

# **AGENDA**

## **KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING**

Thursday, January 22<sup>nd</sup>, 2026 – 9:30 AM  
Marble Hall, 600 W. Ocean Drive, Key Colony Beach  
& via Zoom Conferencing

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

- 1. Call to Order and Roll Call**
- 2. Approval of the Agenda** (*Additions, changes, and deletions can be made via one motion and a second to approve by a majority vote*)
- 3. Special Requests**
- 4. Citizen Comments and Correspondence**
- 5. Committee and Department Reports** (*written reports provided; Staff and Board Chairs available for questions*)
  - a. Marathon Fire/EMS – Marathon Fire Chief Muro – **Pgs. 1-3**
  - b. Police6 Department – Chief DiGiovanni – **Pgs. 4-9**
    1. Recognition of Code Officer Martha Dreyer – **Pg. 10**
    2. Recognition of City Staff – **Pg. 11**
  - c. City Administrator – John Bartus – **Pgs. 12-13**
  - d. Public Works – Public Works Department Head Guarino – **Pgs. 14-15**
  - e. Building/Code Department – Building Official Loreno – **Pgs. 16-17**
  - f. City Hall – City Clerk Roussin – **Pgs. 18-20**
  - g. Beautification Committee – Chair Bachman
  - h. Planning & Zoning Board – Chair Lancaster
  - i. Recreation Committee – Chair Catto
  - j. Utility Board – Chair Swanson
- 6. Consent Action Items** (*Under the consent agenda, all action items will be voted on after one motion, and a second will be required to approve them without discussion. If a Commission member wants any action item discussed or voted on separately, the Commission member, at the beginning of the open session, must ask that the action be moved to the discussion action item section.*)
  - a. Approval of the following City Commission Meeting Minutes
    1. 12-18-2025 City Commission Organizational Meeting Minutes – **Pgs. 21-23**
    2. 12-18-2025 City Commission Public Hearing Minutes – **Pgs. 24-25**
    3. 12-18-2025 City Commission Regular Meeting Minutes - **Pgs. 26-31**
  - b. Approval of Warrant No. 1225 for \$1,043,877.13 – **Pg. 32**
  - c. Contract Renewal for 2026/2027 with The Southern Group for \$54,000 (same terms and conditions as before) – **Pgs. 33-72**
  - d. Appointment of new Committee & Board Members
    1. Joe Schmidt to the Utility Board (Full Member) – **Pgs. 73-76**
    2. Peter Testa to the Utility Board (Full Member) – **Pgs. 77-80**
    3. Janie Byland to the Beautification Committee (Full Member) – **Pgs. 81-84**

Members of the public may speak for three minutes and may only speak once...unless waived by a majority vote of the commission. Persons who need accommodations in order to attend or participate in this meeting should contact the city clerk at 305-289-1212 at least 48 hours prior to this meeting in order to request such assistance. If a person decides to appeal any decision made with respect to any matter considered at any meeting, 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.

4. Janice Mueller to the Beautification Committee (Full Member) – **Pgs. 85-88**
5. Larry Freels to the Planning & Zoning Board (Alternate Member) – **Pgs. 89-92**
6. Jessica Borraccino to the CRS Committee – **Pgs. 93-96**

## **7. Discussion Action Items**

- a. Discussion/Approval for Amendments to Fee Schedules- **Pg. 97**
  1. Draft Resolution 2026-01 (2024-13) – **Pgs. 98-102**
  2. Draft Resolution 2026-02 (2024-15) – **Pgs. 103-104**
  3. Draft Resolution 2026-03 (2024-16) – **Pgs. 105-109**
- b. Discussion/Approval of a Recommendation by the Recreation Committee to evaluate Safety Needs at the Golf Course, along the 9th Fairway and off the 1st Tee, for mitigation measures, particularly netting along the 9th Fairway and additional vegetation planted between the 1st Tee and the 2nd Green.

## **8. Ordinances & Resolutions**

- a. **SECOND and FINAL READING OF ORDINANCE 2025-497:** An Ordinance of the City of Key Colony Beach, Florida, Amending The Goals, Objectives And Policies Of The Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservation, Recreation And Open Space, Intergovernmental Coordination, And Capital Improvements, Elements Of The Comprehensive Plan; Adding A Property Rights Element And Accompanying Goal, Objective And Policies; As Mandated By Florida Statutes 163.3177; Providing For Transmittal To The State Land Planning Agency; Providing A Conflicts Clause And Severability Clause, Providing An Effective Date.
  1. Ordinance No. 2025-497 – **Pgs. 110-112**
  2. 2025 Comprehensive Plan – **Pgs. 113-164**
  3. Comprehensive Plan Edits Guide – **Pgs. 165-166**
  4. Business Impact Statement – **Pgs. 167-169**
  5. Proof of Publication(s) – **Pgs. 170-173**
- b. **SECOND and FINAL READING OF ORDINANCE 2025-507:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article III, Chapter 101 Of The Land Development Regulations Related To Reduction Of Setbacks For Residential Pools; Specifically Amending Sections 101-13 And 101-26 Of The Land Development Regulations To Provide For Reduced Setbacks For Pools Within The R-2b Zoning District; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Code Of Ordinances; And Providing For An Effective Date.
  1. Ordinance No. 2025-507 – **Pgs. 174-178**
  2. Business Impact Statement – **Pgs. 179-180**
  3. Proof of Publication – **Pg. 181**

## **9. Secretary-Treasurer's Report**

- a. December 2025 Financial Summary – **Pgs. 182-185**

## **10. City Attorney's Report**

## 11. Commissioner's Reports & Comments

- a. Commissioner Tom Harding
  - 1. US1 and Sadowski Causeway Pedestrian Crossing – **Pg. 186**
  - 2. Speed Limit suggestion – **Pg. 187**
  - 3. Emergency Generators' summary – **Pg. 188**
  - 4. Wastewater Sampling weekly report for January 19th, 2026 **\*\*TBA\*\***
- b. Commissioner Kirk Diehl
- c. Commissioner Tom DiFransico
- d. Vice-Mayor Doug Colonell
  - 1. City Hall Update
  - 2. Farmers Market Location Move
- e. Mayor Freddie Foster

## 12. Citizen Comments

## 13. Adjournment

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*This meeting will be held at the City Hall Auditorium 'Marble Hall',  
600 W. Ocean Drive, Key Colony Beach, Florida 33051,  
and via Zoom*

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/89884064712?pwd=KqWT4Bh1SxUUgcr3sbPPESzQ1Qxqmc.1>

Passcode:203066

Phone one-tap:

+13052241968,,89884064712#,,,\*203066# US  
+16469313860,,89884064712#,,,\*203066# US

Join via audio:

+1 305 224 1968 US  
+1 646 931 3860 US  
+1 929 205 6099 US (New York)  
+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US  
+1 360 209 5623 US  
+1 386 347 5053 US  
+1 507 473 4847 US  
+1 564 217 2000 US  
+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

Webinar ID: 898 8406 4712

Passcode: 203066

International numbers available: <https://us02web.zoom.us/u/keGABAC2Ly>



## CITY OF MARATHON FIRE RESCUE

8900 Overseas Highway, Marathon, Florida 33050  
Phone: (305) 743-5266 Fax: (305) 289-9834

### Memorandum

**Date:** 1/1/2026  
**To:** Honorable Mayor and City Council members  
**From:** James E. Muro, Fire Chief  
**Through:** George Garrett, City Manager  
**Subject:** December Month End Report

<b>MARATHON RESPONSES</b>	<b>December</b>
Fire Incidents	3
Hazardous Condition	1
Public Service	16
False Alarm Fire	25
Good Intent Call	20
EMS	72
Inter-facility Transfers	68
<b>Total for Month:</b>	<b>205</b>
<b>Total Calls for Calendar 2025:</b>	<b>1,896</b>

<b>FIRE PREVENTION – Chief Muro and AFM Card</b>	<b>December</b>
Fire Inspections	22
Fire Safety Plan Review	37
Occupational or Annual License Inspections	6
Event Inspections	0
Annual State Inspections	0
DHR Follow-Up Inspections	0

<b>KCB RESPONSES</b>	<b>December</b>
Fire Incidents	0
Hazardous Condition	1
Public Service	0
False Alarm Fire	0
Good Intent Call	1
EMS	3
<b>Total for Month:</b>	<b>5</b>
<b>Total Calls for Calendar 2025:</b>	<b>125</b>

<b>VACATION RENTALS – Inspector Hendricks</b>	<b>December</b>
Total Applications Processed	93
Vacation Rental Inspections	114
Total VR Fees Collected	\$93,400
Agent/Local Contacts Trained	33
Total VR Licenses Issued	89

## Operations December 2025

- **Fire Officer Training:** Our newest Fire Reporting system, NERIS (National Emergency Response Information System) required both Federally and by the State has just been onboarded beginning 01/01/2026. NERIS is designed to collect more detailed and accurate incident data and provide analytics useful for establishing and supporting the need for Government Assistance Grants.
- **EMS Training:** State of Florida requires each Paramedic to maintain three (3) certifications every 2 years. The first requirement is ACLS, (advanced cardiac) ongoing CPR certification and PALS (pediatric) and BTLS (trauma) . This along with in-house team training ensures the highest level of prehospital 911 service to the City. We have an ongoing CPR program using RQI – (2) we have completed PALS for this renewal cycle and we have scheduled ACLS for first quarter of 2026. The City of Marathon Fire Rescue also hosted a “Trauma Boot Camp” which the training was paid for with a grant requested from the State and was taught by Trauma Team from Tampa General Hospital. We invited and hosted three other agencies at Station 14 with great success.
- Our Vector Solutions platform report revealed a total of 10 virtual training hours per member during the month of December for both EMS and Fire Training. We started our planned rotation to the Fire Academy for mandatory fire ground training as per State requirements and examined during the ISO inspection. This can and only will happen when staffing does not impact response service levels.
- **Final New Employees:** MFR completed the onboarding of our final pre-assignment class, keeping us at full employment and the new members are now on shift. We have been more successful than other Agencies in maintaining our current staffing with almost no turnover while recruiting young and eager new Firefighters through active recruiting and the Cadet program and CCT units.
- **ISO Inspection:** Our ISO “Insurance Safety Office” inspection was completed December 10<sup>th</sup>, 2025. We have submitted all the required final documentation to the ISO inspector who will offer our updated ISO rating after inspection summary completion. Essentially, ISO is a measure of how well our community is prepared to fight fires which can directly affect fire insurance costs, safety, and community resilience. We are anticipating an improved rating due to the increase in our staffing levels, a more robust new hydrant program planning and placement and consistent inventory on fire suppression units.
- **Fire Maintenance:** In December, we completed our annual fire hose and pump testing ensuring all apparatus are equipped to function optimally while operating during fires. This is an ongoing process, but in exacting detail to comport with ISO inspection.
- **RQI Success:** The CPR certification digital platform remains a success for both City Employees and KCB Police. The feedback is very positive and we expect to continue while reaching out further to expand the success of those who can assist someone who needs the life-saving practice even minutes before EMS arrival. We are looking forward to the formal rollout in January 2026 of the public education program for CPR.

- **Fire Operations:** The 60-day trial for increased minimum manning requirements for our Fire Stations 14 and 15 was suspended to match budget projections. To augment using existing member have posted for a new Driver Engineer test which will allow current members on duty who are qualified/tested to fill the gaps by “stepping up” and reduce overtime for Drivers position. Our first principle objective is to have 6 min or less ALS staff delivery and provide fire operations “water on fire or rescue operations” with a fire truck in 10 min or less to all parts of the City.
- **EMS Protocols:** We completed and will be publishing hard copy and “E” version on every department PDA and device our updated EMS protocols which are aligned with Monroe County’s and Trauma Star’s protocols and mirror the latest care standards. This is the first meaningful/substantial revision in more than 4 years and is under the direction of our Medical Director and Officers.
- **Budget Matters-** We were informed that we did not receive the Federal AFG “Safety Grant” which would have funded the purchase/replacement of our 8-year-old portable radio platform. This platform is no longer supported by Motorola and when completed It will match the County dispatch standard and other Agencies. In March we are planning on receiving the previously ordered “CCT replacement vehicle” approved in February 2025. The unit replacing a unit which currently has 310,000 miles on it and is the truck which is used to transport patients to the mainland for the Community. We will retain the old unit as a backup for both CCT transport and Rescue 911 units as they are essential functions.

Commission Meeting Report

Key Colony Beach Police Department

December 18, 2025, to January 12, 2026

Chief Kris DiGiovanni

**A. REPORTS**

1. 12/29/2025, Report Number KCBP25OFF000034

Post Office Parking Lot Accident

Result: Crash report completed.

2. 01/07/2026, Report Number KCBP26OFF000001

351 E Ocean Dr, Assist Citizen

Result: Emergency housing located and transported.

**B. MEDICAL/ALARM CALLS**

Total Calls: 1

**C. CALLS FOR SERVICE**

Total Calls: 29

12/18/2025-Resource Check-Sunset Park-In Park after hours-No fishing license on person-Written warning.

12/18/2025-Flagdown-E Ocean Dr-Questions for officer-Civil Matter.

12/21/2025-Assist Citizen-8<sup>th</sup> St-Needed to retrieve boat trailer.

12/21/2025-Child Abuse-Sadowski Cswy-Report of a child hanging out of window-Unable to locate

12/24/2025-Assist Citizen-9<sup>th</sup> St-Questions for officer.

12/25/2025-Suspicious Boat-E Ocean Dr-Reference a boat that the RP thought was suspicious-Boat motor was stalled.

12/25/2026-Trespassing Residence-10<sup>th</sup> St-Kids possibly in backyard-No kid found in backyard-No damage to property or anything missing.

12/25/2025-Assist Citizen-W Ocean Dr-Looking for a tour of police station for nephew.

12/26/2025-Night Problem-W Ocean Dr-Ongoing issued between neighbors.

12/27/2025-Illegal Camping-Sunset Park-RP believes they spent the night at park-They did not stay overnight-Were visiting park during operating hours.

12/28/2025-Flagdown-W Ocean Dr-RP thought the wastewater plant was leaking wastewater onto roadway-It was water.

12/28/2025-Assist Citizen-W Ocean Dr-Issue with neighbor-Code Issue-Code Officer notified.

12/28/2025-Disturbance-Circle K-Subject harassing customers-Got onto bus to Miami.

12/29/2025-Assist Citizen-W Ocean Dr-Questions for office.

12/29/2025-Suspicious Activity-3<sup>rd</sup> St-Subject throwing dog feces into the canal-Advised to stop-Code Officer notified.

12/30/2025-Assist Citizen-12<sup>th</sup> St-Reference a missing trash can-Did not locate trash can, garbage company may have accidentally disposed of trash can.

12/31/2025-Suspicious Activity-12<sup>th</sup> St-Reference Fireworks-Unable to locate.

01/01/2026-Juvenile Problem-7<sup>th</sup> St-Reference kids riding electric bikes.

01/02/2026-Suspicious Activity-11<sup>th</sup> St-Reference a female looking into windows-Unable to locate.

01/03/2026-Trespassing Business-E Ocean Dr-Reference subjects in construction area of dock-Advised they were trespassing and moved along.

01/05/2026-Resource Check-Sunset Park-In Park after hours-Subject left.  
01/05/2026-Assist Citizen-9<sup>th</sup> St-Questions about eviction.  
01/02/2026-Assist Citizen-W Ocean Dr-Trailer parking questions.  
01/06/2026-Traffic Offense-13<sup>th</sup> St-Boat on vacant lot-Realtor notified.  
01/07/2026-Accident no Injuries-Coral Lane-Driver's Exchange.  
01/04/2026-Flagdown-Sadowski Cswy-Report of a loose dog-Dog was picked up by owner before arrival.  
01/08/2026-Suspicious Activity-7<sup>th</sup> St-Report of sprinklers on at golf course-RP thought this was odd-Sprinklers turned off when they were done.  
01/09/2026-Trespassing Residence-10<sup>th</sup> St-Reference a drone flying in area-RP not on scene-Drone gone upon arrival.  
01/11/2026-Trespassing Residence-11<sup>th</sup> St-Report of subjects on stars-Unable to locate.

#### SPECIALTY UNIT PATROL

##### **D. TOTAL WATCH ORDERS/NON-RESIDENTS**

Total: 39

##### **E. PROVIDED BACK-UP/ASSISTANCE TO MCSO, FHP, FWC, COAST GUARD OR U.S. BORDER PATROL**

Total: 13

##### **F. CITATIONS/WARNINGS**

1. Traffic Citations:4
2. Traffic Warnings: 25
3. Code Citations: 0
4. Code Warnings: 2
5. Resource Checks/Marine Life: 2

##### **G. ADDITIONAL EVENTS IN THE POLICE DEPARTMENT**

- Mayor Foster joined Officer Bethard in welcoming the Wounded Warrior Project Soldier Ride 2026. Marathon Fire/Rescue Station 14 hosted lunch and organized local law enforcement to escort these Warriors from Station 14 to the south side of the 7-mile bridge.
- Save Our First Responders 5K was held on Saturday, 01/09/2026. "Monroe County's annual First Responders Week, dedicated to raising the awareness and support for the mental health challenges faced by first responders due to job-related trauma." KCBPD was represented alongside of every other law enforcement agency in the Florida Keys.

#### Chief DiGiovanni

- Provided traffic safety and general security for Santa's caravan as it made its way through the large crowd of Santa fans awaiting his arrival to City Hall parking lot.
- Review videos from the officer's body cameras.
- Complete requests for reports, (traffic accidents, police reports).
- Re-certify officers with Taser 10.
- Recertified to carry Taser 10.
- Requalified for the quarterly CPR certification through Marathon Fire/Rescue.

- Submitted the records retention compliance letter for the police department.
- Drove the city with the Code Officer for code enforcement observations.
- Audit for the Driver And Vehicle Database (DAVID) for the State of Florida.
- Met with a KCB Day organizer to discuss KCB Day coming March 1, 2026.
- Placed an order for new bicycle helmets and other safety materials for citizens and visitors.
- Set up a Gordan Food Supply (GFS) account with the help of Linda (KCB Bookkeeper) for large food purchases.
- BBQ with the Cops – January 11, 2026 – Worked with an amazing staff that worked extremely hard to make the event enjoyable for all that came to visit the park, eat great food and listen to great music.

January 2026

Safety Meeting Agenda

Key Colony Beach Police Department

Attendees: All Officers via email.

## DISCUSSION

### Hydration

"How Hydration Affects Performance. When this happens, (clients) risk becoming dehydrated. This dehydration can lead to injuries, heat illness and even hyponatremia (low sodium in the blood), an excessive loss of sodium and imbalance of electrolytes. Dehydration can also make exercise seem more difficult, because of the increased strain placed on the body."

