Remaining Overburden

The information summarized in this section pertains to above soil handling Scenario Two.

The first SR table provided as page one of Attachment C summarizes the amount of soil requiring handling from the BAP excavation:

- The volume of soil excavated and loaded from BAP soil removal areas 1 and 2 will be 219 yd³.
- The maximum volume and mass trenching overburden required to backfill the BAP excavation areas is 263 yd³ or 368 tons including a 20% S.F. for compaction.
- The maximum mass of contaminated soil from the BAP excavation requiring transportation and disposal is 338 tons including a 10% S.F.

The second SR table provided as page 2 of Attachment C summarizes the amount of trenching overburden that will need to be handled:

- The volume and mass of trenching overburden that will require handling and loading is 538 yd³, or 829 tons with a 10% S.F.
- As stated above, 263 yd³, or 368 tons will be reused as fill in the BAP excavation.

- The maximum mass of trenching overburden requiring transportation and disposal is 297³, or 458 tons with a 10% S.F.
- The total mass of soil to be transported and disposed for Scenario 2 is 338 tons (BAP) soil + 458 tons (trenching overburden) = 796 tons.

The above amounts correspond to the following SPI Cost Summary Table Task 3 amounts shown below. Complete costs for Scenario 2 are provided on the Scenario 2 Cost Summary Table provided at the back of Attachment C.

- SPI Item 10-8 Conventional Soil Excavation and Loading > 300 cubic yards: 757 yds³ total (219 yds³ from BAP excavation plus 538 yds³ trenching overburden).
- SPI Item 12-7 Transport Petroleum Impacted Soil (bulk) <= 100 miles: 796 tons total (388 tons from BAP soil areas plus 829 tons trenching overburden less 368 tons of trenching overburden reused as fill).
- SPI Item 12-10 Disposal of Petroleum Impacted Soil at a Landfill (bulk) > 450 tons: 796 tons total (388 tons from BAP soil areas plus 829 tons trenching overburden less 368 tons of trenching overburden reused as fill).

It should be noted that the Village will only be invoiced for the documented mass of soil disposed. This amount is weighed and documented by the disposal facility.

As shown on the Cost Summary SPI Table provided at the back of **Attachment C**, the cost to complete the technical activities summarized below is **\$81,805.91**

The soil excavation activities required to complete SOW Scenario Two are the same as those for SOW Scenario One, with the exception of the BAP excavations being backfilled with trenching overburden, and only the remaining trenching overburden being transported off-site for disposal in a waste disposal facility.

In addition, as summarized in the Soil Reuse Guidance Document for Miami-Dade County, DERM will need to issue a soil classification letter to allow reuse of the overburden as backfill in the BAP excavation. This will require additional soil testing of the area from which the overburden is taken. The number of samples to be collected and the sampling parameters must be approved by DERM. At a minimum, three discrete and 3 composite samples will need to be collected and analyzed for analytes of concern at the site. The results will be submitted to DERM for approval. If the results do not meet DERM requirements, the soil will need to be transported off-site for disposal in a waste disposal facility and clean backfill brought in as in Scenario One. If only three samples are collected and analyzed, the analytical costs would be similar to those shown on the Scenario 1 Cost Summary Table. Provided in Attachment D is a copy of the DERM Reuse Document.

Mr. Todd Hofferberth
November 10, 2021
Page 7 of 7

Please do not hesitate to contact Mr. James Hirsch with questions/comments regarding the proposed SOWs and attached information.

Sincerely,

AGUA LLC

Prepared by



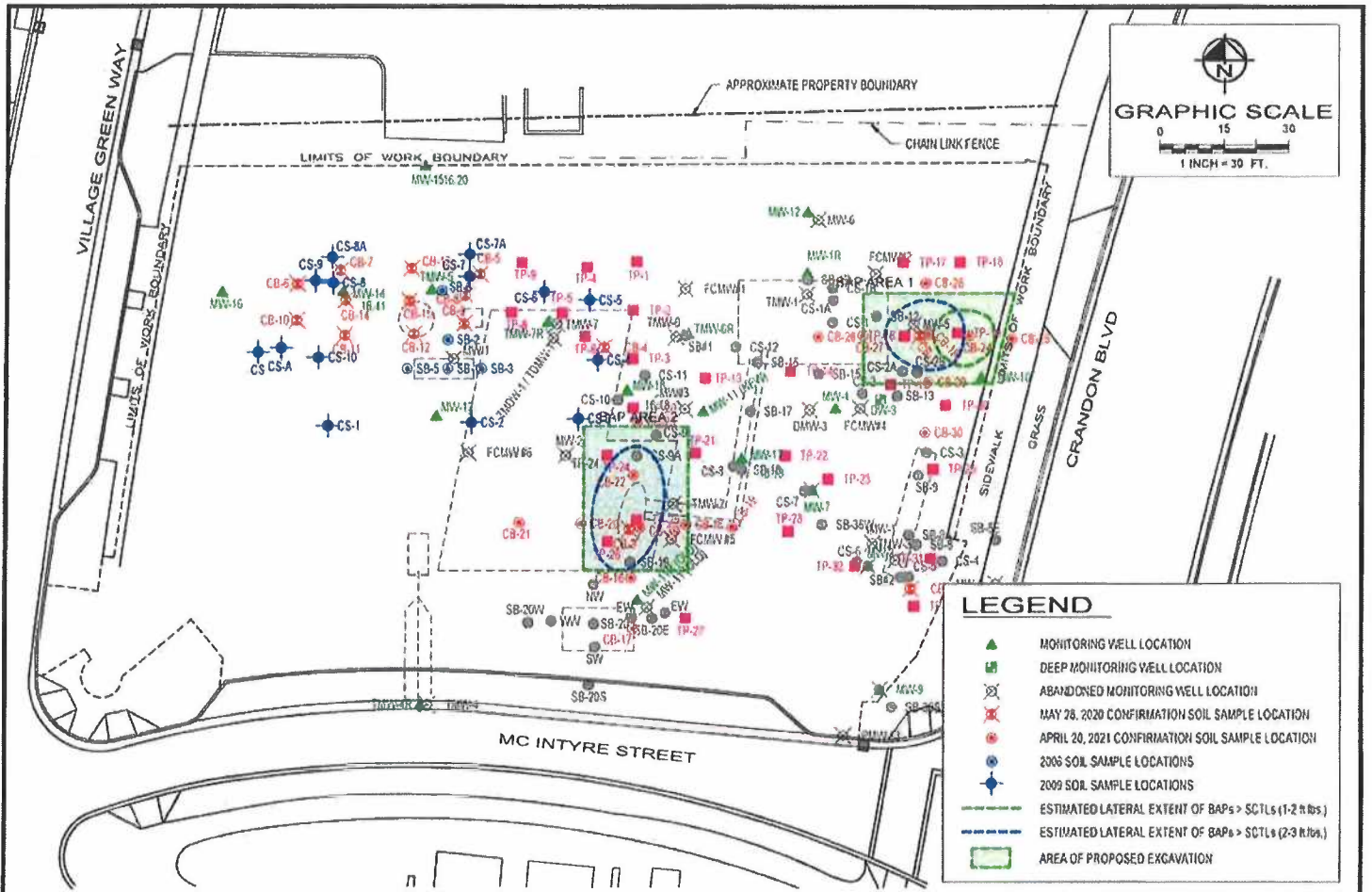
James D. Hirsch, M.S., P.G.
Principal Hydrogeologist

ATTACHMENTS

Attachment A:	BAP Soil Excavation Figures
Attachment B:	Soil Excavation Scenario One SR and SPI Cost Tables
Attachment C:	Soil Excavation Scenario Two SR and SPI Cost Tables
Attachment D:	Soil Reuse Guidance Document for Miami-Dade County

AGUA LLC

ATTACHMENT A
BAP Soil Excavation Figures



AGUA 
ENVIRONMENTAL CONSULTING

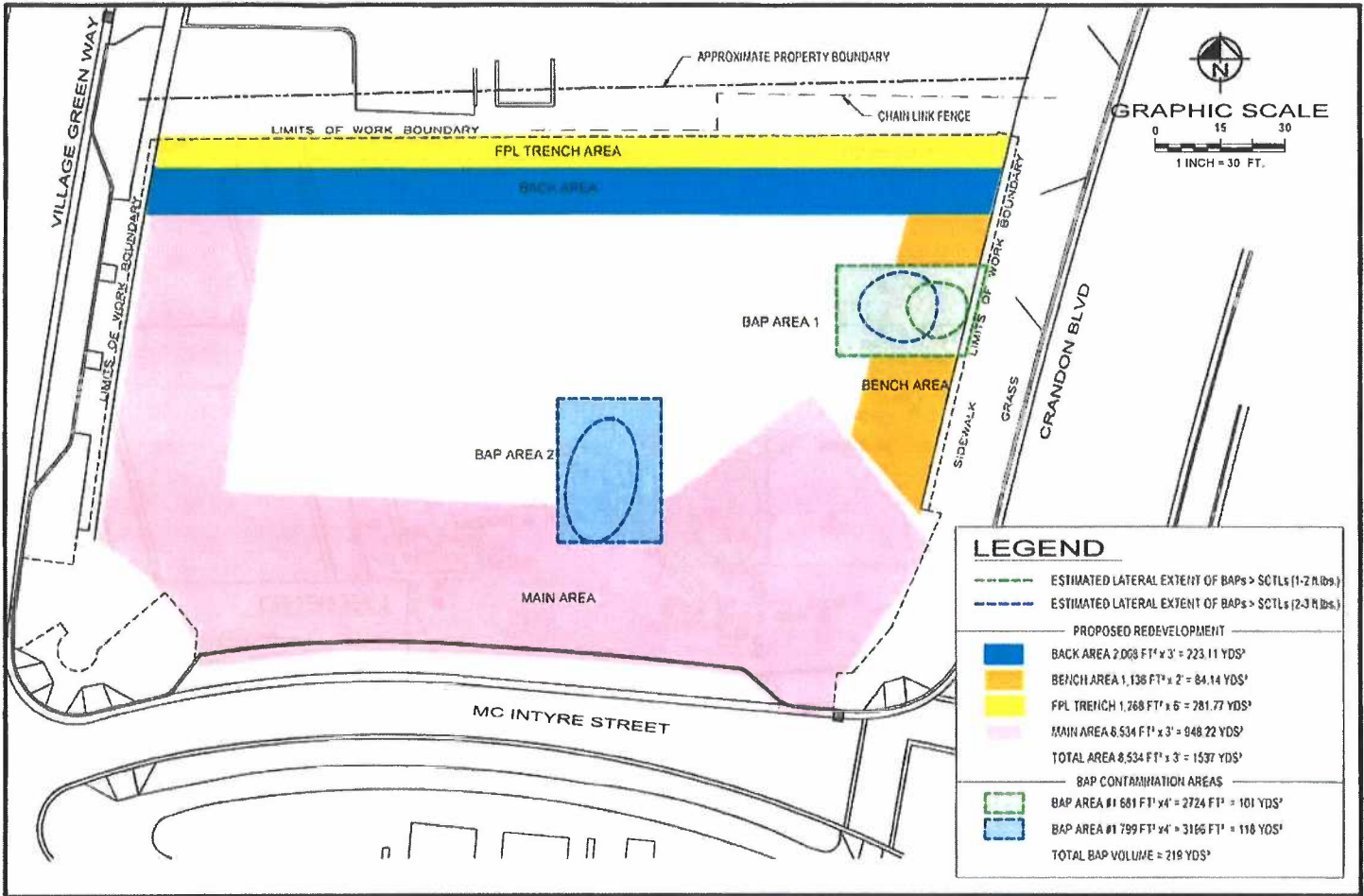
6216 NW 43rd STREET
 SUITE B
 GAINESVILLE, FL 32653
 PHONE: (352) 745-7733

PROJECT MANAGER: JAMES HIRSCH

APPROXIMATE SCALE: 1" = 30'

DRN BY:	R.T.	DRN DATE:	8/5/2021
CHK BY:	J.H.	CHK DATE:	8/5/2021
APPVD BY:	J.H.	APPVD DATE:	8/5/2021

FIGURE 5
 ESTIMATED LATERAL EXTENT OF BAPs EXCEEDING SCTLs
 (MAY 28, 2020 AND APRIL 20, 2021) AND PROPOSED SOIL
 EXCAVATION BOUNDARIES
 ISLAND STANDARD STATION
 530 CRANDON BLVD
 KEY BISCAYNE, FL
 FDEP FAC. ID# 13/8504998



6216 NW 43rd STREET
SUITE B
GAINESVILLE, FL 32653
PHONE: (352) 745- 7733

PROJECT MANAGER: JAMES HIRSCH		
APPROXIMATE SCALE: 1" = 30'		
DRN BY:	R.T.	DRN DATE: 8/5/2021
CHK BY:	J.H.	CHK DATE: 8/5/2021
APPVD BY:	J.H.	APPVD DATE: 8/5/2021

FIGURE 6
EXCAVATION PLAN
FORMER ISLAND STANDARD STATION
530 CRANDON BLVD
KEY BISCAIYNE, FL
FDEP FAC. ID# 13/8504998

ATTACHMENT B

Soil Excavation Scenario One SR and SPI Cost Tables

Florida Department of Environmental Protection - Petroleum Restoration Program

FDEP Facility ID#: 138504998

STCM Facility Name: Island Standard Station

Any blank fields are not applicable to the scope of work. **Scenario 1A - BAP Soil Disposal and Fill Summary**

Source Removal Table

SPI Section 10

Sheet Piling

Sheet Piling Length (feet)				
Sheet Piling Depth (feet)				
Sheet Piling Area (square feet)[†]	0			
Sheet Piling Duration (number of days/weeks/months)				

Conventional Excavation Volume

	Area 1	Area 2	Area 3	Total
Excavation Length (feet)	26	28.2		
Excavation Width (feet)	26	28.2		
Excavation Area (square feet)	676	795	0	
Excavation Depth (feet)	4	4		
Maximum Excavation Volume (cubic yards)[†]	101	118	0	219

LDA Excavation Volume*

	Area 1	Area 2	Area 3	Total
Diameter of LDA (feet)				
LDA boring area (square feet)	0.0	0.0	0.0	
LDA Depth (feet)				
One LDA boring volume - (cubic yards)	0.0	0.0	0.0	
Number of LDA borings				
Maximum Excavation Volume* (cubic yards)[†]	0	0	0	0