"Good hydration supports normal energy levels, decreases risk of kidney stones, prevents constipation, and is associated with a reduction in urinary tract infections, high blood pressure, fatal heart disease and stroke.

Fluids can come from a variety of sources including water, milk, 100% fruit juice, tea, coffee."

(<https://www.bing.com/search?q=effects+of+hydration&form=ANSPH1&refig=a79857679383497e8aaa626c86b73e88&pc=U531>)

Drink more water while wearing a vest and in the heat.

## Hydrate for Your Safety

Drinking enough fluids is one of the most important things you can do to prevent heat illness.

- Hydrate before, during, and after work.
- Drink 1 cup of cool water every 20 minutes – even if you aren't thirsty! Water is generally sufficient for short jobs. For longer jobs, drink an electrolyte-containing beverage.
- Avoid energy drinks and alcohol.
- Your work performance may suffer when you are dehydrated, even if you don't notice.



[osha.gov/heat](http://osha.gov/heat)

OSHA

## Code Enforcement Monthly Activity Report

Reporting Period: December 10, 2025 – January 13, 2026

Officer: Martha Dreyer

Core Mission: Concentrating on the solution as opposed to the problem.

### I. STRATEGIC INITIATIVES & WATERWAY SAFETY

- Waterway Inspection Program: In collaboration with the Mayor, Chief, and Building Dept, launched a city-wide safety sweep focusing on seawalls, docks, missing buoys, and boat lift reflectors.
- Public Awareness: Drafted and published a bulk notice on the City Website to educate residents on waterway standards.
- Notifications Issued: Distributed about 40 formal notices via email and regular mail to property owners regarding waterway compliance.

### II. ACTIVITY SUMMARY

Action Category	Total	Notes/Impact
Friendly Warnings (Verbal/Written).	36	High focus on Waste Management/bin placement
Official Citations	1	Issued for unlicensed event. \$250 paid and closed
Voluntary Compliance	15	Issues resolved via phone And personal conversation (Signs, Trimming & Garbage Bins)
Public Safety Checks	8	Included pool gate safety and bike Path obstructions

### III. KEY RESOLUTIONS & COMMUNITY IMPACT

- Lighting Trespass: Successfully resolved two major nuisance complaints through direct mediation. Owners agreed to install shielding/lower-lumen bulbs to protect neighbor privacy.
- Environmental Protection: Intercepted a landscaping company blowing debris into the canal; secured a commitment to halt the practice after providing photographic evidence.

- **Inter-Departmental Success:** Partnered with Building Inspection (Tony) to verify permits at multiple sites and was assisted by PD with illegal parking and trailer removals.
- **Commercial Relations:** Met with management at the Key Colony Inn and Cabana Club to resolve licensing and sidewalk debris issues, ensuring a safe environment for visitors.

#### **IV. PUBLIC SERVICE & EVENTS**

- **Community Support:** Actively assisted in the Santa Parade and the Welcome Home BBQ (serving 300+ residents), reinforcing positive relations between Code Enforcement and the public.
- **Solution Spotlights:** Personally, assisted a resident in moving waste bins they were unable to move themselves, achieving code compliance while providing high-level service.

#### **V. CURRENT STATUS & NEXT STEPS**

- \* **Sadowski Spotlights:** Owner has agreed to shield/change lights by the upcoming weekend.
- \* **Waterway Notices:** Continuing to mail physical notices where email is unavailable to ensure 100% notification coverage.
- **Farmer's Market:** Ongoing monitoring of vendor signage and parking to ensure bike path safety during City Hall construction.
- **Modernization:** Requested training for CitizenServe to further streamline and improve digital reporting and tracking.

## Silvia Roussin

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### Subject:

From: Ken Jones <[jonesk1996@gmail.com](mailto:jonesk1996@gmail.com)>

Date: Tue, Jan 13, 2026 at 12:20 PM

Subject: Code Enforcement

To: <[mayor@keycolonybeach.net](mailto:mayor@keycolonybeach.net)>

Mr. Mayor;

I wanted to share some recognition for the City's Code Enforcement Officer, Martha Dreyer.

Earlier this month I received a call from her asking if I had someone to take in my garbage bins that had been left out well beyond the acceptable time frame. I explained that I had spoken with the departing tenant who had asked about the procedure on departure. Because I granted them a later check-out I asked them to bring the bins back to the storage area. I also instructed the cleaning lady not to worry about collecting them because the tenant was doing it.

Apparently there was some confusion and they were neglected.

I said to Martha I could get someone there shortly and I was embarrassed as this was the first time this happened. She was so gracious and offered to move them for me!!!

I continue to be really impressed with the "culture" your Administration has adopted within the city. Whether I'm interacting with the Police Department (two of those guys are from my hometown), Building Department, or Code Enforcement, it is a much different approach than over the years.

We've owned a vacation rental/second home since 2004 in KCB and I continue to be impressed with the approach of the current Administration. It's no longer an autocratic type system and its much more pleasant environment. The employees of KCB genuinely care about the property owners and work proactively to arrive at reasonable solutions to problems.

Thanks for your leadership and inspiring others within the community.

I hope you'll be able to pass along my appreciation to Martha for a great solution and not making me feel like "we gotcha"!

Ken Jones  
620 10th Street

**Kris I. DiGiovanni, Chief of Police**  
**Key Colony Beach Police Department**  
P.O. Box 510141, 600 West Ocean Drive, Key Colony Beach, FL 33051  
Ph. 305-289-1212 ext. 1, Fax 305-289-1767

**Mayor Foster, City Commission**  
**Ref: BBQ with Cops/Welcome Back Party, 1.11.2026**  
**January 15, 2026**

Mayor,

I would like to recognize all the city employees that helped out on January 11, 2026, at the BBQ with Cops/Welcome Back Party that was held in Sunset Park.

We did not know how many people would show up since the weather was not favorable in the morning but as the day approached noon, the sun was shining and the employees were ready to work. We met many great people that day and they all expressed gratitude for the city's hospitality and we made certain to let them know that the Mayor wanted everyone to have a great time.

Thank you for organizing this event. It shows how great of a City, Key Colony Beach is when everyone works together.

The Volunteers, City Commissioners, Police Officers, Code Officer, Public Works and Building Department stepped up and made it an event to be proud of.

Thank you.

Kris DiGiovanni  
Chief of Police

# *City of Key Colony Beach*

PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767



**Date: January 15, 2026**

**To: Mayor & Commissioners**

**Subject: City Administrator Report**

**From: John Bartus, City Administrator**

1. City Hall – Construction is underway. We had a fantastic groundbreaking event on December 19 where the community and local dignitaries came out to celebrate the beginning of this project. As always, I stand ready to assist the very capable team headed up by Vice Mayor Colonell.
2. The Comprehensive Plan amendments are on today's agenda for final approval before transmittal to FloridaCommerce for our response to the ORC Report. Their concerns and comments were addressed, new language was drafted, and new data to justify our Plan was collected and incorporated into the Plan. The Plan was approved by the Planning & Zoning Board on November 19 and by the City Commission on first reading in December.
3. Attended the Beautification and Recreation Committee meetings as well as the Legal meeting discussing issues being considered today. I will have attended the Utility Board meeting on January 20 and the Planning and Zoning meeting on January 21 as well.
4. Working with our lobbyists Ron Book and Kate DeLoach on grants and appropriation requests for the upcoming legislative session. Both lobbyists are working with us on achieving progress on our applications as well as expressing our concerns about other Legislative issues (like property tax reform initiatives, Stewardship, SB 180) that will affect our City. I am working with them on setting up meetings with key staff members and legislators for our trip to Tallahassee for Florida Keys Day. We will make the trip along with the entire Monroe County delegation.
5. I participated in the first meeting with Monroe County Emergency Management for their Hurricane Exercise for 2026.
6. I attended (via Zoom) the first of two webinars on the FY27 Cooperative Funding Program Overview hosted by the South Florida Water Management District. The second one is scheduled for Wednesday, January 28.
7. Along with staff, I attended the Workshop and Special Call Meeting on the Golf Course lease on January 12.

8. At deadline time, I am working with Mayor Foster and Marathon City Manager George Garrett on several issues that will be mutually beneficial to both cities. Marathon is a valuable partner and has provided Key Colony Beach a great deal of assistance during my tenure as City Administrator, and our relationship with them remains a high priority on my part.

9. Worked with Vice Mayor Colonell on the sailfish sculpture that will hopefully become a three-dimensional artistic rendering of our City Seal for (eventual) display at the corner of Sadowski Causeway and West Ocean in front of our new City Hall.

10. Working on three Invitations To Bid (ITBs) for the following projects: Shelter Bay Drive Pavers (Detention Pond); Basketball Half-Court; Pickleball Court Shade Structure (TDC Grant). These will all go out before the end of January. Additionally, I am working with Mayor Foster and Mike Guarino on the Fishing Pier project (TDC Grant) for Sunset Park.

10. At deadline time, I have scheduled a meeting with Building staff (Tony Loreno and Samantha Rodamer) to finalize the City's approach to our Floodplain Ordinance issues as we work with FDEM consultant Rebecca Quinn. We hope to have those options to you by the next meeting.

John Bartus  
City Administrator, Key Colony Beach

## Public Works Staff Report

### Report for January 23rd, 2026 – City Commission Meeting

Since last City Commissioner's Meeting Public Works has:

- Completed citywide herbicide
- Cleaned areca hedge around boat trailer parking
- Assisted pickleball club with windscreen installation
- Assisted residents with boat trailer storage
- Installed windscreens for tennis courts
- Constructed frame for City Hall "Coming Soon" sign
- Prepped City Hall for shovel ceremony
- Completed PM service on Dodge Charger
- Made concrete repair to storm drains on the corner of 7<sup>th</sup> and Shelter
- Repaired multi use path on 7<sup>th</sup> street
- Power washed interior Sunset Park restrooms and repaired damaged doors
- Assembled two memorial benches and a picnic table
- Moved building department to City Hall trailer
- Install new tennis signs on tennis court gate
- Replaced delineators on the causeway
- Filled hole caused by crane at treatment plant
- Removed Christmas decorations and stored for next year
- Installed sunshade at Sunset Park tiki
- Assisted with Sunset Park celebration
- Installed "Coming Soon" sign on West Ocean Drive
- Salvaged mini split from Building Department office
- Completed PM on Ram 2500 4x4
- Completed PM F250
- Completed PM on Police F150
- Repaired bumper on Ram 1500
- Replaced irrigation controller at entrance park
- Ordered and staged mulch for Beautification Committee
- Ordered back-up irrigation parts for the golf course
- Added additional parking spaces to City Hall trailer parking lot and deleted parking into Marble Hall Entrance
- Worked with the Vice Mayor and Pedro Falcon to relocate trees from Marble Hall
- Ordered new swing set chains citywide

Thank you,

Mike Guarino

Public Works Department Head

**City of Key Colony Beach**  
**Public Works Safety Training Documentation Form**

<b>Date:</b>	1/16/26	<b>Location:</b>	Shop
<b>Time:</b>	0700	<b>Meeting Lead:</b>	Mike Guarino

**Attendees:** Esteban Cabrera Fernandez Jesse Petersen, Justin Luisi & Mike Guarino

**Absentees:** Willie Dominicak

***Topic: Eye Protection Safety***

**1. Introduction and Presentation of Topic:**

We watched a safety video on the different types of eye protection.

**2. Discussion, Questions and Concerns:**

It was noted that sometimes safety glasses and a face shield is needed when grinding.

**3. Conclusion:**

Check safety glasses for an ANSI Z87.1 proper rating. Consult a supervisor if unaware of proper PPE to use.

## **Building Department Staff Report**

### **Report for January 2026– City Commission Meeting**

Dear Mayor and Commissioners,

Please find below the Building Department's activity summary for January 2026.

#### **Tony Loreno – Building Official**

- Inspections conducted: 78
- Plan reviews completed: 18
- Permit violations resolved: 2 cases involving contractors performing work without approved permits.
- Project Oversight – 400 Sadowski Tiki Restaurant
  - The property owners are actively coordinating with the architect and engineer of record, with ongoing oversight from the Building Department. The project remains on schedule for completion in June 2026.
- City Hall Renovation Support
  - Coordinating closely with the Commission and Pedro Falcon to ensure all permitting requirements are met.
  - Providing technical guidance and resources to support planning, compliance, and project execution.
  - Maintaining detailed weekly progress reports documenting all renovation activities.
- Office Transition and Records Management
  - The Building Department has officially relocated to the City Hall trailer. As time permits, we are organizing departmental archives for scanning and integration into a centralized, accessible digital database.
- Community Rating System (CRS) Update
  - We have been informed by the State that CRS reporting will not be required this year. The City will maintain its current CRS rating.
- Seawall Safety and Repair Protocol
  - Official notices have been issued to homeowners with compromised or deteriorating seawalls. These notices include repair guidance, compliance timelines, and expectations for corrective action.
  - Under the City's Dangerous Structures regulations, seawalls are explicitly included in the definition of structures subject to safety enforcement. The Key Colony Beach Code of Ordinances, Chapter 6, Article II, Section 6-31, states that "building means any structure or part thereof... and includes fences, docks, piers, swimming pools, signs and seawall structures."
  - In accordance with this authority, we are monitoring homeowner responses and providing assistance to ensure timely repairs, as failing seawalls may pose life-safety risks not only to the affected property but also to adjacent properties.
- Permit Fee Schedule Review
  - Samantha and I are currently working with Commissioner Tom Harding to update the City's permit fee schedule and reinstate the Private Provider discount.

- Ongoing Legal Matters
  - We continue to coordinate with the City's legal team to resolve several longstanding residential and construction-related violations.

#### **Samantha Rodamer – Building Assistant**

- Permits Issued: 17
- Permits Closed: 33
- Reviewed permit applications for completeness.
- Received, coordinated, and completed sewer locates with US Water.
- Assisted with questions regarding STR/LTR/BL licenses.
- Completed records requested as needed.
- Scheduled a multitude of inspections & organized Building Official's daily inspection schedule.
- Completed multiple Contractor Registrations and updated prior registered Contractor's records.
- Aided contractors with permit-related questions.
- Worked with Design Center regarding the spalling repair in Marble Hall.
- Scheduled vacation rental safety inspections as requested.
- Worked alongside City staff and commissioners regarding the start to the city hall construction project.
- Attended various December City Meetings.
- Worked with Commissioner Harding and the City Clerk regarding fee schedule updates.
- Successfully transitioned from the Building Department Office into the City Hall trailer & remote work.
- Worked with Legal & the Building Official on ongoing matters.
- Began working on a seawall/dock safety initiative along with the Building Official and Code Enforcement.
- Completed DBPR/DOC submission to the State.

## **City Hall Staff Report**

### **Report for January 22<sup>nd</sup>, 2026 – City Commission Meeting**

#### **City Clerk Silvia Roussin**

- As previously reported, beginning with the 2026 Election Cycle, all Monroe County City Clerks will serve as the designated Qualifying Officers for candidates seeking municipal office. Over the past month, I have met with the Supervisor of Elections Office and worked on completing the 2026 Candidate Packet and Qualifying Papers. The finalized packet and all critical deadlines for the upcoming election cycle will be presented to the City Commission and made available to the public by the end of this month.
- Continued grant management and coordination with the State and the City's Grant Manager, including ongoing updates to the Grant Expense Spreadsheet to track expenditures and reimbursements.
- Attended City Hall Construction Progress Meetings and continued coordination with city staff and the contractor, while providing ongoing administrative support.
- Met with Commissioner Harding and Samantha to review and discuss updates to the City's fee schedules.
- Alongside Par and Commissioner Harding, met with the City's PRM Insurance representative to review the City's liability and property insurance needs.
- Provided various updates and notices to residents regarding current city events.
- Completed all public notice requirements for Code Amendments and outgoing Bids.
- Completed the 2025 Official Filer List for submission to the Commission on Ethics.
- Coordinated and supported the Building Department's successful transition to the City Hall trailer.
- Prepared for and attended the Utility Board Meeting, Beautification Committee Meeting, Recreation Committee Meeting and Workshop, and Regular, Special, and Workshop City Commission Meetings, and completed all corresponding meeting minutes.
- Attended a legal meeting with the Mayor and City Administrator.
- Responded to citizen correspondence and public records requests in accordance with statutory requirements.
- Processed payroll reports, ACH transactions, FRS and IRS reporting, and wire transfers.
- Managed daily general correspondence and ongoing human resources tasks.

#### **Administrative Assistant/Business Tax Licenses Par Darnall**

- Held the Property Manager Class on January 6, including preparation of materials and coordination of participant attendance.
- Issued multiple Certificates of Completion to qualified participants following the Property Manager Class.
- Processed and issued rental licenses, ensuring all applications were complete and compliant prior to approval.
- Updated and added information to the Insurance Book and Insurance Spreadsheet to maintain accurate and organized records.
- Added new and updated contracts to the Contract Worksheet, ensured contract information was current, and filed executed contracts in the Contract Binder.
- Created a new Contracts Calendar for the City of Key Colony Beach and added the Mayor and Silvia to improve visibility and coordination.

## **City Hall Staff Report**

### **Report for January 22<sup>nd</sup>, 2026 – City Commission Meeting**

- Recorded Zoom meetings for the Beautification, Utility, City Commission, Planning & Zoning, and Recreation Board meetings.
- Covered the front desk during Cheryl's vacation, including issuing short-term and long-term boat permits.
- Began work on Lien Books, verifying that all liens are accurately entered and properly documented.

#### **Administrative Assistant/Bookkeeper Linda Jones**

- Reconciled credit cards and bank accounts.
- Cut checks and paid incoming invoices.
- Filed all paid invoices.
- Reviewed and recorded payment to DBPR for building dept surcharges.
- Recorded all deposits from various sources.
- Reached out to all departments for payment approvals.
- Sent out commercial sewer invoices.
- Calculated DBPR and DEO fees for building permits paid through Forte.
- Deposited and recorded multiple payments for sewer invoices.
- Completed scanning old invoices and checks that may have been missing from QuickBooks and shared files.
- Completed shredding all old documents that are saved to computer.
- Run monthly aging reports for delinquent sewer payments.
- Transferred funds in QuickBooks and bank accounts as needed.
- Provided Silvia with updates on the Beautification report as needed.
- Worked with the Chief on opening an account with GFS.