Flowable Fill, Backfill, Clean Overburden, Pea Gravel, #57 Stone

Flowable Fill Based on Maximum Volume (cubic yards)	0			
Flowable Fill to allow for Contingency (10%) (cubic yards)	0			
Maximum Clean Backfill Volume (cubic yards)[†]	0			
Clean Backfill based on Maximum Excavation (cubic yards)	219			
Clean Backfill to allow for Compaction (20%) (cubic yards)	44			
Clean Overburden for Reuse (cubic yards)				
Pea Gravel or #57 Stone (cubic yards)				
Maximum Clean Backfill Volume (cubic yards)[†]	263			

*(enter 0 tons[†] in SPI)
or 368 Tons*

Dewatering

Groundwater Treatment Technology			
Number of Dewatering Points			
Depth of Dewatering Points			
Point of Discharge			
Permits Required? (NPDES, Local, etc)			
Dewatering Duration (number of days/weeks/months)			

SPI Section 12

Surface Removal

Concrete Removal and Loading (square feet)		
Concrete Removal and Loading >4" (square feet)		
Asphalt Removal and Loading (square feet)		
Mixed Debris for Transport and Disposal (tons)[†]	0	

Transport and Disposal

Maximum Excavation Mass @ 1.4 tons/cy (tons)	306.6
Contingent Transport and Disposal (10%) (tons)	30.7
Maximum Transport and Disposal (tons)[†]	338

SPI Section 13

Resurfacing

Asphalt Paving 2" thickness (square feet)	0	<i>(calculation includes 10% contingency)</i>
Asphalt Paving additional 1" thickness (square feet)		
Concrete Paving 4" thickness (square feet)	0	<i>(calculation includes 10% contingency)</i>
Concrete Paving additional 1" thickness (square feet)		
Grass - Sod or Seed and Mulch (square feet)		

Notes:

Area 1 = Smaller BAP Source Removal Area. Area 2 = Larger BAP Source Removal Area.

Total Soil Disposal Mass for Scenario 1 is 338 Tons of BAP Soil + 829 Tons of Trenching Overburden = 1,167 Tons

[†] Values are rounded up to the next whole number.

Florida Department of Environmental Protection - Petroleum Restoration Program

FDEP Facility ID#: 138504998

STCM Facility Name: Island Standard Station

Any blank fields are not applicable to the scope of work. Scenario 1B - Non BAP Impacted Soil Disposal

Source Removal Table

SPI Section 10

Sheet Piling

Sheet Piling Length (feet)	
Sheet Piling Depth (feet)	
Sheet Piling Area (square feet)[†]	0
Sheet Piling Duration (number of days/weeks/months)	

Conventional Excavation Volume	Area 1	Area 2	Area 3	Total
Excavation Length (feet)			60.3	
Excavation Width (feet)			60.2	
Excavation Area (square feet)	0	0	3630	
Excavation Depth (feet)			4	
Maximum Excavation Volume (cubic yards)[†]	0	0	538	538

LDA Excavation Volume*	Area 1	Area 2	Area 3	Total
Diameter of LDA (feet)				
LDA boring area (square feet)	0.0	0.0	0.0	
LDA Depth (feet)				
One LDA boring volume - (cubic yards)	0.0	0.0	0.0	
Number of LDA borings				
Maximum Excavation Volume* (cubic yards)[†]	0	0	0	0

Flowable Fill, Backfill, Clean Overburden, Pea Gravel, #57 Stone

Flowable Fill Based on Maximum Volume (cubic yards)	0
Flowable Fill to allow for Contingency (10%) (cubic yards)	0
Maximum Clean Backfill Volume (cubic yards)[†]	0
Clean Backfill based on Maximum Excavation (cubic yards)	
Clean Backfill to allow for Compaction (20%) (cubic yards)	
Clean Overburden for Reuse (cubic yards)	
Pea Gravel or #57 Stone (cubic yards)	
Maximum Clean Backfill Volume (cubic yards)[†]	

(enter 0 tons[†] in SPI)

Dewatering

Groundwater Treatment Technology	
Number of Dewatering Points	
Depth of Dewatering Points	
Point of Discharge	
Permits Required? (NPDES, Local, etc)	
Dewatering Duration (number of days/weeks/months)	

SPI Section 12

Surface Removal

Concrete Removal and Loading (square feet)	
Concrete Removal and Loading >4" (square feet)	
Asphalt Removal and Loading (square feet)	
Mixed Debris for Transport and Disposal (tons)[†]	0

Transport and Disposal

Maximum Excavation Mass @ 1.4 tons/cy (tons)	753.2
Contingent Transport and Disposal (10%) (tons)	75.3
Maximum Transport and Disposal (tons)[†]	829

SPI Section 13

Resurfacing

Asphalt Paving 2" thickness (square feet).	0	(calculation includes 10% contingency)
Asphalt Paving additional 1" thickness (square feet).		
Concrete Paving 4" thickness (square feet)	0	(calculation includes 10% contingency)
Concrete Paving additional 1" thickness (square feet)		
Grass - Sod or Seed and Mulch (square feet)		

Notes:

Area 3 = Trenching Overburden.

Total Soil Disposal Mass for Scenario 1 is 338 Tons BAP Soil + 829 Tons of Trenching Overburden = 1,167 Tons

[†] Values are rounded up to the next whole number.

Petroleum Contamination Site Response Action Services
SCHEDULE OF PAY ITEMS INVOICE RATE SHEET

DETAIL INVOICE, Page 2 of 3

Facility Name: Former Island Standard Station
7-Digit Facility ID #: 8504998
County: 13
Region: South
Site Manager Name: Roberto Rodriguez
Site Manager Phone:
Site Manager Email:

Contractor: AHS-GEAR LLC
CID #: 01395
Contract #: GC000
SPI ID #: 19951
Retention %: 5%
FDEP Cost Share %: 100.00%
Total Extended Cost: \$ 113,895.46
Without Handling Fee: \$ 113,883.46
Purchase Order:
Download Date: 8/19/20 16:07
Assignment Type: SCOPE
Transition Agreement: Yes No

PAY ITEM	DESCRIPTION	UNIT OF MEASURE	PO Rate Sheet		Previously Invoiced	This Invoice		Balance			
			UNITS	NEGOTIATED ITEM PRICE	TOTAL EXTENDED PRICE	UNITS	UNITS	EXTENDED PRICE	UNITS		
Task 1											
1-2 a.	Site Health & Safety Plan for Continued Work (no cost to FDEP)	Per Site	1	\$	\$	0	0	\$	1		
		RETAINAGE			\$			\$			
		SUBTOTAL			\$			\$			
Task 2											
1-4	Permit Fees (actual fee only, cost to obtain permit is included in applicable pay items)	Reimbursable*	200	\$	1.00	\$	200.00	0	0	\$	200
1-7	5% Handling Fee for Cost Reimbursable Items	% Surcharge	200	\$	0.06	\$	12.00	0	0	\$	200
3-2	Mobilization, Light Duty Vehicle (car or 1/2 ton truck) - > 100 miles each way	Per Round Trip	3	\$	600.00	\$	1,800.00	0	0	\$	3
3-4	Heavy Duty/Stubbed Truck (3/4 ton +) - > 100 miles each way	Per Round Trip	2	\$	682.50	\$	1,365.00	0	0	\$	2
7-1	Grout and Abandon Well, 1 to 2 inch diameter	Per Foot	12	\$	12.12	\$	145.44	0	0	\$	12
8-6	Soil/Sediment Sample Collection	Per Sample	5	\$	52.50	\$	262.50	0	0	\$	5
8-11	Electronic Data Deliverables (EDD)	Per Sampling Event	1	\$	52.50	\$	52.50	0	0	\$	1
9-4	Soil, BTEX + MTBE + VOHs (EPA 8021 or EPA 8260)	Per Sample	5	\$	93.45	\$	467.25	0	0	\$	5
9-7	Soil, Priority Pollutant/ Extractable Organics-Base Neutral and Acid Extractables (EPA 8270 list [e.g., EPA 8081/8082 + EPA 8270])	Per Sample	2	\$	157.50	\$	315.00	0	0	\$	2
9-8	Soil, Total Recoverable Petroleum Hydrocarbons (FL-PRO)	Per Sample	2	\$	78.75	\$	157.50	0	0	\$	2
9-9	Soil, PCBs (or Aroclors) (EPA 8082)	Per Sample	2	\$	70.00	\$	140.00	0	0	\$	2
9-10	Soil, 8 RCRA Metals (EPA 6010 or EPA 6020 [Arsenic, Barium, Cadmium, Chromium, Lead, Selenium, Silver] and EPA 6020 or EPA 7471 [Mercury])	Per Sample	2	\$	68.25	\$	136.50	0	0	\$	2
9-11	Soil, Arsenic (EPA 6010 or EPA 6020)	Per Sample	3	\$	12.43	\$	37.29	0	0	\$	3
9-12	Soil, Cadmium (EPA 6010 or EPA 6020)	Per Sample	3	\$	12.43	\$	37.29	0	0	\$	3
9-13	Soil, Chromium (EPA 6010 or EPA 6020)	Per Sample	3	\$	12.43	\$	37.29	0	0	\$	3
9-14	Soil, Lead (EPA 6010 or EPA 6020)	Per Sample	3	\$	12.43	\$	37.29	0	0	\$	3
9-15	Soil, Toxicity Characteristic Leaching Procedure-Extraction Only (EPA 1311)	Per Sample	6	\$	61.25	\$	367.50	0	0	\$	6
9-38	Water, Arsenic, Total (EPA 200.7, EPA 200.8, EPA 6010 or EPA 6020)	Per Sample	3	\$	11.90	\$	35.70	0	0	\$	3
9-41	Water, Lead, Total (EPA 200.7, EPA 200.8, EPA 6010 or EPA 6020)	Per Sample	3	\$	11.90	\$	35.70	0	0	\$	3
19-26	Well Abandonment/ Site Restoration Report	Per Report	1	\$	262.50	\$	262.50	0	0	\$	1
20-6	Scientist/Technical Specialist (Key)	Per Hour	2	\$	75.83	\$	151.66	0	0	\$	2
		RETAINAGE			\$	302.80	\$			\$	302.80
		SUBTOTAL			\$	6,055.91	\$			\$	6,055.91
Task 3											
3-2	Mobilization, Light Duty Vehicle (car or 1/2 ton truck) - > 100 miles each way	Per Round Trip	2	\$	600.00	\$	1,200.00	0	0	\$	2
3-4	Heavy Duty/Stubbed Truck (3/4 ton +) - > 100 miles each way	Per Round Trip	2	\$	682.50	\$	1,365.00	0	0	\$	2
3-12	Excavator Mobilization - > 100 miles each way	Per Round Trip	1	\$	750.00	\$	750.00	0	0	\$	1
3-16	Loader/Backhoe Mobilization - > 100 miles each way	Per Round Trip	1	\$	367.50	\$	367.50	0	0	\$	1
3-20	Drum Compactor mobilization - > 100 miles each way	Per Round Trip	1	\$	525.00	\$	525.00	0	0	\$	1

Petroleum Contamination Site Response Action Services
SCHEDULE OF PAY ITEMS INVOICE RATE SHEET

DETAIL INVOICE, Page 3 of 3

PAY ITEM	DESCRIPTION	UNIT OF MEASURE	PD Rate Sheet			Previously Invoiced	This Invoice		Balance
			UNITS	NEGOTIATED ITEM PRICE	TOTAL EXTENDED PRICE	UNITS	UNITS	EXTENDED PRICE	UNITS
4-1.a	Per Diem - For travel > 1 consecutive day (prorated in quarter day increments in accordance with 112.061, F.S.) - Travel Voucher required and quoted rate should be per person per day	Per Person, Per Day	6	\$ 80.00	\$ 480.00	0	0	\$ -	6
10-8.	Conventional Soil Excavation and Loading > 300 cubic yards	Per Cubic Yard	757	\$ 23.10	\$ 17,488.70	0	0	\$ -	757
10-15.	Clean Backfill Material, Compaction and Tostling (includes transport) > 300 cubic yards	Per Cubic Yard	0	\$ 36.75	\$ -	0	0	\$ -	0
12-7.	Transport Petroleum Impacted Soil (bulk) ≤ 100 miles	Per Ton	1167	\$ 26.72	\$ 31,182.24	0	0	\$ -	1167
12-10	Disposal of Petroleum Impacted Soil at a Landfill (bulk) > 450 tons	Per Ton	1167	\$ 36.58	\$ 42,688.86	0	0	\$ -	1167
19-1.	Soil Source Removal Report	Per Report	1	\$ 1,575.00	\$ 1,575.00	0	0	\$ -	1
21-13	P.G. or P.E. Review, Evaluation and Certification of a Soil Source Removal Report That Includes a Recommendation for NFA	Per Report	1	\$ 554.00	\$ 554.00	0	0	\$ -	1
		RETAINAGE			\$ 5,391.98	\$ -		\$ -	\$ 5,391.98
		SUBTOTAL			\$ 107,839.55	\$ -		\$ -	\$ 107,839.55
		TOTAL COST			\$ 113,895.46	\$ -		\$ -	\$ 113,895.46
		Owner Cost Share:			\$ -	\$ -		\$ -	\$ -
		FDEP Cost Share:			\$ 113,895.46	\$ -		\$ -	\$ 113,895.46
		Retainage:			\$ 5,694.77	\$ -		\$ -	\$ 5,694.77
		FDEP Less Retainage:			\$ 108,200.69	\$ -		\$ -	\$ 108,200.69

Version: 11.0

Site Manager Approval:

Print Name _____
Signature _____
Date of Review Letter _____

ATTACHMENT C

Soil Excavation Scenario Two SR and SPI Cost Tables

Florida Department of Environmental Protection - Petroleum Restoration Program

FDEP Facility ID#: 138504998

STCM Facility Name: Island Standard Station

Scenario 2A - BAP Impacted Soil Disposal with Soil Overburden Fill

Any blank fields are not applicable to the scope of work.