#### **Administrative Assistant/Front Desk Cheryl Baker**

- Uploaded various meeting minutes to the City website to ensure public access and compliance.
- Continuously updated City Staff and Personnel Directories for website accuracy and internal operational needs.
- Issued boat trailer licenses for short-term renters.
- Managed long-term trailer and boat parking records and coordination.
- Coordinated and managed Sunset Park wedding reservations, including the collection of all required forms and payments.
- Managed the purchase and coordination of memorial benches for residents.
- Collected and distributed incoming and outgoing mail and managed City phone communications.
- Responded to and addressed property-related inquiries.
- Scanned and shredded documents as part of the City's ongoing transition to a fully electronic records system.
- Maintained public bulletin boards at City Hall, the Post Office, and Marble Hall.

**City Hall Staff Report**  
**Report for January 22<sup>nd</sup>, 2026 – City Commission Meeting**

- Prepared birthday and holiday cards for staff signatures and coordinated delivery to recipients.

**Upcoming – Starting in February, all Meetings will be held at 3:30 PM**

02-07-2026 Hot Dogs in the Hut Event  
02-10-2026 Beautification Committee Meeting  
02-10-2026 7-Meter Bridge Run & Food Jamboree  
02-12-2026 Recreation Committee Meeting (tentative)  
02-16-2026 KCB Fishing Club Clam Bake  
02-17-2026 Utility Board Meeting  
02-18-2026 Planning & Zoning Board Meeting  
02-19-2026 City Commission Meeting

**MINUTES**  
**KEY COLONY BEACH CITY COMMISSION**  
**ORGANIZATIONAL MEETING**

Thursday, December 18, 2025 – 9:30 am  
Marble Hall, 600 W. Ocean Drive, Key Colony Beach  
& via Zoom Conferencing

**1. Call to Order, Pledge of Allegiance, Prayer, Rollcall** (The City Attorney will act as Parliamentarian until the Mayor has been elected)

City Attorney Jim Hicks called the Key Colony Beach Organizational Meeting to order at 9:30 AM, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Commissioner Freddie Foster, Commissioner Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present:** City Attorneys Jim Hicks and Scott Black, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Chief of Police Kris DiGiovanni, Marathon Fire Chief James Muro, Administrative Assistant Par Darnall, City Clerk Silvia Roussin.

**2. Call for Nominations for the Office of Mayor and Election to That Office** (Election Procedure: Person(s) is/are nominated, and the nomination does not require a second. Votes are cast for each nominee. The mayor is elected by majority vote. A single nominee is elected by acclamation. Following the Election of the Mayor, the Mayor then chairs the meeting)

**NOMINATION:** Commissioner Doug Colonell nominated Commissioner Freddie Foster for the position of Mayor.

**ANY OTHER NOMINATIONS:** There were no other nominations.

**ROLLCALL VOTE:** Rollcall vote. Unanimous approval.

Commissioner Foster was reelected Mayor and proceeded to chair the meeting.

**3. Call for Nominations for the Office of Vice-Mayor and Election to That Office** (Election Procedure: Person(s) is/are nominated; the nomination does not require a second. Votes are cast for each nominee. The Vice-Mayor is elected by majority vote. A single nominee is elected by acclamation.)

Mayor Foster asked for nominations for the position of Vice-Mayor.

**NOMINATION:** Mayor Foster nominated Commissioner Colonell for the position of Vice-Mayor.

**ANY OTHER NOMINATIONS:** There were no other nominations.

**ROLLCALL VOTE:** Rollcall vote. Unanimous approval.

Commissioner Colonell was reelected to the position of Vice-Mayor.

**4. Call for Nominations for Office of Secretary-Treasurer and Election to That Office** (Election Procedure: Person(s) is/are nominated; the nomination does not require a second. Votes are cast for each nominee. A majority vote elects the Secretary-Treasurer. A single nominee is elected by acclamation.)

Mayor Foster asked for a nomination for the office of Secretary-Treasurer.

**NOMINATION:** Mayor Foster nominated Commissioner Harding for the position of Secretary-Treasurer.

**ANY OTHER NOMINATIONS:** There were no other nominations.

**ROLLCALL VOTE:** Rollcall vote. Unanimous approval.

Mayor Foster thanked the staff and all Commissioners for their work and essential input over the last year.

Mayor Foster called for a brief recess.

The meeting readjourned at 9:39 AM.

**5. Appointment by Motion to the Following Offices (May Be Done in One Motion, Procedure – Motion, 2<sup>nd</sup>, Rollcall):**

1. Chief of Police	4. City Clerk
2. City Attorney	5. City Administrator
3. City Building Official	

Mayor Foster asked for a motion to approve the appointment of the offices of the Chief of Police, City Attorney, Building Official, City Clerk, and City Administrator.

**MOTION:** Motion made by Commissioner DiFransico to approve the incumbents for reappointment. Vice-Mayor Colonell seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**6. Appointment by Motion to Volunteer Committees & Boards (May Be Done in One Motion, Procedure – Motion, 2<sup>nd</sup>, Rollcall):**

Beautification Committee, Planning & Zoning Board, Recreation Committee, Utility Board, Disaster Preparedness Committee

Mayor Foster asked for a motion to approve the appointment of committee and board members and, as a side note, discussed the need for new volunteers on city boards.

**MOTION:** Motion made by Commissioner Harding to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** Mayor Foster asked the Commissioners to provide guidance and support to help committee members become more structured and to offer guidance as needed.

**ON THE MOTION:** On the motion. Rollcall vote. Unanimous approval.

**7. Designation of Signers for Bank Accounts and City Investments (Procedure - Motion, 2nd, Rollcall):** Mayor, Vice-Mayor, City Secretary-Treasurer, City Clerk - Two Signatures Needed for Transactions. One Signature May Be City Clerk; One Signature May Be Any Other Designated Signer.

Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner Harding to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**8. Designation of Signer for the Safe Deposit Box (Procedure - Motion, 2nd, Rollcall):**

The City Clerk shall be the Signer for the Safe Deposit Box; the Mayor, Vice-Mayor, or Secretary-Treasurer shall be the alternate Signer.

Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner Harding to approve. Commissioner Diehl seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

9. **Adjournment:** The meeting adjourned at 9:43 AM.

Respectfully submitted,

*Silvia Roussin*

City Clerk

DRAFT

**MINUTES**  
KEY COLONY BEACH CITY COMMISSION  
**PUBLIC HEARING**

Thursday, December 18<sup>th</sup>, 2025, 9:35 AM or at the Conclusion of the Organizational Meeting  
Marble Hall, 600 W. Ocean Drive, Key Colony Beach  
& via Zoom Conferencing

- 1. Call to Order & Roll Call:** The Key Colony Beach City Commission Public Hearing was called to order by Mayor Foster at 9:44 AM, followed by Rollcall. **Present:** Mayor Freddie Foster, Vice-Mayor Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present:** City Attorneys Jim Hicks and Scott Black, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Chief of Police Kris DiGiovanni, Marathon Fire Chief James Muro, Administrative Assistant Par Darnall, City Clerk Silvia Roussin, Planning & Zoning Board Chair George Lancaster.
- 2. Approval of Agenda** (Additions, changes, and deletions can be made via one motion and a second to approve by majority vote)

There were no changes to the agenda, and Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner DiFransico to approve the agenda. Vice-Mayor Colonell seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

- 3. Citizen Comments & Correspondence:** None.
- 4. Administration of Oath of Witness:** City Clerk Roussin administered the Oath of Office to Building Official Loreno.
- 5. Disclosure of Ex-Parte Communication:** None.
- 6. Discussion/Approval of a 40,000-Pound Elevator-Style Boat Lift at 861 12th Street, per the Recommendation of the Planning & Zoning Board**
  - a. Permit Application
  - b. Letters of Approval from Neighbor(s)

Mayor Foster introduced the agenda item and asked Planning & Zoning Board Chair George Lancaster to elaborate. Chair Lancaster informed that the Board had approved the request with no noted concerns. Building Official Loreno stated that the request met all city codes and setback requirements and recommended approval. Building Official Loreno further explained the dimensions and code restrictions and confirmed that the seawall was in good condition to support the structure. There was no further discussion, and Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner DiFransico to approve. Commissioner Harding seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**7. Discussion/Approval for a Request for Unity of Title for the Property located at 9/10 7th Street, per the Recommendation of the Planning & Zoning Board**

Mayor Foster introduced the agenda item and asked Planning & Zoning Board Chair Lancaster to elaborate.

Planning & Zoning Board Chair Lancaster informed of the Boards recommendation of approval with no concerns on the rebuilt and new construction. Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner Diehl to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**8. Discussion/Review of Amendments to the Comprehensive Plan, per the Recommendation of the Planning & Zoning Board from 11-19-2025**

- a. Comprehensive Plan Edits Guide**
- b. Draft Comprehensive Plan**

Mayor Foster introduced the agenda item and asked Planning & Zoning Board Chair Lancaster to elaborate. Planning & Zoning Board Chair Lancaster informed that the Board recommended approval with minor changes. City Administrator Bartus confirmed that the verbiage changes had been implemented. Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Vice-Mayor Colonell to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** Mayor Foster commented on staff time spent on the plan review and the cost savings from conducting the review in-house. City Administrator gave additional comments on money savings and thanked Brian Sheah, the City of Marathon Planning Director, for the help he provided. Mayor Foster spoke about the help received from the City of Marathon, Key Colony's Sister City, and expressed appreciation for the shared resources. City Administrator Bartus confirmed that all questions from Florida Commerce were answered and satisfied. Commissioner Harding suggested changing the outfall commitment date to 2032 for the three outfalls in the city. Mayor Foster agreed with the suggestion and further noted that, with the completion of the last three outfalls, the City would be the only one in South Florida with no untreated discharge into the canals. City Administrator Bartus confirmed changing the commitment date in the document, with no objections from the Commission.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

City Clerk Roussin informed of the second and final reading of the corresponding Ordinance to be held on January 22<sup>nd</sup>, 2026.

**9. Other Business:** None.

**10. Adjourn:** The meeting adjourned at 9:54 AM.

Respectfully submitted,

*Silvia Roussin*

City Clerk

## **MINUTES**

### **KEY COLONY BEACH CITY COMMISSION REGULAR MEETING & PUBLIC HEARING**

Thursday, December 18<sup>th</sup>, 2025 – 9:55 AM  
Marble Hall, 600 W. Ocean Drive, Key Colony Beach  
& via Zoom Conferencing

- 1. Call to Order and Roll Call:** The Key Colony Beach City Commission Regular Meeting and Public Hearing was called to order at 9:55 AM, followed by Rollcall. **Present:** Commissioner Freddie Foster, Commissioner Doug Colonell, Commissioner Tom Harding, Commissioner Tom DiFransico, Commissioner Kirk Diehl. **Also present:** City Attorneys Jim Hicks and Scott Black, City Administrator John Bartus, Building Official Tony Loreno, Public Works Department Head Mike Guarino, Chief of Police Kris DiGiovanni, Marathon Fire Chief James Muro, Administrative Assistant Par Darnall, City Clerk Silvia Roussin.
- 2. Approval of the Agenda** (*Additions, changes, and deletions can be made via one motion and a second to approve by a majority vote.*)

City Clerk Roussin informed of the following agenda changes:

- A new Item 7 c. Discussion/Approval for Landscape Services with Brightview for \$34,998.00
- A new Item 7d. Discussion/Approval for Restroom Maintenance Services with Brightview for \$22,940.16
- Addendum to Item 11a. of the Wastewater Sampling Report

There were no other changes, and Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner Diehl to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

- 3. Special Requests**
  - a. Request by Havana Jacks to extend the regular Music Hours to 1:00 AM for New Year's Eve**

Mayor Foster introduced the agenda item, noted that the request is a standard annual request, and asked for a motion to approve.

**MOTION:** Motion made by Commissioner Harding to approve. Commissioner Diehl seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

- 4. Citizen Comments and Correspondence**

City Clerk Roussin informed that correspondence from the Golf Club League in support of reappointing Cindy Catto to the Recreation Committee had been received, with supporting signatures.

Chuck Gijanto, KCB Resident, requested approval for the 7-Meter Bridge Run, followed by a Food Truck Event on 7th Street on February 10th at 3PM. Mayor Foster stated that he would address the request under his report.

**5. Committee and Department Reports (written reports provided; Staff and Board Chairs available for questions)**

- a. Marathon Fire/EMS – Marathon Fire Chief Muro presented his November report, noting lighter activity than normal. Chief Muro spoke about partnering with the Building Department on inspections and mentioned attending the upcoming BBQ with the Police. Chief Muro also spoke about the upcoming Wounded Warrior event on January 11th and said invitations would be sent. Chief Muro confirmed that Santa Claus will make an appearance in KCB, with a full stop planned in the city. Mayor Foster emphasized the importance of safety and keeping residents away from vehicles. Chief Muro confirmed that Santa's sleigh is safe and ready for the visit. Chief Muro further advised that two County helicopters will be in place, with one additional anticipated to be in service in March. Mayor Foster wished all Fire Department and EMS staff happy holidays and expressed appreciation for their service.
- b. Police Department – Chief DiGiovanni thanked the Commission for his reappointment and asked for questions about his report. Mayor Foster commented on the importance of keeping access ways clear and of paying attention to contractors damaging neighbors' yards and right-of-ways. Chief DiGiovanni informed the Commission of Police Officer Coverage during Santa's Visit.
- c. City Administrator John Bartus reported on a quiet tropical event season and noted that the Disaster Preparation Committee will reconvene and seek the assistance of Marathon Fire Chief Muro in reviewing the Comprehensive Emergency Management Plan. Mayor Foster requested that KCB resident Carman Slusher be reinstated to the committee. City Administrator Bartus also spoke about the upcoming groundbreaking for the City Hall Project scheduled for the following day. Mayor Foster announced the upcoming Church Carolers event on December 21st at Sunset Park and expressed anticipation for the event. City Administrator Bartus stated that work is moving forward on the Basketball Court Request for Proposals, with the Recreation Committee confirming the correct location for the proposed courts. Mayor Foster raised concerns regarding the project and the potential loss of additional green space. Vice Mayor Colonell spoke about the completion of the Detention Pond and questioned the proposed basketball court location, citing aesthetic considerations related to the pond. Mayor Foster commented that work should move forward as currently proposed for the time being, with further discussion by the Commission on possible options for the basketball court, including use of a previous court location, alternative coloring, additional vegetation, and other potential locations.
- d. Building/Code Department – Building Official Loreno commented that the golf course looked exceptional and deferred to the project manager for the completion timeline for the Sadowski Causeway Restaurant. The project manager estimated a completion date of 60 to 90 days, noting that progress was moving in the right direction. Mayor Foster commented on current permit extensions and urged attention to approaching deadlines. Commissioner DiFransico asked for an update on bridge inspection. Mayor Foster reported a successful bridge inspection, clarifying that there are no concerns with the bridge, with only some minor items needing to be addressed.
- e. Public Works – Mayor Foster thanked Public Works Department Head Mike Guarino and his team for their work in the city. Public Works Department Head Mike Guarino answered questions about adding public restrooms near the Public Works Building. Mayor Foster spoke about the opening of the Pickleball Courts and the influx of people, and invited Diane Amato to speak about the event.

Diane Amato, Chair of the Pickleball Club, provided an update on current renewals, shared the turnout for the Pickleball Welcome-Back Party, discussed new members buying property in the city because

of the sport, and expressed appreciation to the Commission. Mayor Foster commented on older and younger people playing, exercising, and socializing with neighbors.

Commissioner Harding asked Public Works Department Mike Guarino to review the state of the Detention Pond, noting weeds growing and trash left over from the contractors. Mayor Foster stated that he would meet with the contractor the following week and further suggested that Public Works hold a lunch for his department. Vice-Mayor Colonell questioned the need for Mike Guarino to be involved in the project cleanup and expressed displeasure with the contractors' workmanship. Vice-Mayor Colonell further explained that the contract was not closed out and not completed satisfactorily.

- f. City Hall – City Clerk Roussin. The Commission had no questions.
- g. Beautification Committee – Chair Bachman had no report.
- h. Planning & Zoning Board – Chair Lancaster. Mayor Foster thanked George Lancaster for his service as Chair of the Planning & Zoning Board.
- i. Recreation Committee – Chair Catto had no report.
- j. Utility Board – Chair Swanson had no report.

**6. Consent Action Items** (*Under the consent agenda, all action items will be voted on after one motion, and a second will be required to approve them without discussion. If a Commission member wants any action item discussed or voted on separately, the Commission member, at the beginning of the open session, must ask that the action be moved to the discussion action item section.*)

- a. Approval of the following City Commission Special Meeting Minutes
  1. 11-14-2025 City Commission Public Hearing Minutes
  2. 11-19-2025 City Commission Workshop Minutes
  3. 11-20-2025 City Commission Regular Meeting Minutes
  4. 12-01-2025 City Commission Workshop Minutes
- b. Approval of Warrant No. 1125 for \$650,591.92
- c. Approval to move the January 15<sup>th</sup> Regular Meeting to January 22<sup>nd</sup>, 2025
- d. Approval of an Amendment to the Employment Agreement with the City Administrator
- e. Approval of the Legal Services Contract with Vernis & Bowling for 2026

Mayor Foster asked the Commission whether any consent action items should be moved to discussion action items. Commissioner DiFransico questioned the need to bid the legal contract. Assistant City Attorney Black explained that legal services do not need to be put out to bid and that the contract is renewed annually. There were no other questions on the Consent Action Items, and Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner Diehl to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

## 7. Discussion Action Items

- a. **Discussion/Review of the Comprehensive Agreement for the Management of the Golf Course**
  - a. Draft Comprehensive Agreement
  - b. Draft Golf Course Lease Agreement
  - c. Attachment A

Mayor Foster introduced the agenda item and asked Assistant City Attorney Jim Hicks to elaborate on the topic. Jim Hicks spoke about the comprehensive agreement, explained its purpose, and commented on the revised lease agreement and on comments received the day before from Daryl Rice's attorney, noting that additional guidance from the Commission was needed to finalize the agreement.

Mayor Foster voiced dissatisfaction with approving the agreement without apparent effort to ensure compliance, noting the mounting cost of legal services and asking the Commission for a recommendation on how to proceed with discussions. Vice-Mayor Colonell commented on time constraints in reviewing the comments from Daryl Rice and suggested tabling the discussion. Commissioner DiFransico suggested holding a Workshop for the Commission to discuss the purpose and benefits of the proposed agreement. The Commission agreed to hold a Workshop followed by a Special Meeting to finalize discussions and reach a Commission consensus on the proposed agreement.

**b. Discussion/Approval for the appointment of a designee for the Florida Keys Transportation Coordination Committee**

Mayor Foster introduced the agenda item and asked Commissioner Harding to continue representing the city on the Committee. There were no objections, and Mayor Foster asked for a motion.