Source Removal Table

SPI Section 10

Sheet Piling

Sheet Piling Length (feet)				
Sheet Piling Depth (feet)				
Sheet Piling Area (square feet)[†]	0			
Sheet Piling Duration (number of days/weeks/months)				

Conventional Excavation Volume	Area 1	Area 2	Area 3	Total
Excavation Length (feet)	26	28.2		
Excavation Width (feet)	26	28.2		
Excavation Area (square feet)	676	795	0	
Excavation Depth (feet)	4	4		
Maximum Excavation Volume (cubic yards)[†]	101	118	0	219

LDA Excavation Volume*	Area 1	Area 2	Area 3	Total
Diameter of LDA (feet)				
LDA boring area (square feet)	0.0	0.0	0.0	
LDA Depth (feet)				
One LDA boring volume - (cubic yards)	0.0	0.0	0.0	
Number of LDA borings				
Maximum Excavation Volume* (cubic yards)[†]	0	0	0	0

Flowable Fill, Backfill, Clean Overburden, Pea Gravel, #57 Stone		
Flowable Fill Based on Maximum Volume (cubic yards)	0	
Flowable Fill to allow for Contingency (10%) (cubic yards)	0	
Maximum Clean Backfill Volume (cubic yards)[†]	0	
Clean Backfill based on Maximum Excavation (cubic yards)	219	
Clean Backfill to allow for Compaction (20%) (cubic yards)	44	
Clean Overburden for Reuse (cubic yards)	263	or 368 Tons
Pea Gravel or #57 Stone (cubic yards)		(enter 0 tons [†] in SPI)
Maximum Clean Backfill Volume (cubic yards)[†]	0	

Dewatering			
Groundwater Treatment Technology			
Number of Dewatering Points			
Depth of Dewatering Points			
Point of Discharge			
Permits Required? (NPDES, Local, etc)			
Dewatering Duration (number of days/weeks/months)			

SPI Section 12

Surface Removal

Concrete Removal and Loading (square feet)		
Concrete Removal and Loading >4" (square feet)		
Asphalt Removal and Loading (square feet)		
Mixed Debris for Transport and Disposal (tons)[†]	0	

Transport and Disposal	
Maximum Excavation Mass @ 1.4 tons/cy (tons)	306.6
Contingent Transport and Disposal (10%) (tons)	30.7
Maximum Transport and Disposal (tons)[†]	338

SPI Section 13

Resurfacing

Asphalt Paving 2" thickness (square feet)	0	(calculation includes 10% contingency)
Asphalt Paving additional 1" thickness (square feet)		
Concrete Paving 4" thickness (square feet)	0	(calculation includes 10% contingency)
Concrete Paving additional 1" thickness (square feet)		
Grass - Sod or Seed and Mulch (square feet)		

Notes:

Area 1 = Smaller BAP Source Removal Area. Area 2 = Larger BAP Source Removal Area. No Clean Imported Backfill. Area 1 & 2 Backfilled with Overburden from Trenching.

Total Soil Disposal Mass for Scenario 2 is 338 Tons of BAP Soil + 458 Tons of Leftover Trenching Overburden = 796 Tons.

[†] Values are rounded up to the next whole number.

Florida Department of Environmental Protection - Petroleum Restoration Program

FDEP Facility ID#: 138504998

STCM Facility Name: Island Standard Station

Any blank fields are not applicable to the scope of work.

Source Removal Table

SPI Section 10

Sheet Piling

Sheet Piling Length (feet)				
Sheet Piling Depth (feet)				
Sheet Piling Area (square feet)[†]	0			
Sheet Piling Duration (number of days/weeks/months)				

Conventional Excavation Volume

	Area 1	Area 2	Area 3	Total
Excavation Length (feet)			60.3	
Excavation Width (feet)			60.2	
Excavation Area (square feet)	0	0	3630	
Excavation Depth (feet)			4	
Maximum Excavation Volume (cubic yards)[†]	0	0	538	538

LDA Excavation Volume*

	Area 1	Area 2	Area 3	Total
Diameter of LDA (feet)				
LDA boring area (square feet)	0.0	0.0	0.0	
LDA Depth (feet)				
One LDA boring volume - (cubic yards)	0.0	0.0	0.0	
Number of LDA borings				
Maximum Excavation Volume* (cubic yards)[†]	0	0	0	0

Flowable Fill, Backfill, Clean Overburden, Pea Gravel, #57 Stone

Flowable Fill Based on Maximum Volume (cubic yards)	0			
Flowable Fill to allow for Contingency (10%) (cubic yards)	0			
Maximum Clean Backfill Volume (cubic yards)[†]	0			
Clean Backfill based on Maximum Excavation (cubic yards)				
Clean Backfill to allow for Compaction (20%) (cubic yards)				
Clean Overburden for Reuse (cubic yards)				
Pea Gravel or #57 Stone (cubic yards)				
Maximum Clean Backfill Volume (cubic yards)[†]				

(enter 0 tons[†] in SPI)

Dewatering

Groundwater Treatment Technology			
Number of Dewatering Points			
Depth of Dewatering Points			
Point of Discharge			
Permits Required? (NPDES, Local, etc)			
Dewatering Duration (number of days/weeks/months)			

SPI Section 12

Surface Removal

Concrete Removal and Loading (square feet)		
Concrete Removal and Loading >4" (square feet)		
Asphalt Removal and Loading (square feet)		
Mixed Debris for Transport and Disposal (tons)[†]	0	

Transport and Disposal

Maximum Excavation Mass @ 1.4 tons/cy (tons)	415.8
Contingent Transport and Disposal (10%) (tons)	41.6
Maximum Transport and Disposal (tons)[†]	458

SPI Section 13

Resurfacing

Asphalt Paving 2" thickness (square feet)	0	(calculation includes 10% contingency)
Asphalt Paving additional 1" thickness (square feet)		
Concrete Paving 4" thickness (square feet)	0	(calculation includes 10% contingency)
Concrete Paving additional 1" thickness (square feet)		
Grass - Sod or Seed and Mulch (square feet)		

Notes:

Area 1 = Smaller BAP Source Removal Area. Area 2 = Larger BAP Source Removal Area. No Clean Imported Backfill. Area 1 & 2 Backfilled with Overburden from Trenching Summarized Above.
 Area 3 = Trenching overburden
 Total soil disposal mass for scenario 2 is 338 tons of BAP soil + 458 tons of leftover trenching overburden = 796 tons

[†] Values are rounded up to the next whole number.

**Petroleum Contamination Site Response Action Services
SCHEDULE OF PAY ITEMS WORKSHEET**

Facility Name: Former Island Standard Station
 7-Digit Facility ID #: 8504958
 County: 13
 Region: South
 Site Manager Name: Roberto Rodriguez
 Site Manager Phone: _____
 Site Manager Email: _____

PAY ITEM	DESCRIPTION	UNIT OF MEASURE	CONTRACTED ITEM PRICE	NEGOTIATED ITEM PRICE	TOTAL QUANTITIES	<input checked="" type="checkbox"/> TASK 1 QUANT	<input checked="" type="checkbox"/> TASK 2 QUANT	<input checked="" type="checkbox"/> TASK 3 QUANT	<input type="checkbox"/> TASK 4 QUANT	<input type="checkbox"/> TASK 5 QUANT	<input type="checkbox"/> TASK 6 QUANT	<input type="checkbox"/> TASK 7 QUANT	<input type="checkbox"/> TASK 8 QUANT	<input type="checkbox"/> TASK 9 QUANT	<input type="checkbox"/> TASK 10 QUANT
1-2 a	Site Health & Safety Plan for Continued Work (no cost to FDEP)	Per Site	\$ -	\$ -	1	1									
1-4	Permit Fees (actual fee only, cost to obtain permit is included in applicable pay items)	Reimbursable'	\$ 1.00	\$ 1.00	200		200								
1-7	9% Handling Fee for Cost Reimbursable Items	% Surcharge	\$ 0.06	\$ 0.06	1200	0	200	1000	0	0	0	0	0	0	0
3-2	Mobilization, Light Duty Vehicle (car or 1/2 ton truck) - > 100 miles each way	Per Round Trip	\$ 600.00	\$ 600.00	5		3	2							
3-4	Heavy Duty/Stakebed Truck (3/4 ton +) - > 100 miles each way	Per Round Trip	\$ 682.50	\$ 682.50	4		2	2							
3-12	Excavator Mobilization - > 100 miles each way	Per Round Trip	\$ 750.00	\$ 750.00	1			1							
3-16	Loader/Backhoe Mobilization - > 100 miles each way	Per Round Trip	\$ 367.50	\$ 367.50	1			1							
3-20	Drum Compactor mobilization - > 100 miles each way	Per Round Trip	\$ 525.00	\$ 525.00	1			1							
4-1 a	Per Diem - For travel > 1 consecutive day (prorated in quarter day increments in accordance with 112 061, F.S.) - Travel Voucher required and quoted rate should be per person per day	Per Person, Per Day	\$ 80.00	\$ 80.00	6			6							
7-1	Grout and Abandon Well, 1 to 2 inch diameter	Per Foot	\$ 12.12	\$ 12.12	12		12								
8-6	Soil/Sediment Sample Collection	Per Sample	\$ 52.50	\$ 52.50	5		5								
8-11	Electronic Data Deliverables (EOD)	Per Sampling Event	\$ 52.50	\$ 52.50	1		1								
9-4	Soil, BTEX + MTBE + VOHs (EPA 8021 or EPA 8260)	Per Sample	\$ 93.45	\$ 93.45	5		5								
9-7	Soil, Priority Pollutant Extractable Organics-Base Neutral and Acid Extractables (EPA 8270 list [e.g. EPA 8081/8082 + EPA 8270])	Per Sample	\$ 157.50	\$ 157.50	2		2								
9-8	Soil, Total Recoverable Petroleum Hydrocarbons (FL-PRO)	Per Sample	\$ 78.75	\$ 78.75	2		2								
9-9	Soil, PCBs (or Aroclors) (EPA 8082)	Per Sample	\$ 70.00	\$ 70.00	2		2								
9-10	Soil, 8 RCRA Metals (EPA 6010 or EPA 6020 [Arsenic, Barium, Cadmium, Chromium, Lead, Selenium, Silver] and EPA 6020 or EPA 7471 [Mercury])	Per Sample	\$ 68.25	\$ 68.25	2		2								
9-11	Soil, Arsenic (EPA 6010 or EPA 6020)	Per Sample	\$ 12.43	\$ 12.43	3		3								
9-12	Soil, Cadmium (EPA 6010 or EPA 6020)	Per Sample	\$ 12.43	\$ 12.43	3		3								
9-13	Soil, Chromium (EPA 6010 or EPA 6020)	Per Sample	\$ 12.43	\$ 12.43	3		3								
9-14	Soil, Lead (EPA 6010 or EPA 6020)	Per Sample	\$ 12.43	\$ 12.43	3		3								
9-15	Soil, Toxicity Characteristic Leaching Procedure-Extraction Only (EPA 1311)	Per Sample	\$ 61.25	\$ 61.25	6		6								
9-38	Water, Arsenic, Total (EPA 200 7, EPA 200 8, EPA 6010 or EPA 6020)	Per Sample	\$ 11.90	\$ 11.90	3		3								
9-41	Water, Lead, Total (EPA 200 7, EPA 200 8, EPA 6010 or EPA 6020)	Per Sample	\$ 11.90	\$ 11.90	3		3								
10-8	Conventional Soil Excavation and Loading > 300 cubic yards	Per Cubic Yard	\$ 23.10	\$ 23.10	757			757							

**Petroleum Contamination Site Response Action Services
SCHEDULE OF PAY ITEMS WORKSHEET**

PAY ITEM	DESCRIPTION	UNIT OF MEASURE	CONTRACTED ITEM PRICE	NEGOTIATED ITEM PRICE	TOTAL QUANTITIES	<input checked="" type="checkbox"/> TASK 1 QUANT.	<input checked="" type="checkbox"/> TASK 2 QUANT.	<input checked="" type="checkbox"/> TASK 3 QUANT.	<input type="checkbox"/> TASK 4 QUANT.	<input type="checkbox"/> TASK 5 QUANT.	<input type="checkbox"/> TASK 6 QUANT.	<input type="checkbox"/> TASK 7 QUANT.	<input type="checkbox"/> TASK 8 QUANT.	<input type="checkbox"/> TASK 9 QUANT.	<input type="checkbox"/> TASK 10 QUANT.
12-7	Transport Petroleum Impacted Soil (bulk) ≤ 100 miles	Per Ton	\$ 26.72	\$ 26.72	795			795							
12-10	Disposal of Petroleum Impacted Soil at a Landfill (bulk) > 450 tons	Per Ton	\$ 36.58	\$ 36.58	795			795							
19-1	Soil Source Removal Report	Per Report	\$ 1,575.00	\$ 1,575.00	1			1							
19-25	Well Abandonment/Site Restoration Report	Per Report	\$ 262.50	\$ 262.50	1		1								
20-6	Scientist/Technical Specialist (Key)	Per Hour	\$ 75.83	\$ 75.83	2		2								
21-13	P.G. or P.E. Review, Evaluation and Certification of a Soil Source Removal Report That Includes a Recommendation for NFA	Per Report	\$ 554.00	\$ 554.00	1			1							
22-1	Compaction Testing (estimated)	Reimbursable*	\$ 1.00	\$ 1.00	1000			1000							

*For reimbursable pay items the cost listed is a "not to exceed" amount. Fees will be reimbursed for the pay item based on the actual invoice. Please note, the unit of measure for these items will be displayed as dollars for invoicing purposes. Please refer to the Scope of Work for additional description of these items.

Version 110

ATTACHMENT D

Soil Reuse Guidance Document for Miami-Dade County



SOIL REUSE GUIDANCE FOR MIAMI-DADE COUNTY

This guidance document provides general guidelines for obtaining soil classification letters from DERM for the purpose of evaluating reuse options.

Applicability

This guidance is applicable to the reuse of soil within Miami-Dade County and is consistent with the Chapter 24, Code of Miami-Dade County ("the Code") risk based corrective action (RBCA) provisions.

Soil Classification Letters

DERM will issue soil classification letters upon request, but will not approve specific soil reuse locations. It is the responsibility of the generator and receiver to reuse the soil in accordance with the conditions set forth in this guidance and all applicable federal, state and local regulations. The following information shall be submitted to DERM to obtain a soil classification letter:

1. source location of the soil, including information such as the site address and any DERM permit numbers;
2. information regarding potential sources of contamination present at the source location and, based upon this information, a list of potential contaminants of concern (COCs), as described in General Comment No. 2;
3. amount of soil to be reused (in cubic yards or tons); and
4. appropriate analytical results (e.g., total, SPLP, TCLP, TRPH speciation, etc.) from a sufficient number of samples (see Soil Reuse Options and General Comment No. 1 below), including chain of custody forms, original laboratory records, a summary of the sampling protocol, and a project map with sampling locations. Be advised that all analytical results (except SPLP and TCLP results) shall be reported on a dry weight basis.

Soil Re-Use Options

Based upon the analytical results, the reuse options shall be determined in accordance with the guidelines that follow.

1. Clean Soil:

a. Soil is classified as clean soil if concentrations of the COCs are less than or equal to one or more of the following:

- i. the practical quantitation limits (PQLs),
- ii. the DERM-established background concentrations in the following table:

Chemical Name	Natural Background Concentration (mg/kg)	Chemical Name	Natural Background Concentration (mg/kg)
Arsenic	1.2	Lead	26
Aluminum	2656	Manganese	55
Barium	7	Mercury	0.08
Cadmium	0.1	Nickel	2.1
Chromium	6.8	Selenium*	<0.45
Copper	4.1	Silver*	<0.025
Iron	2176	Zinc	12

Note: This table is not a list of required sampling parameters (please see General Comment No. 2 of this guidance).