**MOTION:** Motion made by Mayor Foster. Commissioner DiFransico seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**c. Discussion/Approval for Landscape Services with Brightview for \$34,998.00 \*\*Addendum\*\***

Mayor Foster introduced the agenda item and asked Public Works Department Head Guarino for comment. Mike Guarino supported continuing the contract and the company's provision of excellent services. Public Works Department Head Guarino provided further comment on a possible addendum to services and confirmed that he would follow up on outstanding questions regarding property ownership in the city. There was no further discussion, and Mayor Foster asked for a motion to approve.

**MOTION:** Motion made by Commissioner Harding to approve. Commissioner Diehl seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**d. Discussion/Approval for Restroom Maintenance Services with Brightview for \$22,940.16  
\*\*ADENDUM\*\***

Mayor Foster introduced the agenda item and asked for a motion to approve.

**MOTION:** Motion made by Commissioner Harding to approve. Commissioner DiFransico seconded the motion.

**DISCUSSION:** Public Works Department Head confirmed satisfaction with the services provided and that the price provided was satisfactory. The Commission discussed the possibility of obtaining pricing from competitive companies in the future, but had no further changes.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

## 8. Ordinances & Resolutions

- a. **FIRST READING OF ORDINANCE 2025-507:** An Ordinance Of The City Of Key Colony Beach, Florida, Amending Article III, Chapter 101 Of The Land Development Regulations Related To Reduction Of Setbacks For Residential Pools; Specifically Amending Sections 101-13 And 101-26 Of The Land Development Regulations To Provide For Reduced Setbacks For Pools Within The R-2b Zoning District; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability, Repeal, And Codification In The Code Of Ordinances; And Providing For An Effective Date.

Mayor Foster gave the First Reading of the Ordinance and asked for a motion to approve.

**MOTION:** Motion made by Commissioner Diehl to approve. Commissioner Harding seconded the motion.

**DISCUSSION:** Commissioner DiFransico asked for clarification of zones affected by the Ordinance Amendment. Building Official Loreno confirmed that the change would only affect the R2B Zone and variances would apply to other areas.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

City Clerk Roussin informed that the Second and Final Reading is to be provided on January 22<sup>nd</sup>, 2026.

- b. **RESOLUTION 2025-16:** A Resolution Opposing The Inclusion Of New Offshore Oil And Gas Leasing Off The Coast Of Florida In The Five-Year National Outer Continental Shelf Oil And Gas Leasing Program; And Providing For An Effective Date.

Mayor Foster read the Resolution and asked for a motion to approve.

**MOTION:** Motion made by Vice-Mayor Colonell to approve. Commissioner Harding seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

The Resolution was adopted.

## 9. Secretary-Treasurer's Report

- a. November 2025 Financial Summary

Commissioner Harding provided the November 2025 Financial Summary and reported on incoming ad valorem taxes, legal expenses and monthly irrigation costs. Commissioner Harding reported receiving grant reimbursement for 8th Street and Sunset Park and provided further information on Wastewater and Stormwater reimbursements, incoming revenue, and expenses. Commissioner Harding also provided calculations for the city hall building loan needs, suggested a loan timeline, and discussed meeting with the city's financial advisor regarding the use of fees as revenue streams. Commissioner Harding also provided a spreadsheet with options for next month.

## 10. City Attorney's Report – Assistant City Attorney Scott Black thanked the Commission for the reappointment of the City Attorney and the renewal of the contract. Mayor Foster commented on the city's ability to resolve questions on its own and to be mindful in the future of expenditures for code issues. Vice-Mayor Colonell commended the legal team for the work they have provided and for being an assist to the city.

## **11. Commissioner's Reports & Comments**

### **a. Commissioner Tom Harding**

1. Wastewater Sampling Summary Report of December 15<sup>th</sup>, 2025

Commissioner Harding gave his Wastewater Sampling report and reported that COVID numbers are low and that Flu and RSV numbers are increasing as the season returns.

2. Reminder on Landscape Irrigation Schedules: Commissioner Harding reminded everyone on entering the dry season and to be mindful of the irrigation schedule and complying with code requirements.

### **b. Commissioner Kirk Diehl**

1. Waterway safety and marine structure inspections – Commissioner Diehl spoke about the email notification on Waterway Safety and Marine Structure Inspections and explained the necessity for seawall inspections, engineering requirements, and the process for repairs or replacement. Commissioner Diehl discussed timelines and the seriousness of the issue, and offered guidance to residents. Mayor Foster shared personal experience with collapsing seawalls and the city's dereliction in enforcement, and emphasized the need to improve the inspection process to protect the canal system and neighbors. Commissioner Diehl provided further information on the upcoming estimated inspection schedule, and Chief DiGiovanni noted that the Code Officer is providing inspections from the Waterway. Commissioner Diehl confirmed the Army Corps of Engineers' involvement and explained the approval process. Building Official Loreno gave additional comments on the process. Building Official Loreno also commented on the use of foam in seawalls and on Building Department requirements for engineering plans and issued permits for that type of work.

- c. **Commissioner Tom DiFransico** had nothing further to report.

- d. **Vice-Mayor Doug Colonell** had nothing further to report and reminded everyone about next day's Groundbreaking Ceremony and to be excited for the event.

- e. **Mayor Freddie Foster** reminded of the 7-Meter run on February 10<sup>th</sup> at 3:00 PM, followed by Food Trucks by the Bocce Courts.

## **11. Citizen Comments:**

Carman Slusher, 411 12th Street, asked about the city's intention regarding the Boat Ramp repair, which Mayor Foster confirmed, noting that further research and plans for grant applications are needed.

Barry Wray congratulated the Commission on the Resolution opposing Offshore Drilling, informed the Commission of support from State Representative Mooney and of unity in the State, shared County Commission comments and support, and thanked the Commission for its support.

## **12. Adjournment:** The meeting adjourned at 11:09 AM.

Respectfully submitted,

*Silvia Roussin*

City Clerk

**CITY OF KEY COLONY BEACH**

Warrant Number 1225

Items paid from December 1, 2025  
to December 31, 2025

First Horizon Checking Account - 6871 \$660,089.56

(includes all vendor payments for general,  
road, building and infrastructure)

Escrow Account - 5537 -

Payroll Account - 2942 \$218,338.45

Infrastructure Reserve Account - 8644 4,328.25

Road Reserve Account - 8677 -

Impact Fees Reserve Account - 8669 -

First State Bank Reserve Account - 3703 -

Sewer Money Mkt - 0301 -

Stormwater Checking Account - 0128 \$43,043.50

Sewer Account - 6006 \$118,077.37

**TOTAL DISBURSEMENTS** \$1,043,877.13

# *City of Key Colony Beach*

PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767



## CONTRACT RENEWAL

THIS CONTRACT RENEWAL is made and entered into the date last written below, by and between the City of Key Colony Beach, Florida ("City"), and **The Southern Group** ("Contractor"), in order to renew the agreement ("Original Contract") between the parties dated **April 1, 2024** (original contract date), a copy of which is attached hereto as Attachment A and incorporated by reference.

1. Contractor will exercise the **2 of 3** renewal options in accordance with the terms of the Original Contract, thereby creating a renewed contract ("Renewed Contract").
2. The Renewed Contract shall commence on **April 1, 2026**, and expire on **March 31, 2027**.
3. All other terms and conditions of the Original Contract shall remain in full force and effect.
4. Contractor's obligations to maintain insurance remains in effect as evident by the updated copy attached.
5. The Contractor hereby certifies that it will execute the attached affidavits and that all other attachments to the original Contract remain unchanged, or that the Contractor has submitted updated documentation as necessary.

NOTE: A copy of the original contract must accompany this renewal.

IN WITNESS WHEREOF, the parties have executed this Contract Renewal on this \_\_\_\_\_ day of

\_\_\_\_\_, 2026.

SIGNATURE OF MAYOR

DATE

SIGNATURE OF REPRESENTATIVE

DATE

State of Florida

Affidavit Regarding the Use of Coercion for Labor and Services

Respondent Vendor Name: \_\_\_\_\_

Vendor FEIN: \_\_\_\_\_

Vendor's Authorized Representative Name and Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Section 787.06(13), Florida Statutes requires all nongovernmental entities executing, renewing, or extending a contract with a governmental entity to provide an affidavit signed by an officer or representative of the nongovernmental entity under penalty of perjury that the nongovernmental entity does not use coercion for labor or services as defined in that statute.

As the person authorized to sign on behalf of Respondent, I certify that the company identified does not:

- Use or threaten to use physical force against any person;
- Restraine, isolate, or confine or threaten to restrain, isolate, or confine any person without lawful authority and against her or his will;
- Use lending or other credit methods to establish a debt by any person when labor or services are pledged as a security for the debt, if the value of the labor or services as reasonably assessed is not applied toward the liquidation of the debt, the length and nature of the labor or services are not respectively limited and defined;
- Destroy, conceal, remove, confiscate, withhold, or possess any actual or purported passport, visa, or other immigration document, or any other actual or purported government identification document, of any person;
- Cause or threaten to cause financial harm to any person;
- Entice or lure any person by fraud or deceit; or
- Provide a controlled substance as outlined in Schedule I or Schedule II of s. 893.03 to any person for the purpose of exploitation of that person.

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

By:

AUTHORIZED SIGNATURE

Print Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

## AFFIDAVIT OF SOLVENCY

PERTAINING TO THE SOLVENCY OF {insert entity name} , being of lawful age and being duly sworn I, {insert affiant name} , as {insert position or title} (ex: *CEO, officer, president, duly authorized representative, etc.*) hereby certify under penalty of perjury that:

1. I have reviewed and am familiar with the financial status of above stated entity.
2. The above stated entity possesses adequate capital in relation to its business operations or any contemplated or undertaken transaction to timely pay its debts and liabilities (including, but not limited to, unliquidated liabilities, unmatured liabilities and contingent liabilities) as they become absolute and due.
3. The above stated entity has not, nor intends to, incur any debts and/or liabilities beyond its ability to timely pay such debts and/or liabilities as they become due.
4. I fully understand failure to make truthful disclosure of any fact or item of information contained herein may result in denial of the application, revocation of the Certificate of Public Necessity if granted and/or other action authorized by law.

The undersigned has executed this Affidavit of Solvency, in his/her capacity as a duly authorized representative of the above stated entity, and not individually, as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  

---

\_\_\_\_\_  
Signature of Affiant

STATE OF \_\_\_\_\_ ) COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by who personally appeared before me at the time of notarization, and who is personally known to me or who has produced as identification.

\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **DEBARMENT CERTIFICATION**

“The bidder certifies that, neither the firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, and/or position involving the administration of federal funds:

- (a) Is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions, as defined in 2 CFR Chapter 180, by any federal department or agency;
- (b) Has within a three-year period preceding this certification been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Is presently indicted for or otherwise criminally or civilly charged by a federal, state, or local Governmental entity with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Has within a three-year period preceding this certification had one or more federal, state, or local government public transactions terminated for cause or default.

The bidder certifies that it shall not knowingly enter into any transaction with any subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this project by any federal agency.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

By \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature/Contractor

\_\_\_\_\_  
Typed Name/Title

\_\_\_\_\_  
Contractor's Firm Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City/State/Zip Code

\_\_\_\_\_  
Area Code/Telephone Number

## **DRUG FREE WORKPLACE FORM**

The undersigned vendor in accordance with Florida Statute 287.087 hereby certifies that:

---

(Name of Business)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection CO, notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 (Florida Statutes) or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, or any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

## THE CITY OF KEY COLONY BEACH, FLORIDA

## E-VERIFY AFFIDAVIT

Beginning January 1, 2021, Florida law requires all contractors doing business with the City of Key Colony Beach, Florida to register with and use the E-Verify System in order to verify the work authorization status of all newly hired employees. The City requires all vendors who are awarded contracts with the City to verify employee eligibility using the E-Verify System. As before, vendors are also required to maintain all I-9 Forms of their employees for the duration of the contract term. To enroll in the E-Verify System, vendors should visit the E-Verify Website located at [www.e-verify.gov](http://www.e-verify.gov).

In accordance with Florida Statute § 448.095, IT IS THE RESPONSIBILITY OF THE AWARDED VENDOR TO ENSURE COMPLIANCE WITH ALL APPLICABLE E-VERIFY REQUIREMENTS.

By affixing your signature below, you hereby acknowledge that Florida Law requires you to register with and use the E-Verify System to verify the work authorization status of all newly hired employees. Furthermore, by signing this affidavit you affirm, under penalty of perjury, that you have complied with all applicable E-Verify requirements as of the effective date below.

---

Date

(Signature of Authorized Representative)

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME, the undersigned authority.

having produced \_\_\_\_\_ as identification, and after first being sworn by me, affixed his/her signature in the space provided above on this \_\_\_\_\_ who, \_\_\_\_\_ being personally known or \_\_\_\_\_

20 \_\_\_\_\_ day of \_\_\_\_\_

---

Signature, NOTARY PUBLIC

My commission expires:

**STAMP/SEAL**

## BUSINESS/PERSONAL RELATIONSHIP DISCLOSURE AFFIDAVIT

I, \_\_\_\_\_, of the City/Township/Parrish of \_\_\_\_\_, State of \_\_\_\_\_, and according to law on my oath, and under penalty of perjury, depose and say that;

1) I am the authorized representative of the company or entity making a proposal for a project described as follows: (Name of company/vendor): \_\_\_\_\_ and (Nature of services presently being offered to The City of Key Colony Beach, Florida): \_\_\_\_\_

2) I have \_\_\_\_\_ have not \_\_\_\_\_, at any time, excluding the instant proposal, had a business or personal relationship with any member of The City of Key Colony Beach Board of Commissioners, and/or with any employee of The City of Key Colony Beach, Florida.

• The details of my or my company's present and/or former relationship, excluding the instant proposal, are: *{include particular Board member or employee's name(s), position held by such member or employee and relevant date(s); use reverse for space if needed}*

3) The statements contained in this affidavit are true and correct, and made with full knowledge that The City of Key Colony Beach, Florida relies upon the truth of the statements contained in this affidavit in awarding contracts for the subject project.

Dated: \_\_\_\_\_

(Signature of Authorized Representative)

Print: \_\_\_\_\_

STATE OF \_\_\_\_\_,

COUNTY OF \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, being personally known, \_\_\_\_\_ or having produced \_\_\_\_\_ as identification, and after first being sworn by me, affixed his/her signature in the space provided above on this \_\_\_\_\_ day of 20 \_\_\_\_\_.

NOTARY PUBLIC

My commission expires \_\_\_\_\_

# THE CITY OF KEY COLONY BEACH, FLORIDA

## NON-COLLUSION AFFIDAVIT

I, \_\_\_\_\_ of the city/township/parrish  
of \_\_\_\_\_, according to law on my oath, and under penalty of perjury, depose  
and say that;

1) I am \_\_\_\_\_, the bidder making the Proposal for the project described as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

3) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to bid opening, directly or indirectly, to any other bidder or to any competitor; and

4) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit, or not to submit, a bid for the purpose of restricting competition;

5) The statements contained in this affidavit are true and correct, and made with full knowledge that The School Board of Monroe County, Florida, relies upon the truth of the statements contained in this affidavit in awarding contracts for said project.

---

**(Signature of Bidder)**

**DATED:** \_\_\_\_\_

**STATE OF** \_\_\_\_\_,

## COUNTY OF

**PERSONALLY APPEARED BEFORE ME**, the undersigned authority,

\_\_\_\_\_ who, after first being sworn by me, (name of individual signing) affixed his/her signature in the space provided above on this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
*(Handwritten signature)*

---

## NOTARY PUBLIC

My commission expires;

**SWORN STATEMENT PURSUANT TO SECTION 287.133 (3) (a), FLORIDA  
STATUTES ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER  
OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to

by \_\_\_\_\_

(print individual's name and title)

(print name of the public entity)

for \_\_\_\_\_

(print name of entity submitting sworn statement)

whose business address is \_\_\_\_\_ and (if applicable) its Federal  
Employer Identification Number (FEIN) is \_\_\_\_\_ *(If the entity has no FEIN,  
include the Social Security Number of the individual signing this sworn statement:*

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt of a conviction of public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment of information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

- (a). A predecessor or successor of a person convicted of a public entity crime; or
- (b). An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a *prima facie* case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133 (1) ©, Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.<sup>6</sup> Based on information and belief, that statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies.)

\_\_\_\_\_ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity,

nor any affiliate of the entity has been charged with any convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting the sworn statement on the convicted vendor list. (Attached a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

---

(Signature)

---

(Date)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first sworn by me, affixed his/her signature in the space provided above on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

(name of individual signing)

---

NOTARY PUBLIC

My commission expires: \_\_\_\_\_

# *City of Key Colony Beach*

PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767



## CONTRACT RENEWAL

THIS CONTRACT RENEWAL is made and entered into the date last written below, by and between the City of Key Colony Beach, Florida ("City"), and The Southern Group ("Contractor"), in order to renew the agreement ("Original Contract") between the parties dated **April 1, 2024** (original contract date), a copy of which is attached hereto as Attachment A and incorporated by reference.

1. Contractor will exercise the **1 of 3** renewal options in accordance with the terms of the Original Contract, thereby creating a renewed contract ("Renewed Contract").
2. The Renewed Contract shall commence on **April 1, 2025**, and expire on **March 31, 2026**.
3. All other terms and conditions of the Original Contract shall remain in full force and effect.
4. Contractor's obligations to maintain insurance remains in effect as evident by the updated copy attached.
5. The Contractor hereby certifies that it will execute the attached affidavits and that all other attachments to the original Contract remain unchanged, or that the Contractor has submitted updated documentation as necessary.

NOTE: A copy of the original contract must accompany this renewal.

IN WITNESS WHEREOF, the parties have executed this Contract Renewal on this 16 day of

May, 2025.

  
SIGNATURE OF MAYOR

5/15/2025  
DATE

  
SIGNATURE OF REPRESENTATIVE

5.15.2025  
DATE

**The City of Key Colony Beach, Florida  
Contract for Goods & Services:**

This Contract entered on the date last written below, by and between: The Southern Group of Florida, Inc. (the "Contractor") and The City of Key Colony Beach, Florida (the "City"). In consideration of the mutual covenants and benefits hereinafter set forth, the parties herein covenant and agree as follows:

**1. TERM**

The term of this Contract shall be from April 1, 2024 to March 31, 2025

**2. CONTRACTOR'S SERVICES**

Contractor agrees to provide the following services:

- a. Contractor shall represent the City in front of the Legislative and Executive branches of state government and to help identify opportunities for state funding related to wastewater, stormwater, canal restoration and other priorities as identified by the City and The Southern Group of Florida, Inc.
- b. Contractor will work with the City to identify and react to bills and/or amendments that would positively or negatively impact the City.
- c. Contractor will provide an industry report outlining relevant bills and committee actions each week during Session.
- d. Contractor will assist the City in identifying potential state funding opportunities, including agency grants to address the City's needs.

Documentation of the specific goods/services is attached and labeled as *Exhibit "A"* to this Contract and is incorporated herewith by reference. In the event of a conflict between the terms of this Contract and any exhibit, the terms of this Contract shall control, unless otherwise agreed in writing as an amendment pursuant to the terms for such as provided herein.

**3. COMPENSATION**

The City shall pay Contractor the sum of \$54,000.00 to provide said goods/services pursuant to this Contract. No payment shall be due until an invoice for the goods/services has been submitted for payment and the City verify that all services have been fully and satisfactorily completed. The City will make diligent efforts to verify and pay invoices within one (1) payment cycle after receipt. If alternate payment TERMS are required they must be outlined below.

The Contractor will provide the installment invoice on the first day of each month during the Engagement Period. Payment is due upon receipt of the invoice. Costs directly attributable to the performance of this work will be billed in addition to the Fee. Costs may include travel, conference registration fees, and other expenses incurred on behalf of the City. Any cost(s) that exceed \$500 per month in the aggregate will not be billed without City's written approval.

Payment should be made payable to or addressed to The Southern Group of Florida, Inc. ACH or wire transfer is preferred. If payment is made by check, then payment(s) should be remitted to P.O. Box 10570, Tallahassee, FL 32302. Payments received more than sixty (60) days after their due date shall be charged a \$100 per day late fee for each day that payment is overdue. If an invoice is unpaid for ninety (90) days or more, work towards completion of the Scope of Work will pause until City brings all amounts due and owing current.

---

#### 4. INSURANCE

Contractor agrees to secure and maintain at all times during the term of this Contract, at Contractor's expense, insurance coverage, as laid out below, covering Contractor for all acts or omissions which may give rise to liability for services under this Contract. All Contractor staff are to be insured in minimum amounts acceptable to the City and with a reputable and financially viable insurance carrier, naming The City of Key Colony Beach, Florida as additional insured. Such insurance shall not be cancelled except upon thirty (30) days written notice to the City. Contractor shall provide the City with a certificate evidencing such insurance coverage within five (5) days after obtaining such coverage. Contractor agrees to notify the City immediately of any material change in any insurance policy required to be maintained by Contractor.

Contractor is required to obtain the following coverage, with documentation of having obtained such coverage being attached hereto as *Exhibit "B"*:

**X** **General Liability Insurance**

Amount: \$1,000,000.00

**X** **Professional Liability Insurance**

Amount: \$1,000,000.00

**Vehicle Liability Insurance**

Amount: \_\_\_\_\_

**X** **Workers Compensation Insurance**

Amount: \$1,000,000.00

---

#### 5. COMPLIANCE WITH LAWS AND POLICIES

Contractor agrees to comply with City policies and all applicable local, state, and federal laws, including laws; including public records.

Public Records. To the extent Contractor is acting on behalf of City as stated in Section 119.0701, Florida Statutes, Contractor shall:

- a. Keep and maintain public records required by City to perform the Services;

- b. Upon request from City, provide City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time and at a cost that does not exceed that provided in Chapter 119, Florida Statutes, or as otherwise provided by law;
- c. Ensure that public records that are exempt or confidential and exempt from public record requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion or termination of this Agreement if the records are not transferred City; and
- d. Upon completion or termination of this Agreement, transfer to City, at no cost, all public records in Contractor's possession or keep and maintain public records required by City to perform the services. If Contractor transfers the records to City, Contractor shall destroy any duplicate public records that are exempt or confidential and exempt. If Contractor keeps and maintains the public records, Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to City upon request in a format that is compatible with the information technology systems of City.

A request for public records regarding this Agreement must be made directly to City, who will be responsible for responding to any such public records requests. Contractor will provide any requested records to City to enable City to respond to the public records request.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CITY OF KEY COLONY BEACH, FLORIDA'S CUSTODIAN OF PUBLIC RECORDS, CITY CLERK, SILVIA GRANSEE, AT: CITY OF KEY COLONY BEACH, ATTN: SILVIA GRANSEE, P.O. BOX 510141, KEY COLONY BEACH, FL 33051 ([cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net)) OR CALL THEM AT (305) 289-1212.**

## **6. INDEPENDENT CONTRACTOR STATUS**

Contractor is, for all purposes arising under this Contract, an independent contractor. Contractor and its officers, agents or employees shall not, under any circumstances, hold themselves out to anyone as being officers, agents, or employees of the City.

## **7. TERMINATION**

### **A. WITHOUT CAUSE**

This Contract may be terminated for any reason by either party upon thirty (30) days

written notice to the other party at the addresses set forth below. If said Contract should be terminated as provided in this paragraph of the Contract, the City will be relieved of all obligations under said contract and the City will only be required to pay that amount of the contract actually performed to the date of termination with no payment due for unperformed work or lost profits.

**B. TERMINATION FOR BREACH**

Either party may terminate this Contract upon breach by the other party of any material provision of this Contract, provided such breach continues for fifteen (15) days after receipt by the breaching party of written notice of such breach from the non-breaching party. In the event the City chooses to end the Contract before the end of the applicable Engagement Period, the Fee and any approved, outstanding costs shall be due in their entirety. The Contractor will provide a final invoice for all amounts due under this Contract which shall be paid within thirty (30) days of being sent by the Contractor.

**C. IMMEDIATE TERMINATION BY THE CITY**

The City may terminate this Contract immediately upon written notice to Contractor (such termination to be effective upon Contractor's/Individual's receipt of such notice) upon occurrence of any of the following events:

- i. the denial, suspension, revocation, termination, restricting, relinquishment or lapse of any license or certification required to be held by the Contractor, or of any Company/Individual staff's professional license or certification in the State of Florida;
- ii. conduct by Contractor or any Company/Individual staff which affects the quality of services provided to The City or the performance of duties required hereunder and which would, in The City's sole judgment, be prejudicial to the best interests and welfare of The City and/or its employees;
- iii. failure by Contractor to maintain the insurance required by the terms of this Contract.

**8. ASSIGNMENT**

Neither Contractor nor the City may assign or transfer any interest in this Contract without the prior written consent of all parties. Should an assignment occur upon mutual written consent, this Contract shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, representatives, successors, and assigns.

## **9. AMENDMENT**

This Contract may be amended only with the mutual consent of the parties. All amendments must be in writing and must be approved by the City.

## **10. INDEMNIFICATION, GOVERNING LAW & VENUE**

Contractor shall indemnify and hold harmless the City from and against any and all claims, liabilities, damages, and expenses, including, without limitation, reasonable attorneys' fees, incurred by the City in defending or compromising actions brought against them arising out of or related to the acts or omissions of Contractor, its agents, employees or officers in the provision of services or performance of duties by Contractor pursuant to this Contract.

This Contract shall be construed in accordance with the laws of the State of Florida. Any dispute arising hereunder is subject to the laws of Florida, venue in Monroe County, Florida. The prevailing party shall be entitled to reasonable attorney's fees and costs incurred as a result of any action or proceeding under this Contract.

## **11. E-VERIFY**

Pursuant to Florida Statute § 448.095, Contractor shall be required to register with and use the United States Department of Homeland Security's E-Verify system to verify the work authorization status of all employees hired after January 1, 2021. If Contractor enters into any contract with a subcontractor, Contractor shall be required to obtain an affidavit from the subcontractor confirming that the subcontractor does not employ, contract with, or subcontract with any person who is not authorized under federal law to be employed in the United States. Contractor shall be required to maintain a copy of said affidavit for the duration of the Contract Term and shall produce said affidavit to the City upon request. Notwithstanding any other provision herein, City reserves the right to immediately terminate this Contract upon notice to Contractor that the City has developed a good faith belief that Contractor has knowingly violated this section.

## **12. REPRESENTATIONS, WARRANTIES & DEBARMENT**

Contractor represents and warrants to the City, upon execution and throughout the term of this Contract that:

- 1) Contractor is not bound by any Contract or arrangement which would preclude it from entering into, or from fully performing the services required under the Contract;
- 2) None of the Contractor's agents, employees or officers has ever had his or her professional license or certification in the State of Florida, or of any other jurisdiction, denied, suspended, revoked, terminated and/or voluntarily relinquished under threat of disciplinary action, or restricted in

any way;

- 3) Contractor has not been convicted of a public entity crime as provided in F.S. §287.133, to wit: A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crime may not submit a bid, proposal, or rely on a contract to provide any goods or services to a public entity, may not submit a bid, proposal, or rely on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list; and,
- 4) Contractor and Contractor's agents, employees and officers have, and shall maintain throughout the term of this Contract, all appropriate federal and state licenses and certifications which are required in order for Contractor to perform the functions, assigned to him or her in connection with the provisions of the Contract.
- 5) The Contractor certifies that, neither the firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, and/or position involving the administration of federal funds:
  - (i) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions, as defined in 29 CFR Part 93, Section 98.510, by any federal department or agency; (ii) Has not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (ii) Has not within a three-year period preceding this certification had one or more federal, state, or local government public transactions terminated for cause or default.

### **13. CONFIDENTIALITY**

Contractor recognizes and acknowledges that by virtue of entering into this Contract and providing services hereunder, Contractor, its agents, employees and officers may have access to certain confidential information. Contractor agrees that neither it nor any Contractor agent, employee or officer will at any time, either during or subsequent to the term of this Contract, disclose to any third party, except where permitted or required by law or where such disclosure is expressly approved by The City in writing, any confidential/personally identifiable information. Contractor, its agents, employees and officers shall comply with all Federal and State laws and regulations and all policies of The City regarding the confidentiality of such information.

### **14. BILLING**

Bills for fees or compensation under this contract shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof. Further, bills for any travel expenses shall be submitted in accordance with Florida Statute §112.061 where applicable.

### **15. THIRD-PARTY BILLING AND PAYMENT**

To the extent applicable with regard to the services provided in this Contract, Contractor shall not be entitled to bill nor accept third-party payment without authorization of The City. Contractor agrees that The City shall not be obligated to make any payment that exceeds the rate referred to in the paragraph governing Compensation. The Contractor shall provide service documentation in accordance with professional standards and criteria of The City as requested.

### **16. ETHICS CLAUSE**

Contractor warrants that he/it has not employed, retained or otherwise had act on his/its behalf any former officer or employee of the City. For breach or violation of this provision the City may, in their discretion, terminate this contract without liability and may also, in their discretion, deduct from the contract or purchase price, or otherwise recover the full amount of any fee, commission, percentage, gift, or consideration paid to the former officer or employee of the City.

### **17. CONFLICT OF INTEREST**

The following provisions shall apply for conflict of interest. Any violation of these provisions by an employee of the City may be grounds for dismissal. No contract for goods or services may be made with any business organization in which the City Administrator or a City Commission or City Council member has any material financial interest unless it is a single source or clear documentation exists to show that, no other supplier can provide the identical/comparable goods/service, at a lower cost to the City. No City Commissioner, Council member, officer, or employee, may directly or indirectly purchase or recommend the purchase of goods or services

from any business organization which they or their near relative have a material interest as defined by §112.313, Florida Statutes, except as allowed by DOE Interpretative Memorandum No. A-20. No City Commissioner, Council member, officer, or employee may receive gifts or any preferential treatment from vendors. Such members, officers, officials or employees shall not be prohibited from participating in any activity or purchasing program that is offered to all City employees or in City surplus sales, provided there is no preferential treatment.

#### **18. —SEVERABILITY**

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The parties recognize and agree that should any clause(s) herein be held invalid by a Court of competent jurisdiction, the remaining clauses shall not be affected and shall remain of full force and effect.

#### **19. COUNTERPARTS**

This Contract may be executed in one or more counterparts, all of which together shall constitute only one Contract.

#### **20. WAIVER**

A waiver by either party of a breach or failure to perform hereunder shall not constitute a waiver of any subsequent breach or failure to perform. Any waiver of insurance requirements as provided by this Contract and/or the policies of the City does not relieve the Contractor of the indemnification provisions contained within this Contract.

#### **21. CAPTIONS**

The captions contained herein are used solely for convenience and shall not be deemed to define or limit the provisions of this Contract.

#### **22. ENTIRE CONTRACT**

The parties hereto agree that this is the final Contract between the parties and supersedes any and all prior Contracts and/or assurances, be it oral or in writing.

#### **23. NOTICES**

All notices required by this Contract, unless otherwise provided herein, by either party to the other shall be in writing, delivered personally, by certified or registered mail, return receipt requested, or by Federal Express or Express Mail, and shall be deemed to have been duly given when delivered personally or when deposited in the United States mail, postage prepaid, addressed as follows:

<p><u>City of Key Colony Beach, Florida:</u>            City Clerk            City of Key Colony Beach            P.O. Box 510141            Key Colony Beach, FL 33051</p> <p><u>With a copy to:</u>            The City of Key Colony Beach, Florida Counsel            Vernis &amp; Bowling of the Florida Keys, P.A.            81990 Overseas Hwy, 3<sup>rd</sup> Floor            Islamorada, FL 33036</p>	<p><u>The Contractor:</u>            The Southern Group of Florida, Inc.            P.O. Box 10570            Tallahassee, FL 32302            (305) 240-4086</p>
--	---

#### 24. NO WAIVER OF SOVEREIGN IMMUNITY

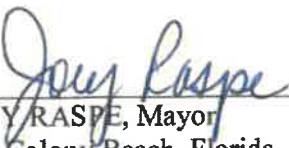
Nothing herein is intended to serve as a waiver of sovereign immunity by any agency or political subdivision to which sovereign immunity may be applicable.

#### 25. NO THIRD-PARTY BENEFICIARIES

The Parties expressly acknowledge that it is not their intent to create or confer any rights to or obligations upon any third person or entity under this Agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Contract on this 10 day of April, 2024.

#### FOR THE CITY OF KEY COLONY BEACH, FLORIDA:

  
JOEY RASPE, Mayor  
 Key Colony Beach, Florida

4/10/24  
 DATE

**FOR CONTRACTOR:**

  
Kate DeLoach  
SIGNATURE OF CONTRACTOR/REPRESENTATIVE

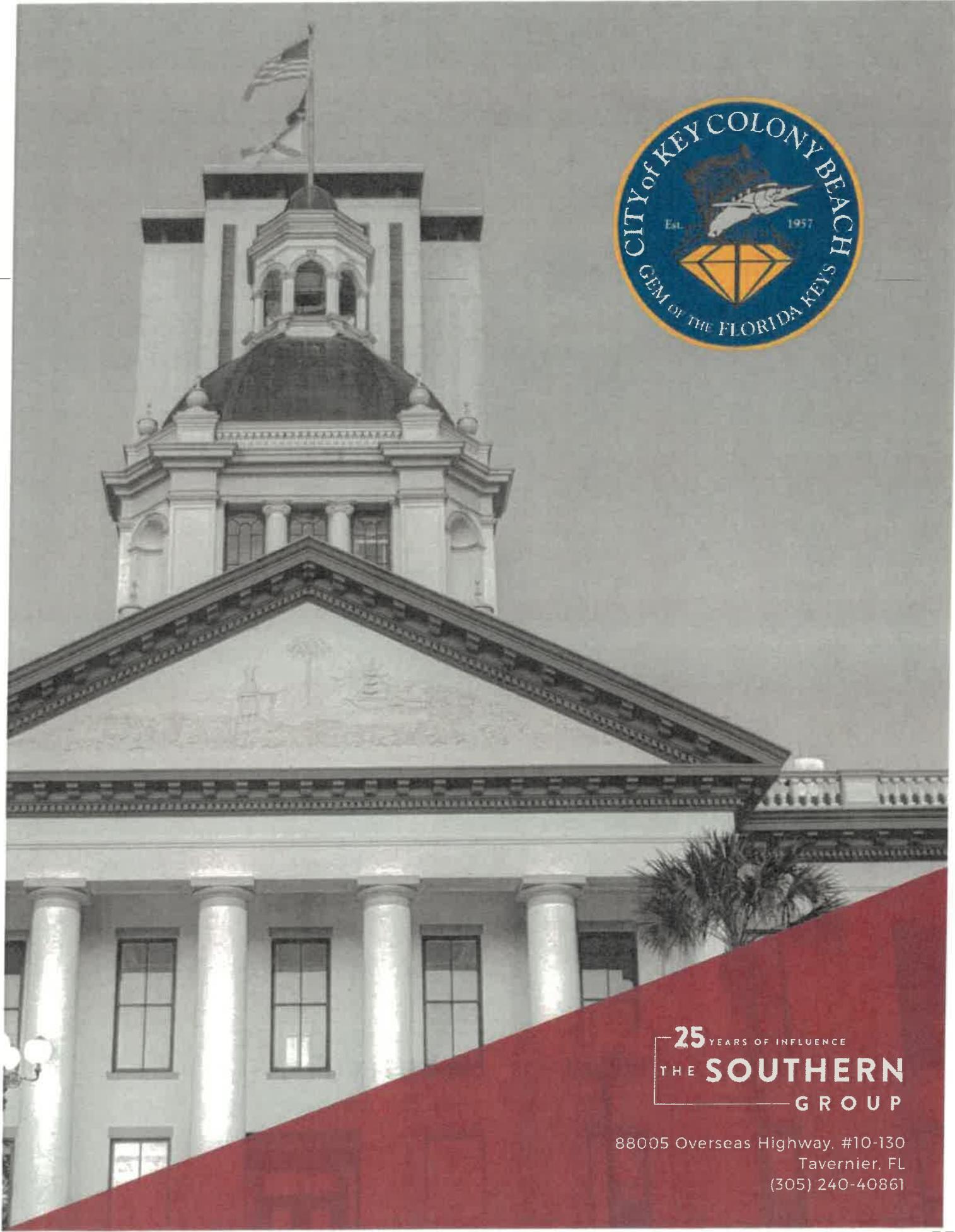
April 10, 2024  
DATE

Kate DeLoach  
PRINT NAME

Partner  
TITLE

---

# EXHIBIT A



25 YEARS OF INFLUENCE  
**THE SOUTHERN GROUP**

88005 Overseas Highway, #10-130  
Tavernier, FL  
(305) 240-40861

# WHO WE ARE

The Southern Group was established in 1999 in Tallahassee and was built on the simple but powerful concept that clients could be best served by hiring the most accomplished professionals from government and politics, arming them with advocacy skills, and deploying them as a highly motivated and coordinated team. With offices located in Columbia, SC, Atlanta, GA, Montgomery, AL, Tallahassee, Jacksonville, Orlando, Tampa Bay, and South Florida, The Southern Group affords an unprecedented opportunity for you to wield influence in this vital and growing region.