* The data for selenium and silver were not analyzed statistically because all of the selenium results were below the detection limit and silver was detected in only one sample.

iii. DERM-approved, site-specific natural background concentrations within the vicinity of the source site established using the Natural Background Guidance (RBCA Guidance No. 7C).

b. Clean Soil may be reused anywhere within Miami-Dade County without restrictions. Be advised, however, that the applicable permits and approvals (e.g., DERM permit, Planning and Zoning approval, etc.) must be obtained prior to filling operations in wetlands (e.g., dredge and fill permit) and surface waters (e.g., lakefill permit).

2. Residential Soil:

a. Soil is classified as residential soil if concentrations of the COCs are less than or equal to the residential direct exposure soil cleanup target levels (CTLs), the groundwater leachability-based soil CTLs, the fresh surface water leachability-based soil CTLs, and the marine surface water leachability-based soil CTLs

specified in Table 2 of the RBCA ordinance (Section 24-11.1(2)(E)(5)(b) of the Code).

As appropriate, the direct exposure soil CTLs shall be adjusted to account for additive effects of multiple contaminants (Section 24-11.1(2)(J)(1)(e) of the Code). The DERM Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 24, Code of Miami-Dade County, Florida, October 20, 2000 ("Technical Report") provides guidance for addressing additive effects.

In addition, the following RBCA options are available:

- i. Direct leachate testing may be conducted when the groundwater, fresh surface water, or marine surface water leachability-based soil CTLs specified in Table 2 of the RBCA ordinance are exceeded (see Section 24-11.1(2)(E)(2) of the Code). Direct leachate testing shall be performed using USEPA Method 1312, Synthetic Precipitation Leaching Procedure (SPLP) or, if waste oil is present, USEPA Method 1311, Toxicity Characteristic Leaching Procedure (TCLP). If the leachate test results are less than or equal to the groundwater, fresh surface water and marine surface water CTLs specified in Table 1 of the RBCA ordinance (Section 24-11.1(2)(E)(5)(a) of the Code), then the leachate test results shall be utilized in lieu of the leachability-based soil CTLs. Be advised, however, that the leachate test results do not replace the residential direct exposure soil CTLs.
 - ii. Alternative soil CTLs for TRPH may be derived based upon the site-specific composition of TRPH (see Section 24-11.1(2)(E)(3)(d) of the Code, Appendix C of the Technical Report and RBCA Guidance No. 7D).
- b. Residential Soil may be reused, provided that the generator and receiver of the soil comply with the following provisions set forth in Chapter 24 of the Code:
- i. Causing or allowing a nuisance is prohibited by the Code; therefore, Residential Soil that exhibits nuisance characteristics (e.g., soil that has an offensive odor) shall not be reused.
 - ii. Residential Soil shall not be reused within surface water bodies (e.g., lakes, canals, etc.) or ecologically sensitive areas (e.g., wetlands, etc.).

3. Soil that Exceeds the Residential Soil Criteria

Soil that exceeds the residential soil criteria shall not be reused and may be subject to the reporting provisions set forth in Section 24-37 of the Code. Disposal of such soil in Miami-Dade County is limited to a Class I landfill. For information regarding disposal at South Dade landfill, contact Lee Casey, Miami-Dade County Department of Solid Waste Management, at (305) 594-1670. Be advised that reuse or inappropriate disposal of such soil may result in DERM enforcement action.

General Comments

1. The number of composite soil samples shall, generally, be in accordance with the following table:

Volume of Soil (yd ³)	Weight of Soil (tons)	Number of Discrete Samples for Volatile Organic Compounds	Number of Composite Samples for Non-Volatile Compounds
<200	<280	1	1
200 to <1,000	280 to <1,400	3	3
1,000 to <2,000	1,400 to <2,800	5	5
Each additional 1,000 yd ³	Each additional 1,400 tons	1	1

Be advised, however, that DERM reserves the right to request additional samples if deemed necessary based upon a review of the site-specific data. Likewise, the responsible party may submit a site-specific sampling plan to DERM for approval.

2. Sampling parameters (i.e., COCs) shall be determined on a site-specific basis by considering potential sources of contamination (e.g., gas station, landfill, etc.) and observations made at the time of the soil removal (e.g., petroleum odor, solid waste debris, etc.).
3. The consultant collecting the samples shall perform field sampling work in accordance with Chapter 62-160, Florida Administrative Code (FAC), as amended, Standard Operating Procedures (DEP-SOP-001/01, revised January 1, 2002). The laboratory analyzing the samples shall perform laboratory analyses pursuant to the National Environmental Laboratory Accreditation Program (NELAP) certification requirements.
4. All work shall follow all applicable safety requirements (e.g., OSHA, NFPA, site safety plan, etc.) and the appropriate agencies shall be notified.

5. Soil that is saturated with pure product (free-phase) is not suitable for reuse or landfill disposal and may be subject to the reporting provisions set forth in Section 24-37 of the Code or Rule 62-770.250, Florida Administrative Code (F.A.C.) and the source removal provisions set forth in Section 24-11.1(2)(l)(3) of the Code or Rule 62-770.300, F.A.C.
6. Soil that is classified as a RCRA hazardous waste is not suitable for reuse or for disposal at any landfills or disposal facilities in Miami-Dade County. RCRA hazardous waste characterization by USEPA Test Method 1311, TCLP analyses, followed by the appropriate analysis of the leachate, shall be performed when soil concentrations of the COCs exceed the Total Soil Criteria listed in Table 1 at the end of this guidance. The TCLP results shall be compared to the TCLP Criteria provided in Table 1. Any soil that exceeds the TCLP Criteria or is otherwise classified as a RCRA hazardous waste (e.g., listed waste, etc.) shall be disposed at a permitted hazardous waste treatment, storage, disposal facility in accordance with all applicable regulations.
7. Compliance with the criteria and requirements herein does not relieve the generator or receiver of the soil from any other applicable local, state, or federal rules or requirements.

Note: the Chapter 24 RBCA ordinance, the Technical Report, and the RBCA guidance documents are available at the following address: http://www.miamidade.gov/derm/land/trends_risk_based.asp.

Table 1
Total Soil and TCLP Criteria for Toxicity Characterization
 (Note: This table is not a list of required sampling parameters, please see
 General Comment No. 2 of this guidance)