**50+**  
LOBBYISTS

**500+**  
YEARS OF  
EXPERIENCE

**10**  
MARKETS



# WHAT WE DO

We have built a team who daily confronts and overcomes the challenges of a huge, complex and rapidly changing business, state and local government environment. We aren't simply professional advocates – we are connectors and strategic thought partners who understand how political, business and policy decisions impact industry's ability to deliver customer value. We are a full service public affairs team that advises its clients how to have the most impact and success.

Our team masterfully shapes perceptions and connects clients with opportunities and influencers in Florida and beyond. Our keen awareness of the business environment combined with strong relationships with key stakeholders allows us to quickly and effectively position our clients.

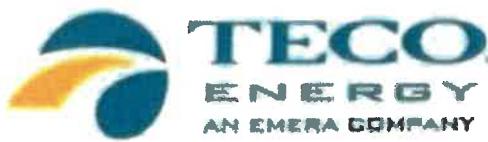
# OUR CLIENTS

The Southern Group represents interests across the spectrum. Our roster of clients not only includes some of the largest businesses in the state such as Daytona International Speedway, Florida Blue and Brightline but also some of the most well-known companies in the world, including Apple, IBM and Wells Fargo. The Southern Group also lobbies on behalf of local governments, nonprofit organizations and associations, such as the Florida Sheriffs Association, Orlando City Soccer Club and the Jaguars, putting our lobbyists at the center of nearly every major policy decision in the state. In the Florida Keys, The Southern Group represents various clients, including The Florida Keys Aqueduct Authority, Mote Marine Laboratory, and the Monroe County School District.

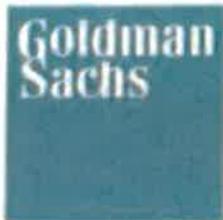
# A TRUSTED BRAND



Building a better  
working world



FPL



NUCOR®

OUTFRONT/

JAGUARS



NASCAR



SIEMENS



Royal  
Caribbean  
Group

SOUTHERN  
GROUP

# SERVICES

## ACCESS

We have unparalleled access to key government, business and community leaders and have cultivated strong relationships with officials and staff throughout local and state governments.

## ADVICE

We provide guidance, advice, and insight into the legislative, appropriations, regulatory processes, and proposed amendments to relevant legislation, and/or regulatory codes.

## INFLUENCE

We provide representation before both state and local governments and ensure your policy goals are integrated into official government actions.

## IMPLEMENTATION

Our work doesn't end when the Session does. In order for our clients to be successful, our team will navigate the complexities of the implementation process year-round.

## MONITORING

We provide rapid response to every inquiry or emerging issue and produce reports during interim committee weeks and legislative session.

## POLITICS

Since many of our team have political backgrounds, we advise clients on the current political environment in Florida and in our local markets. We put together political budgets to ensure alignment with elected officials who support your business objectives. We make introductions to candidates running for office and advise clients on political issues of regional importance.

## RELATIONSHIP BUILDING

We help our clients achieve and maintain optimal relationships with critical stakeholders by participating in any coalition-building or public-facing activities designed to build policy support for issues of interest.

## STRATEGY

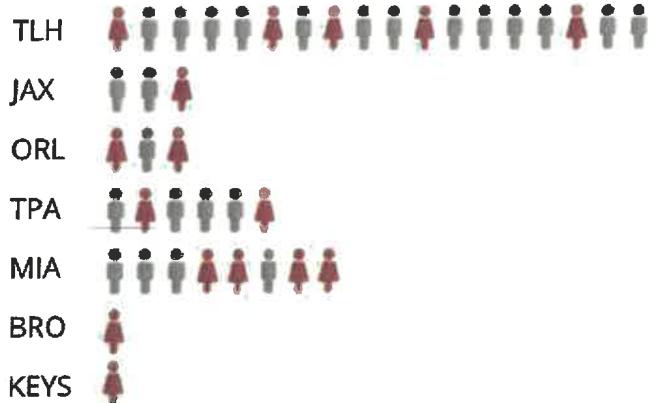
Your lobbying team will help you develop both an in-Session and out-of-Session strategy that highlights your policy and advocacy goals.

# THOUGHT LEADERSHIP

We know how to navigate the halls of government because most of our team has already served in them. With hundreds of combined years experience in local and state government, our team of experts are prepared to build winning strategies.

- Agency Assistant and Deputy Secretaries (FDOT, DMS, DOE)
- Agency Chiefs of Staff (AHCA, DMS, DFS, DOE)
- Agency Communications Directors (DEP, DOE, DCF, DOEA)
- Agency Legislative Affairs (AHCA, OIR, DEO, PSC)
- Attorney General
- Chief Lobbyist
- Chiefs of Staff to Cities and Counties
- City Commissioner
- Commissioner FDLE
- County Commissioner
- Deputy Chief of Staff (HUD)
- Executive Director of DHSMV
- Florida Insurance Commissioner
- Florida Republican Party Chair
- FSU President (2)
- Governor's Cabinet Affairs Director
- Governor's Chief of Staff
- Governor's Deputy Chief of Staff
- Hospital District Commissioner
- House and Senate Staff Members
- House Appropriations Chairman
- Miami-Dade Republican Party Chairman
- Secretary of AHCA
- Secretary of DMS
- Secretary of FDOT
- Secretary of State
- Senate Minority Leader
- Speaker of the House (2)
- State College President
- Top Fundraisers to Statewide & Local Officials
- Water Management District Board Member

# APPROPRIATIONS SUCCESS



Our diverse team across the state of Florida makes us a leader in the lobbying industry.

1,873

Total number of pieces of legislation filed for consideration during the 2023 Legislative Session (bills, resolutions, PCBs, memorials, etc.)



356 passed 1,873 other pieces of legislation

The Southern Group directly facilitated over \$2 billion in funding for our clients in the FY 2023-2024 budget.

\$2B+

NEW OR SUSTAINED  
APPROPRIATIONS PROJECT  
FUNDING

\$2B+

For the past two fiscal years, we have secured over \$2 billion in funding from the Florida Legislature.

During the 2023 Legislative Session...

2,333

2,253

appropriations  
project funding  
requests were  
submitted by  
members of  
the House.

Local Funding  
Initiative  
Requests were  
filed by  
members of  
the Senate.

# THE TEAM



Paul Bradshaw



# YOUR TEAM

Each of the 42 lobbyists in the Florida market will be aware of the status of your issues and will be engaged on an as-needed basis. In order to ensure efficient and consistent communication, Kate DeLoach will serve as your lead lobbyist and primary point of contact at the firm. Clark Smith will also serve on the City of Key Colony Beach team. These lobbyists bring specific expertise or relationships that can assist the City of Key Colony Beach.



**Kate DeLoach**  
Florida Keys



**Clark Smith**  
Tallahassee



## Kate DeLoach

Kate DeLoach joined The Southern Group in 2019, opening the firm's sixth regional office in the Florida Keys. An eighth-generation Floridian and Florida Keys native, Kate has a deep understanding of the challenges facing the Florida Keys as an Area of Critical State Concern, including complex issues related to commercial and recreational fishing, economic development, land use and development, marine resources, natural resource protection, property insurance, transportation, and travel and tourism.

Kate served for six years as a district and legislative aide to State Representative Holly Raschein (R-Key Largo), which gave her invaluable experience navigating the legislative process and addressing policy and appropriations issues across a broad array of topics.

Kate's time in government also gave her the opportunity to build strong relationships with individuals and organizations at the local, state, and federal levels, in both South Florida and Tallahassee.

Kate serves on the board of numerous local organizations, including the Mariners Hospital Operating Board, the Florida Keys History & Discovery Foundation, the Good Health Clinic, and the Monroe County Historic Preservation Commission.

Kate earned her BA from Flagler College in St. Augustine and her MA in international affairs from The City College of New York. Kate also earned a graduate certificate in Natural Resource Policy and Administration from the University of Florida. Kate lives in the Florida Keys with her husband, John.

**Influence creates opportunity. Let us show you how.**



 [deloach@thesoutherngroup.com](mailto:deloach@thesoutherngroup.com)

 (305) 240-4086



# Clark Smith

Clark Smith brings more than 26 years of experience in Florida politics to The Southern Group's Tallahassee office, which he joined in 2013. Clark's expertise spans a broad range of policy issues, including appropriations, campaigns, energy, gaming, health care, insurance, land use and development, manufacturing, marine science, outdoor advertising, public safety, technology, telecommunications, transportation, travel and tourism, utilities, and water.

Clark began his career working for the Bob Martinez for Governor campaign, assisting in field director coordination. He then served as a budget analyst for General Government Appropriations in the Florida Senate Appropriations Committee before beginning a successful lobbying career in 1998, representing clients before the executive and legislative branches of Florida government.

**Influence creates opportunity. Let us show you how.**



During his tenure at Southern, Clark successfully led an effort to secure Medicaid provider fee increases for prescribed pediatric extended care (PPEC) providers who care for medically complex children in a non-residential setting.

Clark and his team secured \$9 million in increases, which allowed the PPEC model to expand in Florida, bringing this innovative and high-quality care delivery system to Florida's most vulnerable children.

A Tallahassee native, Clark is a graduate of Florida State University. Clark and his wife, Darica, reside in Tallahassee with their two dogs.

# SCOPE OF WORK/PRICING

You have asked that we represent the City of Key Colony Beach in front of the Legislative and Executive branches of state government and to help identify opportunities for state funding related to wastewater, stormwater, and canal restoration.

The Southern Group will work with the City of Key Colony Beach to solidify legislative priorities for the 2025 Legislative Session and create a strategy for moving those priorities forward. Additionally, we will work with your leadership team to identify and react to bills and/or amendments that would positively or negatively impact the city. Should visits to Tallahassee be required, or should the city travel to Tallahassee for Florida Keys Day, The Southern Group will organize schedules and necessary meetings.

While the city has several associations to lean on during the Legislative Session, issues in the Florida Keys are often different and the impacts for us may differ from those in other jurisdictions. Each week during Session, the city will receive an industry report outlining relevant bills and committee actions. The Southern Group team would also focus tracking and monitoring efforts on the city's needs, specifically, helping to identify bills that may be problematic earlier in the process.

In addition to legislative work, The Southern Group will also assist the city in identifying potential state funding opportunities, including agency grants to address the city's needs. These may include funding opportunities for wastewater system upgrades, stormwater management, and canal restoration projects.

The Southern Group proposes a 12-month agreement with an annual retainer of \$54,000 for the state and local-level advocacy services, beginning March 1, 2024.

25 YEARS OF INFLUENCE

THE SOUTHERN GROUP

Influence creates opportunity.  
Let us show you how.



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# **EXHIBIT B**



#### Client Information

Full Entity Name: City of Key Colony Beach

#### Client Contact Information

Primary Contact: Mayor Raspe

Business Address: 600 W. Ocean Drive, Key Colony Beach, FL 33051

Mailing Address: PO Box 510141, Key Colony Beach, FL 33051

Telephone Number (Office): 305-289-1212 ext. 2

Telephone Number (Cell): \_\_\_\_\_

E-mail Address: mayor@keycolonybeach.net

Assistant's Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

#### Please select the industry/industries that pertains to your business.

Industry: Education  Environment  Financial Services & Insurance   
Healthcare  Local Government  Public Safety  Technology   
Transportation

#### Billing Information

Contact Name for Invoices: Silvia Gransee

Billing Address: PO Box 510141, Key Colony Beach, FL 33051

Telephone Number: 305-289-1212 ext. 2

E-mail Address for Invoices: cityclerk@keycolonybeach.net

PO Number (if applicable): \_\_\_\_\_

Third Party Billing Details: \_\_\_\_\_

#### Additional Information

Please indicate if you would like to receive daily "What's Trending Florida" eNewsletters.

Yes  No

Please indicate which Florida offices you would like to receive monthly "Need to Know" eNewsletters.

Jacksonville  Orlando

Please list name(s) and email address(es) to receive "What's Trending Florida", "Need to Know" eNewsletters, or if you would like to receive regular updates regarding the industry that pertains to your business.

**mayor@keycolonybeach.net**

**Freddie.Foster@keycolonybeach.net**

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Revised 5/11/2023



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In Florida, all lobbyists must register with the Florida Lobbyist Registration and Compensation office before lobbying can begin.

In order to comply with Section 11.045, F.S., Section 112.3215, F.S. and Rule Chapter: 34-12, Florida Administrative Code, please supply the e-mail address of the principal authorizing The Southern Group to lobby on your behalf:

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[mayor@keycolonybeach.net](mailto:mayor@keycolonybeach.net)

---

An email will be sent from the Florida Lobbyist Registration and Compensation office to the email above for authorization. You will receive an email from us once registration has been submitted. The following information will be required in order to complete your portion of the registration:

- 1) Authorizing person's name
- 2) Title
- 3) Your company's 6-digit NAICS code (instructions below)
- 4) Description of principal's main business (once you have entered your 6-digit code a list of descriptions will be available for selection)

#### **How to find your NAICS code**

Use the following website: <https://www.census.gov/naics/>

From the NAICS code webpage, enter in a keyword that best describes your business into the 2022 field in the top left corner of the website.

Obtain the 6-digit industry code that best identifies the principal's main business. Neither the Lobbyist Registration Office nor our office is allowed to select or recommend a code.

Please contact Diane Adams [adams@thesoutherngroup.com](mailto:adams@thesoutherngroup.com) if you need assistance.

Thank you,  
The Southern Group



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
4/10/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  
McKee Insurance Agency  
3512 Macay Blvd  
Tallahassee FL 32312

License#: L100460  
THESOUT-03

INSURED  
The Southern Group of Florida, Inc  
PO Box 10570  
Tallahassee FL 32302

CONTACT  
NAME: Christi Billington  
PHONE  
(A/C. No. Ext): 8502246055  
E-MAIL  
ADDRESS: christi@mckeeagency.com

FAX  
(A/C. No.):

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Southern-Owners Insurance Company

10190

INSURER B: Bridgeway Insurance Company

INSURER C:

INSURER D:

INSURER E:

INSURER F:

## COVERAGEs

CERTIFICATE NUMBER: 1740861518

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY  CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y	Y	78131095	3/1/2024	3/1/2025	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ex occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	GENL AGGREGATE LIMIT APPLIES PER:  X POLICY <input type="checkbox"/> PRO- JECT <input type="checkbox"/> LOC							
	OTHER:							
A	AUTOMOBILE LIABILITY  ANY AUTO  OWNED AUTOS ONLY  X HIRED AUTOS ONLY	X	SCHEDULED AUTOS  NON-OWNED AUTOS ONLY	78131095	3/1/2024	3/1/2025	COMBINED SINGLE LIMIT (Ex accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	UMBRELLA LIAB  X OCCUR  EXCESS LIAB	X	CLAIMS-MADE	4440409700	3/1/2024	3/1/2025	EACH OCCURRENCE	\$ 2,000,000
							AGGREGATE	\$ 2,000,000
								\$
	DED <input type="checkbox"/> RETENTION \$						PER STATUTE	OTH- ER
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY  ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/>	N/A				E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
B	Errors and Omission			7GA7PL000091603	3/5/2024	3/5/2025	Each Claim Aggregate	1,000,000 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



## CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK  
PO Box 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [WWW.KEYCOLONYBEACH.NET](http://WWW.KEYCOLONYBEACH.NET)

NEW APPLICATION       RE-APPLICATION

BEAUTIFICATION COMMITTEE (2-Year Terms; 5 Members, 2 Alternates,)  
 PLANNING & ZONING BOARD (2-Year Term; 5 Members, 2 Alternates)  
 RECREATION COMMITTEE (2-Year Term; 5 Members, 2 Alternates)  
 UTILITY BOARD (1-Year Term; 5 Members, 2 Alternates)

Name: SCHMIDT JOSEPH \_\_\_\_\_  
(last) (first) (Middle)

Address: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Business Address: \_\_\_\_\_

Occupation: RETIRED MECHANICAL CONTRACTOR

Home/Cell Ph.: \_\_\_\_\_

E-mail: \_\_\_\_\_

Do you reside within the City limits?

Yes  No

- If yes, how long have you resided in the City of Key Colony Beach?

25 yrs

Do you own property in the City of Key Colony Beach?

Yes  No

Are you a Registered Voter in the City of Key Colony Beach?

Yes  No

Please rank your board preference(s): 1. UTILITY

2. \_\_\_\_\_

3. \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity before?  Yes  No

If yes, please indicate name of board and dates of service. EARLY 2000's

Why would you like to serve on this board?

CONTRIBUTE BUSINESS  
AND PERSONAL EXPERIENCES AND DECISION  
MAKING SKILLS

What special skills would you bring to this position?

PLUMBING AND MECHANICAL

Please list fields of work experience:

RESIDENTIAL, COMMERCIAL  
AND INDUSTRIAL PLUMBING AND MECHANICAL  
EXPERIENCES

List any licenses and/or degrees (optional): MASTER PLUMBER LICENSED  
IN FLORIDA, NEW JERSEY AND DELAWARE  
EPA LICENSED IN REFRIGERANTS

Local References (Please list 3):

1. FREDDIE FOSTER
2. DOUG COLONELL
3. CARMAN SLUSHER

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?

Yes  No

If yes, please explain: SEASONAL - BUT CAN ATTEND ON PHONE

Signed:



Date:

1/6/26

#### SCHEDULE OF BOARD/COMMITTEE MEETINGS

Beautification Committee	2 <sup>nd</sup> Tuesday of each month	10:00 am
Planning and Zoning Board*	3 <sup>rd</sup> Wednesday of each month	9:30 am
Recreation Committee	As needed	TBD
Utility Board	3 <sup>rd</sup> Tuesday of each month	9:30 am

\*These boards are subject to Financial Disclosure.

**Submit application to:**

Silvia Gransee  
City Clerk  
City of Key Colony Beach  
PO Box 510141  
Key Colony Beach, FL 33051

OR

[Cityclerk@keycolonybeach.net](mailto:Cityclerk@keycolonybeach.net)

## **CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION**

**Acknowledgments:**

1. **Accuracy of Information.** I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: JOSEPH SCHMIDT

Signature: Joseph Schmidt

Date: 1/6/26



## CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK  
PO BOX 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [WWW.KEYCOLONYBEACH.NET](http://WWW.KEYCOLONYBEACH.NET)

NEW APPLICATION  RE-APPLICATION

- BEAUTIFICATION COMMITTEE (2-Year Terms; 5 Members, 2 Alternates,)
- PLANNING & ZONING BOARD (2-Year Term; 5 Members, 2 Alternates)
- RECREATION COMMITTEE (2-Year Term; 5 Members, 2 Alternates)
- UTILITY BOARD (1-Year Term; 5 Members, 2 Alternates)

Name: TESTA PETER JAMES  
(Last) (First) (Middle)

Address: \_\_\_\_\_

Key Colony Beach, FL 33051

Mailing Address (if different): \_\_\_\_\_

Key Colony Beach, FL 33051

Business Address: \_\_\_\_\_

Key Colony Beach, FL 33051

Occupation: Property Maintenance Manager

Home/Cell Ph.: \_\_\_\_\_

E-mail: \_\_\_\_\_

Do you reside within the City limits?  Yes  No

• If yes, how long have you resided in the City of Key Colony Beach? 22 Years

Do you own property in the City of Key Colony Beach?  Yes  No

Are you a Registered Voter in the City of Key Colony Beach?  Yes  No

Please rank your board preference(s): 1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity before?  Yes  No

If yes, please indicate name of board and dates of service. \_\_\_\_\_

Why would you like to serve on this board? I would like to be more involved in my community, and hopefully, be an asset wherever and whenever it's needed.

What special skills would you bring to this position? I am very experienced in the construction field; I've used computers my whole life and can understand all software; I excell in Math; Can solve any problem; and I'm personable.

Please list fields of work experience: Construction, Charter Fishing, Restaurants, Property Maintenance, Accounting, HVAC, Plumbing, Golf

List any licenses and/or degrees (optional): BBA General Business  
BBA Business Management

Local References (Please list 3):

1. Fred Swanson 973-634-8938
2. Billy Blasingame 305-587-8222
3. Meredith Tracy 407-733-2128

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?

Yes  No

If yes, please explain: \_\_\_\_\_

Signed: Peter Testa Date: 1/14/26

#### SCHEDULE OF BOARD/COMMITTEE MEETINGS

Beautification Committee	<u>2<sup>nd</sup> Tuesday of each month</u>	10:00 am
Planning and Zoning Board*	<u>3<sup>rd</sup> Wednesday of each month</u>	9:30 am
Recreation Committee	As needed	TBD
<u>Utility Board</u>	<u>3<sup>rd</sup> Tuesday of each month</u>	<u>9:30 am</u>

\*These boards are subject to Financial Disclosure.

Submit application to:

Silvia Gransee  
City Clerk  
City of Key Colony Beach  
PO Box 510141  
Key Colony Beach, FL 33051

OR

[Cityclerk@keycolonybeach.net](mailto:Cityclerk@keycolonybeach.net)

## **CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION**

**Acknowledgments:**

1. **Accuracy of Information.** I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: Peter Testa

Signature: Peter Testa

Date: 1/14/26



## CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK  
PO BOX 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [www.KeyColonyBeach.net](http://www.KeyColonyBeach.net)

NEW APPLICATION       RE-APPLICATION

- BEAUTIFICATION COMMITTEE (2-Year Terms; 5 Members, 2 Alternates)
- PLANNING & ZONING BOARD (2-Year Term; 5 Members, 2 Alternates)
- RECREATION COMMITTEE (2-Year Term; 5 Members, 2 Alternates)
- UTILITY BOARD (1-Year Term; 5 Members, 2 Alternates)

Name: BYLAND JANE A  
(Last) (First) (Middle)

Address: \_\_\_\_\_

Mailing Address (if different): P.O. Box \_\_\_\_\_

Business Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

Home/Cell Ph.: \_\_\_\_\_

E-mail: \_\_\_\_\_

Do you reside within the City limits?

Yes  No

- If yes, how long have you resided in the City of Key Colony Beach?

11 yrs

Do you own property in the City of Key Colony Beach?

Yes  No

Are you a Registered Voter in the City of Key Colony Beach?

Yes  No

Please rank your board preference(s): 1. Beautification

2. \_\_\_\_\_

3. \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity before?  Yes  No

If yes, please indicate name of board and dates of service. \_\_\_\_\_

Beautification - 6+ years

Why would you like to serve on this board? \_\_\_\_\_

To help improve the beautification aspects  
of KCB

What special skills would you bring to this position? \_\_\_\_\_

gardening

Please list fields of work experience: teacher

List any licenses and/or degrees (optional): Master Gardner in Monroe  
County, FL, Master Gardner in Missouri  
B.S. in Educ. from Univ. of MO

Local References (Please list 3):

1. Marathon Garden Club
2. \_\_\_\_\_
3. \_\_\_\_\_

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?

Yes  No

If yes, please explain: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

#### **SCHEDULE OF BOARD/COMMITTEE MEETINGS**

Beautification Committee	<u>2<sup>nd</sup> Tuesday of each month</u>	<u>10:00 am</u>
Planning and Zoning Board*	<u>3<sup>rd</sup> Wednesday of each month</u>	<u>9:30 am</u>
Recreation Committee	As needed	TBD
Utility Board	<u>3<sup>rd</sup> Tuesday of each month</u>	<u>9:30 am</u>

\*These boards are subject to Financial Disclosure.

**Submit application to:**

Silvia Gransee  
City Clerk  
City of Key Colony Beach  
PO Box 510141  
Key Colony Beach, FL 33051

**OR**

[Cityclerk@keycolonybeach.net](mailto:Cityclerk@keycolonybeach.net)

## **CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION**

### **Acknowledgments:**

1. **Accuracy of Information.** I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: JANE A BYLAND

Signature: Jane A Byland

Date: 12-17-2025



## CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK  
PO BOX 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [www.KeyColonyBeach.net](http://www.KeyColonyBeach.net)

NEW APPLICATION       RE-APPLICATION

BEAUTIFICATION COMMITTEE (2-Year Terms; 5 Members, 2 Alternates.)  
 PLANNING & ZONING BOARD (2-Year Term; 5 Members, 2 Alternates)  
 RECREATION COMMITTEE (2-Year Term; 5 Members, 2 Alternates)  
 UTILITY BOARD (1-Year Term; 5 Members, 2 Alternates)

Name: Janice Mueller \_\_\_\_\_  
(Last) (First) (Middle)

Address: \_\_\_\_\_  
KCB

Mailing Address (if different): \_\_\_\_\_  
KCB

Business Address: \_\_\_\_\_

Occupation: Reactor

Home/Cell Ph.: \_\_\_\_\_

E-mail: \_\_\_\_\_

Do you reside within the City limits?

Yes  No

- If yes, how long have you resided in the City of Key Colony Beach? \_\_\_\_\_

Do you own property in the City of Key Colony Beach?

Yes  No

Are you a Registered Voter in the City of Key Colony Beach?

Yes  No

Please rank your board preference(s): 1. Beautification Committee

2. \_\_\_\_\_

3. \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity before?  Yes  No

If yes, please indicate name of board and dates of service. \_\_\_\_\_

Why would you like to serve on this board?

getting involved with

Community

What special skills would you bring to this position? Management.

Board Leadership

Please list fields of work experience: \_\_\_\_\_

\_\_\_\_\_

List any licenses and/or degrees (optional): \_\_\_\_\_

\_\_\_\_\_

Local References (Please list 3):

1. Dan ~~Costantino~~ Gransee
2. Jo Ann Cook
3. Nate Bentlette

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?

Yes  No

If yes, please explain: \_\_\_\_\_

Signed:

 Date: 1/9/26

#### SCHEDULE OF BOARD/COMMITTEE MEETINGS

Beautification Committee	2 <sup>nd</sup> Tuesday of each month	10:00 am
Planning and Zoning Board*	3 <sup>rd</sup> Wednesday of each month	9:30 am
Recreation Committee	As needed	TBD
Utility Board	3 <sup>rd</sup> Tuesday of each month	9:30 am

\*These boards are subject to Financial Disclosure.

**Submit application to:**

Silvia Gransee  
City Clerk  
City of Key Colony Beach  
PO Box 510141  
Key Colony Beach, FL 33051

**OR**

[Cityclerk@keycolonybeach.net](mailto:Cityclerk@keycolonybeach.net)

## **CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION**

**Acknowledgments:**

1. Accuracy of Information. I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: Janice Mueller

Signature: Janice Mueller

Date: 1/9/24



## CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION

OFFICE OF THE CITY CLERK  
PO Box 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [www.KEYCOLONYBEACH.NET](http://www.KEYCOLONYBEACH.NET)

NEW APPLICATION       RE-APPLICATION

- BEAUTIFICATION COMMITTEE (2-Year Terms; 5 Members, 2 Alternates,)
- PLANNING & ZONING BOARD (2-Year Term; 5 Members, 2 Alternates)
- RECREATION COMMITTEE (2-Year Term; 5 Members, 2 Alternates)
- UTILITY BOARD (1-Year Term; 5 Members, 2 Alternates)

Name: FREELS Larry   
(Last) (First) (Middle)

Address:

KCB

Mailing Address (if different):

KCB

Business Address:

Occupation: Ricied

Home/Cell Ph.:

E-mail:

Do you reside within the City limits?

Yes  No

- If yes, how long have you resided in the City of Key Colony Beach? \_\_\_\_\_

Do you own property in the City of Key Colony Beach?

Yes  No

Are you a Registered Voter in the City of Key Colony Beach?

Yes  No

Please rank your board preference(s): 1. Planning & Zoning  
2. \_\_\_\_\_  
3. \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity before?  Yes  No

If yes, please indicate name of board and dates of service. \_\_\_\_\_

Why would you like to serve on this board? Community involvement  
\_\_\_\_\_  
\_\_\_\_\_

What special skills would you bring to this position? Board leadership  
\_\_\_\_\_  
\_\_\_\_\_

Please list fields of work experience: Real Estate  
\_\_\_\_\_  
\_\_\_\_\_

List any licenses and/or degrees (optional): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Local References (Please list 3):

1. Lenny Cernoneamus
2. Jo Ann Cook
3. YATE Bartlette

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?

Yes  No

If yes, please explain: \_\_\_\_\_

Signed: 

Date: 1/26/16

#### **SCHEDULE OF BOARD/COMMITTEE MEETINGS**

Beautification Committee	2 <sup>nd</sup> Tuesday of each month	10:00 am
Planning and Zoning Board*	3 <sup>rd</sup> Wednesday of each month	9:30 am
Recreation Committee	As needed	TBD
Utility Board	3 <sup>rd</sup> Tuesday of each month	9:30 am

\*These boards are subject to Financial Disclosure.

**Submit application to:**

Silvia Gransee  
City Clerk  
City of Key Colony Beach  
PO Box 510141  
Key Colony Beach, FL 33051

**OR**

[Cityclerk@keycolonybeach.net](mailto:Cityclerk@keycolonybeach.net)

## **CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION**

**Acknowledgments:**

1. Accuracy of Information. I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: LARRY FREELS

Signature: 

Date: 1/9/24





# **CITY OF KEY COLONY BEACH**

## **ADVISORY BOARD & VOLUNTEER COMMITTEE APPLICATION**

OFFICE OF THE CITY CLERK  
PO BOX 510141  
CITY OF KEY COLONY BEACH, FL 33051  
TELEPHONE: (305) 289-1212  
WEB: [www.KeyColonyBeach.net](http://www.KeyColonyBeach.net)

NEW APPLICATION       RE-APPLICATION

- BEAUTIFICATION COMMITTEE** (2-Year Terms; 5 Members, 2 Alternates.)
- PLANNING & ZONING BOARD** (2-Year Term; 5 Members, 2 Alternates)
- RECREATION COMMITTEE** (2-Year Term; 5 Members, 2 Alternates)
- UTILITY BOARD** (1-Year Term; 5 Members, 2 Alternates)

CRS Committee

Name: Borraccino Jessica Dale  
(Last) (First) (Middle)

Address: Key Colony Beach, FL 33051

Mailing Address (if different): Key Colony Beach, FL 33051

Business Address: , Marathon, FL 33050

Occupation: Realtor/Rental agent

Home/Cell Ph.:

E-mail: \_\_\_\_\_

Do you reside within the City limits?  Yes  No

- If yes, how long have you resided in the City of Key Colony Beach? 12 years

Do you own property in the City of Key Colony Beach?  Yes  No

Are you a Registered Voter in the City of Key Colony Beach?  Yes  No

Please rank your board preference(s): 1. CRS  
2. Beautification  
3. Any

Have you ever served on a volunteer board or in a volunteer capacity before?  Yes  No

If yes, please indicate name of board and dates of service. Board President 2022-current

Stanley Swiftlik PTO, 2015-current Coldwell Bankers Scheit Charitable Foundation

Why would you like to serve on this board? I would like to become  
more active in Key Colony Beach. I have a real estate  
background and am familiar flood maps, insurance mitigation, and floodplain  
education.

What special skills would you bring to this position?

Research and community awareness of floodplains and how  
it effects property values and management of such.

Please list fields of work experience: Real Estate, consumer loans,

customer service, rental management

List any licenses and/or degrees (optional): BA - Psychology

Realtor/Licensed Sales Associate (FL)

Local References (Please list 3):

1. Brian Schmitt 305-289-16482
2. Tony Lorenz 912-230-3200
3. Rich Malofy 305-395-0079

Would you have a problem with the meeting dates and times for the board/agency for which you are applying?

Yes  No

If yes, please explain: \_\_\_\_\_

Signed: Jeb Brown Date: 1/14/2020

#### SCHEDULE OF BOARD/COMMITTEE MEETINGS

Beautification Committee	2 <sup>nd</sup> Tuesday of each month	10:00 am
Planning and Zoning Board*	3 <sup>rd</sup> Wednesday of each month	9:30 am
Recreation Committee	As needed	TBD
Utility Board*	3 <sup>rd</sup> Tuesday of each month	9:30 am

\*These boards are subject to Financial Disclosure.

**Submit application to:**

Silvia Roussin  
City Clerk  
City of Key Colony Beach  
PO Box 510141  
Key Colony Beach, FL 33051

OR

Cityclerk@keycolonybeach.net

## **CITY OF KEY COLONY BEACH ADVISORY BOARD & VOLUNTEER COMMITTEE MEMBER APPLICATION**

### **Acknowledgments:**

1. Accuracy of Information. I certify that the information provided in my Board Application with the City of Key Colony Beach is correct to the best of my knowledge.

Printed Name: Jessica Borraccino

Signature: J. Borraccino

Date: 11/14/2026

## **Key Colony City Commission Meeting 22Ja26**

Topic: Key Colony Beach Fee Schedule yearly review of Fees:

Reminder: Our Fee schedules are broken down in multiple fee Resolutions. Yearly we should review these fee schedules for any needed verbiage or amount changes.

A team from the Key Colony Beach Staff has reviewed the Fee Schedules again this year, and changes are suggested in each fee schedule.

Background on Vacation Business Tax and Inspection Fees:

Short term vacation licenses are defined as less than 6 months – Qty 659 KCB

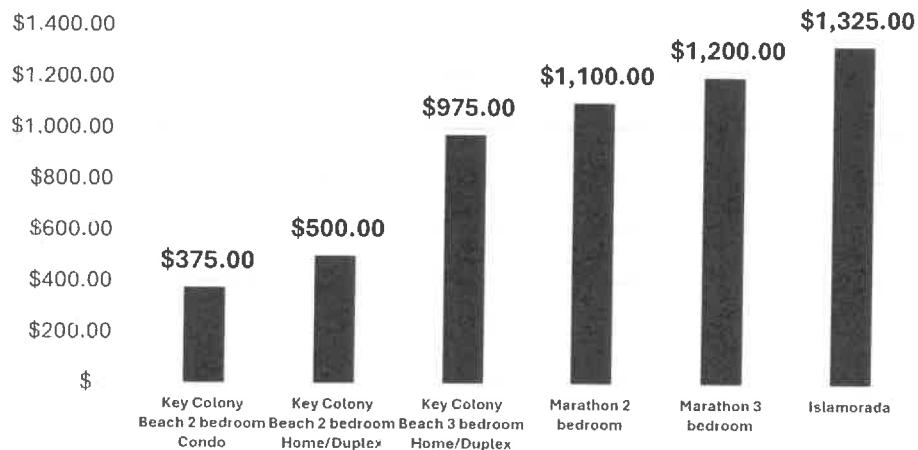
Long term rentals are defined as greater than 6 months – Qty 49 KCB

The City should recover all costs through the use of fees to cover the cost to operate the vacation business license program

After another review this year, awareness that weekly vacation rentals are more limited throughout the Keys, with Marathon and Key Colony Beach being the least restrictive and lowest cost. Key West and Islamorada are very restrictive. Monroe County is restrictive. Marathon and Key Colony Beach are the only remaining cities allowing new applications with no significant restrictions.

Costs:

Current Yearly Vacation Business License and Inspection Fee Comparison



Review the proposed detailed fee schedule changes:

**RESOLUTION NO. ~~2024-13~~ 2026-01**

**A RESOLUTION BY THE CITY OF KEY COLONY BEACH  
BOARD OF COMMISSIONERS AMENDING RESOLUTION  
~~2021-08~~—2024-13 FEE SCHEDULE FOR BUILDING  
DEPARTMENT PERMITS AND SERVICES; AND PROVIDING  
FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, Chapter 6, Buildings of the Code of Ordinances of the City of Key Colony Beach, Florida, refers to a Fee Schedule as a separate document from the Ordinance, and

**WHEREAS**, Chapter 9, Licenses, Permits and Business Regulations of the Code of Ordinances of the City of Key Colony Beach, Florida, refers to administrative fees for services; and

**WHEREAS**, Chapter 14, Sewers and Sewage Disposal of the Code of Ordinances of the City of Key Colony Beach, Florida, refers to administrative fees for services; and

**WHEREAS**, Chapter 15, Stormwater of the Code of Ordinances of the City of Key Colony Beach, Florida, refers to administrative fees for services; and

**WHEREAS**, it has become necessary to increase and decrease certain fees to more accurately reflect the costs of the services performed.

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

**Section 1.** The above recitations are hereby adopted and incorporated herein.

**Section 2.** This Resolution amends the Miscellaneous Fee Schedule for the City Commission of the Key Colony Beach to read as follows:

**BUILDING PERMIT FEES**

No permit required for estimated work under \$1,000, ~~\$2,500~~, however, an inspection may be necessary as determined by the Building Official, with a charge of \$25.00.