Contaminant	CAS Number	Total Soil Criteria (mg/kg)	TCLP Criteria (mg/l)
Arsenic	7440-38-2	100	5.0
Barium	7440-39-3	2,000	100.0
Benzene	71-43-2	10	0.5
Cadmium	7440-43-9	20	1.0
Carbon tetrachloride	56-23-5	10	0.5
Chlordane	57-74-9	0.6	0.03
Chlorobenzene	108-90-7	2,000	100.0
Chloroform	67-66-3	120	6.0
Chromium	7440-47-3	100	5.0
Cresol, o-	95-48-7	4,000	200.0
Cresol, m-	108-39-4	4,000	200.0
Cresol, p-	106-44-5	4,000	200.0
Cresol	NA	4,000	200.0
D, 2,4-	94-75-7	200	10.0
Dichlorobenzene, 1,4-	106-46-7	150	7.5
Dichloroethane, 1,2-	107-06-2	10	0.5
Dichloroethylene, 1,1-	75-35-4	14	0.7
Dinitrotoluene, 2,4-	121-14-2	2.6	0.13
Endrin	72-20-8	0.4	0.02
Heptachlor (and it's epoxide)	76-44-8	0.16	0.008
Hexachlorobenzene	118-74-1	2.6	0.13
Hexachlorobutadiene	87-68-3	10	0.5
Hexachloroethane	67-72-1	60	3.0
Lead	7439-92-1	100	5.0
Lindane	58-89-9	8	0.4
Mercury	7439-97-6	4	0.2
Methoxychlor	72-43-5	200	10.0
Methyl ethyl ketone	78-93-3	4,000	200.0
Nitrobenzene	98-95-3	40	2.0
Pentachlorophenol	87-86-5	2,000	100.0
Pyridine	110-86-1	100	5.0
Selenium	7782-49-2	20	1.0
Silver	7440-22-4	100	5.0
Tetrachloroethylene	127-18-4	14	0.7
Toxaphene	8001-35-2	10	0.5
Trichloroethylene	79-01-6	10	0.5
Trichlorophenol, 2,4,5-	95-95-4	8,000	400.0
Trichlorophenol, 2,4,6-	88-06-2	40	2.0
TP, 2,4,5- (Silvex)	93-72-1	20	1.0
Vinyl chloride	75-01-4	4	0.2

**Village of Key Biscayne
Preliminary FY21 Balance (thru 9/30/21)**

General Fund	Amended Budg.	Actual (Prelim)	Variance	Variance %	Notes
General	30,932,582	31,347,708	415,126	1.3%	1
Planning	194,820	196,153	1,333	0.7%	
Police	113,612	32,470	(81,142)	-71.4%	2
Fire	219,312	272,897	53,585	24.4%	
Building	1,354,042	1,960,212	606,170	44.8%	3
Public Works	5,957	(413)	(6,370)	-106.9%	
Community Center	1,215,414	1,363,552	148,138	12.2%	4
Athletics	365,500	276,337	(89,163)	-24.4%	
Emergency Fund Carryforward	621,208	269,414	(351,794)	-56.6%	
Total Revenue	35,022,447	35,718,332	695,885	2.0%	5
Council	22,984	18,363	(4,621)	-20.1%	6
Clerk	386,957	359,821	(27,136)	-7.0%	6
Admin	2,509,084	2,229,792	(279,292)	-11.1%	6
Attorney	590,000	526,263	(63,737)	-10.8%	6
Planning	456,021	368,006	(88,015)	-19.3%	6
Debt Service	3,313,325	2,175,336	(1,137,989)	-34.3%	6
Police	8,240,862	7,914,027	(326,835)	-4.0%	6
Fire	8,691,335	8,000,588	(690,747)	-7.9%	6
Building	1,553,402	1,385,366	(168,036)	-10.8%	6
Public Works	3,027,500	2,863,547	(163,953)	-5.4%	6
Parks & Recreation	1,605,388	1,100,141	(505,247)	-31.5%	6
Community Center	2,952,421	1,843,858	(1,108,563)	-37.5%	6
Athletics	544,865	454,875	(89,990)	-16.5%	6
Community Groups	198,730	156,634	(42,096)	-21.2%	6
Advisory Boards	243,800	19,866	(223,934)	-91.9%	6
Transfer Out to CIP	1,125,000	1,125,000	-	0.0%	6
Emergency Fund Expenses	13,075	548,232	535,157	4093.0%	6
Non-Departmental	619,804	250,246	(369,559)	-59.6%	6
Total Expenditures & Transfers	36,094,553	31,339,960	(4,754,593)	-13.2%	
Total Current Surplus / (Deficit)	(1,072,106)	4,378,371			

Note 1: Lagging revenues include State share of sales tax revenue, franchise fees.
 Note 2: The Miami-Dade County School Resource Officer contract ended at end of FY 20
 Note 3: Building Dept Rev exceeded budgeted amount due to pent up demand after COVID-19 and more accurately charging of fees.
 Note 5: Still pending grant reimbursements for debris management, beach nourishment, and COVID-19 emergency personnel expenditures
 Note 4: Community Center Revenue pending Year End Audit Adjustment to defer portion related to FY 22
 Note 6: Finance & Operating Departments still processing final invoices for FY 21. Operational expenditures expected to increase.

Transportation Fund	Amended Budg.	Actual (Prelim)	Variance	Variance %	Notes
Revenues	1,098,133	956,772	(141,361)	-12.9%	1
Expenses	1,098,133	1,085,257	(12,876)	-1.2%	
Total Current Surplus / (Deficit)	-	(128,485)	(128,485)		
Total Projected Fund Balance		\$1,700,000			

Note 1: lagging revenues include CIT distribution (2 months)

PROS Land Trust Fund	Amended Budg.	Actual (Prelim)	Variance	Variance %	Notes
Revenues	249,532	256,490	6,958	2.8%	1
Expenses	249,532	69,128	(180,404)	-72.3%	
Total Current Surplus / (Deficit)	-	187,362	187,362		
Total Projected Fund Balance		\$3,750,000			

Note 1: 1% of Ad-Valorem Taxes

Stormwater Enterprise Fund	Amended Budg.	Actual (Prelim)	Variance	Variance %	Notes
Revenues	20,820,352	1,701,982	(19,118,370)	-91.8%	1
Expenses	20,820,352	1,507,515	(19,312,837)	-92.8%	1
Total Current Surplus / (Deficit)	-	194,467	194,467		
Total Projected Fund Balance		\$1,000,000			

Note 1: Budgeted included Issuance of \$18m in Stormwater Bonds

Solid Waste Enterprise Fund	Amended Budg.	Actual (Prelim)	Variance	Variance %	Notes
Revenues	1,049,230	1,028,634	(20,596)	-2.0%	1
Expenses	1,049,230	916,051	(133,179)	-12.7%	
Total Current Surplus / (Deficit)	-	112,583	112,583		
Total Projected Fund Balance		-			

Note 1: Enterprise funds are on full-accrual accounting. The revenue shown is the amount billed, not the amount collected.

Section 7.06. - Charter revision.

At its first regular meeting in December of every tenth (10th) year, commencing in December 2021, the Council shall appoint a Charter revision commission (the "Charter Revision Commission") consisting of five (5) persons, one (1) of whom shall be a member of the Council serving a second consecutive term as Council Member and four (4) of whom shall be electors of the Village. If there are no Council Members serving a second consecutive term, the Council shall appoint to the revision commission one (1) Council Member. The Mayor shall not be eligible for appointment to the Charter Revision Commission. The Charter Revision Commission shall commence its proceedings within forty-five (45) days after appointment by the Council. If the Charter Revision Commission determines that a revision is needed, it shall draft such amendments to this Charter as it deems appropriate and submit the same to the Council not later than April 1 of the year following appointment. The report of the Charter Revision Commission may grant to the Council the option of placing the proposed amendments on the ballot for the next scheduled Village Mayoral or Council, countywide, statewide, or federal election. Otherwise, the Council shall, not less than thirty (30) days or more than sixty (60) days after submission of the proposed amendments to the Council, submit them to the electors of the Village in accordance with the provisions of Section 6.02, except that the provisions of subsections (a) and (b) of such Section shall not apply.

(Ord. No. 92-18, § 1, 8-11-92/11-3-92; Res. No. 97-15, 4-1-97/6-10-97; Res. No. 2007-13, § B, 4-10-07/6-12-07; Res. No. 2012-22, § 2E., 6-12-12/11-13-12)