<b><u>TYPE OF STRUCTURE</u></b>	<b><u>PERMIT FEE</u></b>
NEW: SINGLE-FAMILY, DUPLEX, MULTI-FAMILY, BUSINESS	\$13 per \$1,000 of Job Cost

\* Excludes open or enclosed garages, open or screened porches, carports and similar construction, as well as the floor area of any non-habitable floor.

SEA WALLS, SWIMMING POOLS, SPAS, TENNIS COURTS, DOCKS, ADDITIONS, ALTERATIONS, ROOFING (REPAIRS AND NEW ROOFS), MAJOR REPAIR, ELECTRICAL, PLUMBING, MECHANICAL ADDITIONS OR ALTERATIONS.

Costs of Up To \$2,000	<b>\$2,500</b>	- Flat Fee	\$ 100
Costs Greater Than \$2,000	<b>\$2,500</b>	- Per \$1,000 or Any Part Thereof	\$ 35
<u>Option for utilizing Private Inspection Providers, provider is required to be approved by the Building Department.</u>			
<u>10% discount on the Building Permit Fee, provided communication occurs during the application process or prior to an initial inspection by the Building Department.</u>			

**TRIPLE FEES PLUS \$500** shall be charged if work for which a permit is required is started or proceeds prior to procuring a permit.

#### **CONSULTING CITY ENGINEER**

Additional fee to applicant as determined by services rendered.

#### **CONSULTING CITY LEGAL**

Additional fee to applicant as determined by services rendered.

#### **FIRE SAFETY PLAN REVIEW**

Minimum Fee	\$75.00
Single-Family	\$125.00
Duplex	\$225.00
Multi-family, commercial new construction, alterations and additions	0.15% of construction cost

#### **FIRE SAFETY ANNUAL INSPECTION**

Condominium common areas and Beauty salons	\$ 75.00
Restaurants and bars	\$150.00
Offices	\$ 50.00
Gasoline stations	\$175.00
Marinas dispensing and storing fuel	\$175.00
Theater and special gatherings (each)	\$ 50.00
Fire wells	\$ 175.00

**Business License Fire inspection fee** \$150.00

**(Condo Common area, Restaurant, Offices, Gasoline Stations, Marinas, etc)**

#### **CLEAN-UP BONDS (refundable)**

Single-Family	\$ 1,000.00
Duplex	\$ 2,000.00
All Other Structures	\$ 4,000.00

#### **FINAL INSPECTION FEE ON ADDITIONS,**

#### **ALTERATIONS, MAJOR REPAIRS**

Refundable up to one year after permit is issued	\$ 500.00
Charged as determined by Building Official	

**PROPERTY INQUIRY FEE**

Key Colony Beach Residents for personal use	\$0.00
All other requests	\$ 30.00

**TRANSFER OF OWNERSHIP RECORDS FEE**

Single-Family, Duplex, or Vacant Lot, <u>Commercial</u>	\$200.00	\$250.00
Condominium	\$100.00	\$150.00

**SEWER CONNECTION FEE**

Each <u>New</u> Residential Living Unit	\$5,625 , \$6,000	Per Unit
Each <u>Redeveloped</u> Residential Living Unit	\$5,625, \$6,000	unless paid at original development.

(See Chapter 14 of the Code of Ordinances for exceptions)

**SEWER TIE-IN INSPECTION FEE**

\$150.00

**IMPACT FEE**

\$1,350 Per Unit

**BUILDING SURCHARGE FEE**

2.5% of Permit Fee, Minimum \$4.00

**KEY COLONY BEACH DEVELOPMENT FEE**

Cost to be determined based on an estimate from the Staff from the scope of the project, which would include legal cost. Cost for recovery costs only.

**BUILDING PLANNING & ZONING REVIEW**

New Construction	\$250	\$500.00
------------------	-------	----------

**BUSINESS TAX ADMINISTRATIVE AND INSPECTION FEES****Vacation Rental – Single Family and Duplex**

Up to 999 square feet	\$500.00	\$600.00
1,000 square feet to 1,199 square feet	\$700.00	\$750.00
1,200 square feet to 1,399 square feet	\$825.00	\$875.00
1,400 square feet to 1,599 square feet	\$975.00	\$1,025.00
1,600 square feet to 1,799 square feet	\$1,100.00	\$1,150.00
1,800 square feet to 1,999 square feet	\$1,250.00	\$1,300.00
2,000 square feet and above to 3,499 square feet	\$1,375.00	\$1,425.00
<b>3,500 square feet and above</b>		<b>\$1,525.00</b>

**Vacation Rental – Condo & Co-Op**

Up to 999 square feet	\$375.00	\$475.00
1,000 square feet to 1,199 square feet	\$500.00	\$600.00
1,200 square feet to 1,399 square feet	\$600.00	\$700.00
1,400 square feet to 1,599 square feet	\$700.00	\$800.00
1,600 square feet to 1,799 square feet	\$800.00	\$900.00
1,800 square feet to 1,999 square feet	\$900.00	\$1,000.00

2,000 square feet and above	\$1,000.00	<b>\$1,100.00</b>
<b>Long-Term Rental</b>	\$125.00	
<b>Condominium and Cooperative Association</b>		
Transient & Transient Resort Rental Unit	\$ 393.75	\$450.00
<b>Hotel &amp; Motel Rental Units</b>		
Per Room	\$64.00	<b>\$74.00</b>
Per Suite	\$130.00	<b>\$150.00</b>
Per Villa	\$1,175.00	
<b>Restaurant</b>		
Per Seat	\$2.15	
<b>Home Occupation</b>	\$130.00	
<b>Charter Boat</b>	\$175.00	
<b>Retail Store/Food Service</b>	\$175.00	
<b>Gas Station</b>	\$320.00	
<b>Convenience Store within Gas Station</b>	\$80.00	
<b>Golf Course</b>	\$50.00	
<b>Property Manager License</b>	\$150.00	
<b>Make-Up Property Manager Training Classes -As Needed</b>		\$50.00
<b>Transfer of Owner, Manager, or Local Contact</b>		
<b>Single/Duplex/Condominium – one to five units</b>		<b>\$100.00</b>
- six to ten units		<b>\$100.00</b>
- eleven plus units		<b>\$175.00</b>
- eleven plus units		<b>\$250.00</b>
<b>Safety re-inspection fee:</b>		
If completed within 30 days of		<b>\$0.00</b>
After 30 days		<b>\$100.00</b>

**Section 3.** That the City Commission of the City of Key Colony Beach, Florida, hereby approves Resolution 2024-13, 2026-01.

**Section 4.** That the City Commission is hereby authorized to take all necessary action to effectuate the intent of this Resolution.

**Section 5.** That this Resolution shall go into effect immediately upon its passage and adoption.

---

**PASSED AND ADOPTED** by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on February 19<sup>th</sup>, 2026.

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

Mayor Freddie Foster	NO	YES
Vice-Mayor <u>Joey Raspe</u> <u>Doug Colonell</u>	NO	YES
Commissioner Tom Harding	NO	YES
Commissioner Tom DiFransico	NO	YES
Commissioner <u>Doug Colonell</u> <u>Kirk Diehl</u>	NO	YES

---

**Mayor Foster, City of Key Colony Beach**

ATTEST:

---

**Silvia Roussin, City Clerk**

(City Seal)

Approved as to form and legal sufficiency:

---

**Dirk Smits, City Attorney**

**RESOLUTION NO. 2024-15 2026-02**

**A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF KEY COLONY BEACH, FLORIDA, AMENDING  
RESOLUTION 2024-15 MISCELLANEOUS FEE SCHEDULE;  
AND PROVIDING FOR AN EFFECTIVE DATE**

---

**WHEREAS**, the City of Key Colony Beach charges fees for miscellaneous services and boat trailer parking, and

**WHEREAS**, fees charged by the city for miscellaneous services and boat trailer parking fees were last amended in January 2025, and

**WHEREAS**, it has become necessary to increase the miscellaneous services and boat trailer fees to more accurately reflect the costs of the services performed.

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

**Section 1.** The above recitations are hereby adopted and incorporated herein.

**Section 2.** This Resolution amends the Miscellaneous Fee Schedule for the City Commission of the Key Colony Beach to read as follows:

**MISCELLANEOUS FEES**

Application for Variance (LDR 101-171)	\$700.00
Application for Administrative Variance	
Sheds (Code 6-18)	\$50.00
Sewer Easement (Code 14-32)	\$100.00
Application for Re-zoning	\$150.00
Yard Sale Permits	\$2,000.00
Returned Check Fee	\$25.00
	\$2,500.00
	\$0.00
	\$35.00

Fee Schedule: Sandwich Board (not to exceed 2'x 4') \$75.00 annual fee B-1 & RH only  
Contractor/Banner Style (not to exceed 30 sq ft) \$150.00 annual fee B-1, RH, & R-3 only.

**BOAT TRAILER PARKING, TEMPORARY BASIS**

Per Week	\$150.00	\$125.00
Per Month, up through Six Months	\$300.00	\$250.00

First Responders and Active Retired Military Personnel receive a 20% discount with a valid military/responder ID.

Residents using short-term trailer parking will be charged the same fee as residents using long-term parking.

**BOAT TRAILER LONG-TERM PARKING FEE**

October 1<sup>st</sup> -September 30th ~~April 1 - March 31~~ Each Year (BILLING PERIOD)

Trailer Length 21' or less	\$250.00	\$200.00 Annual
Trailer Length 21' to 24'6"	\$350.00	\$275.00 Annual
Trailer Length 24'6" up	\$400.00	\$325.00 Annual
Late Fee for One Month		\$25.00

First Responders and Active Retired Military Personnel receive a 20% discount with a valid military/responder ID.

**BOAT ON TRAILER LONG-TERM PARKING FEE**

**In addition to the long-term trailer parking fee:**

**Per Month, \$10.00 per foot with a maximum of 40 feet overall length.**

**Section 3.** That the City Commission of the City of Key Colony Beach, Florida, hereby approves Resolution 2026-02.

**Section 4.** That the City Commission is hereby authorized to take all necessary action to effectuate the intent of this Resolution.

**Section 5.** That this Resolution shall go into effect immediately upon its passage and adoption.

---

**PASSED AND ADOPTED** by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on February 19<sup>th</sup>, 2026.

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

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

NO \_\_\_\_\_ YES \_\_\_\_\_  
NO \_\_\_\_\_ YES \_\_\_\_\_  
NO \_\_\_\_\_ YES \_\_\_\_\_  
NO \_\_\_\_\_ YES \_\_\_\_\_  
NO \_\_\_\_\_ YES \_\_\_\_\_

---

**Mayor Foster, City of Key Colony Beach**

ATTEST:

---

**Silvia Roussin, City Clerk**

(City Seal)

Approved as to form and legal sufficiency:

---

**Dirk Smits, City Attorney**

**RESOLUTION NO. 2024-16 2026-03**

**A RESOLUTION OF THE CITY OF KEY COLONY BEACH,<sup>1</sup>  
FLORIDA, AMENDING CHAPTER 1 – GENERAL  
PROVISIONS, SECTION 1-10 – ORGANIZATION OF CODE  
ENFORCEMENT; PROVIDING FOR AN UPDATED  
SCHEDULE OF VIOLATIONS AND PENALTIES; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, the City of Key Colony Beach is charged with the administration of a wide variety of municipal issues, including code enforcement to promote, protect and improve the health, safety and welfare of the citizens of the City of Key Colony Beach, Florida, by providing an equitable, expeditious effective and inexpensive method of enforcing the ordinances of the City of Key Colony Beach, Florida; and

**WHEREAS**, the City of Key Colony Beach is authorized by Florida law to levy fees and charges that are a true and accurate reflection of the actual cost of providing such code enforcement services to its residents; and

**WHEREAS**, the City of Key Colony Beach Commission wishes to amend the schedule of violations and penalties that may be charged by the City to its residents for various municipal code violations to provide for full cost recovery based on the amount of time required by City staff to fully and appropriately review and process resident requests.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
KEY COLONY BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitations are hereby adopted and incorporated herein.

**Section 2.** The Amended Schedule of Violations and Penalties Pursuant to Section 1-10, is attached hereto as Exhibit A.

**Section 3.** That the City Commission of the City of Key Colony Beach, Florida, hereby approves Resolution 2024-16.2026-03.

**Section 4.** That the ~~City Administrator~~City Commission is hereby authorized to take all necessary action to effectuate the intent of this Resolution.

**Section 5.** That this Resolution shall go into effect immediately upon its passage and adoption.

---

**PASSED AND ADOPTED** by the Commission of the City of Key Colony Beach, Florida, at its regular meeting of the City held on January 16<sup>th</sup>, 2025.February 19, 2026.

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

Mayor Freddie Foster

NO \_\_\_\_\_ YES \_\_\_\_\_

Vice Mayor Joey Raspe Doug Colonell

NO \_\_\_\_\_ YES \_\_\_\_\_

Commissioner Tom Harding

NO \_\_\_\_\_ YES \_\_\_\_\_

Commissioner Tom DiFransico

NO \_\_\_\_\_ YES \_\_\_\_\_

Commissioner Doug Colonell Kirk Diehl

NO \_\_\_\_\_ YES \_\_\_\_\_

---

**Mayor Foster, City of Key Colony Beach**

ATTEST:

---

**Silvia Roussin, City Clerk**

(City Seal)

Approved as to form and legal sufficiency:

---

**Dirk Smits, City Attorney**

**CITY OF KEY COLONY BEACH**  
**SCHEDULE OF VIOLATIONS AND PENALTIES**  
**PURSUANT TO SECTION 1-10**

<b>*CITY CODE SECTION</b>	<b>ITEM IN VIOLATION</b>	<b>*PENALTY AMOUNT</b>
4-6	Animals running at large	\$100.00 per violation
4-8	Noisy animals	\$100.00 per violation
4-9	Vicious, dangerous animals	\$100.00 per day
4-10	Removal of animal defecation	\$50.00 per violation
5-1	Prohibited vessel operations	\$250.00 per violation
5-4	Vessels as commercial establishments	\$250.00 per day
5-5	Anchoring limitations	\$250.00 per day
5-6	Rafting of vessels	\$250.00 per day
5-7	Discharge into waters	\$250.00 per day
5-9	Fishing on Sadowski Bridge and Sunset Pier	\$100.00 per violation
5-11	Diving and snorkeling prohibitions during "mini" season	\$250.00 per violation
5-15	Living aboard vessels	\$250.00 per day
5-40	Exceeding overall boat length at waterfront property	\$250.00 per day
5-80	Boat and trailer parking	\$100.00 per day
5-82	Boats and trailers parked in City right-of-way	\$100.00 per day
6-6	Working without building permit	\$250.00 per day
6-10	Permitted working days and hours	\$250.00 per violation
6-50	Display street numbers on buildings	\$100.00 per day
6-56	Buildings and property maintenance	\$250.00 per day
6-59	Limitations on parking trailers and recreational vehicles	\$100.00 per day
7-2	Garbage and trash accumulation	\$100.00 per day
7-5	Use garbage cans	\$50.00 per day
7-6	Garbage cans specifications	\$50.00 per day
7-7	Location and placement of garbage cans	\$50.00 per day
7-12	Dumping and littering	\$250.00 per day

8-6	Lots maintained in mowable condition	\$250.00 per day
9-4	Doing business without a license	\$250.00 per day
9-20	Rental property owner's tax	\$250.00 per day
9-25	Exceeding rental occupancy	\$250.00 per day
10-2	Loud or disturbing noise	\$250.00 per violation
10-3	Specific noise prohibitions	\$250.00 per violation
11-2	Camping prohibition	\$100.00 per day
11-4	False fire alarms: (1 <sup>st</sup> violation) (2 <sup>nd</sup> and subsequent violations)	Warning \$250.00 per day
11-5	False burglar alarm (1 <sup>st</sup> violation) (2 <sup>nd</sup> violation) (3 <sup>rd</sup> violation) (4 <sup>th</sup> and subsequent violations)	Warning \$100.00 per day \$250.00 per day \$250.00 per day
12-9	City parking open hours	\$250.00 per day
14-4	Damaging sewer facilities	\$250.00 per day
14-10	Prohibited discharges (sewer and storm drains)	\$250.00 per day
17-1	City Street Speed Limit 25mph.	<i>Per Florida Statutes</i>
17-6	Parking prohibited without owner's permission	\$50.00 per day
101-26(8)	Nuisance lighting	\$50.00 per day
101-31	Garage sale <b>without permit</b>	\$25.00 per violation
101-32(3)	Burning of refuse	\$100.00 per day
101-34	Home occupations	\$250.00 per day
101-35	Inoperative vehicles	\$100.00 per day
101-55	Illegal parking (Commercial and recreational vehicles)	\$100.00 per day
101-55(3)	Prohibition on use of vehicles, motorhomes, trailers and campers as residence	\$200.00 per day
101-67	Landscape maintenance	\$50.00 per day
101-131	Prohibited signage	\$50.00 per violation
101-136	Temporary signage	\$50.00 per day
101-137	Sign maintenance	\$50.00 per day
F.S. §316.1955.57	Parking in handicapped space	\$250.00 per violation

***F.S. §316.2065(7)	Bicycle safety requirements	\$64.50 per violation
***F.S. §316.2065(d)	Bicycle helmet requirement for passengers under 16yoa	\$64.50 per violation
^New	Short term vacation rental w/out license	\$250.00 per day
^New	Short term vacation rental less than 7 days	\$250.00 per day
^New	Short term rental w/ excessive number of tenants	\$250.00 per day
^New	<del>Short term rental - cleaning not acceptable</del>	<del>\$250.00 per day</del>
^New	2 <sup>nd</sup> violation for short term vacation property	\$250.00 per day, and license suspension for 30 days.
^New	3 <sup>rd</sup> violation for short term vacation property	\$250.00 per day, and license suspension for 1 year.
^New	Dangerous structures posing safety risk	\$250.00 per day
^New	Violation of recreation vehicle parking ordinance	<u>\$200.00</u> per day
^New	Long term rental w/out rental license	\$250.00 per day
^New	<del>Long term rental w/ excessive number of tenants</del>	<del>\$250.00 per day</del>
^New	<del>Long term rental - cleaning not acceptable</del>	<del>\$250.00 per day</del>
^New	2 <sup>nd</sup> violation for long-term property	\$250.00 per day, and license suspension for 30 days.
^New	3 <sup>rd</sup> violation for long-term property	\$250.00 per day, and license suspension for <del>30 days</del> 1-year.
^New	Subleasing dock space	\$250.00 per day
^New	<del>Permit fee for Solar Panel Installation</del>	<del>\$250.00</del> <del>**additional 2.5% State surcharge</del>
^New	Notary Fees	Notary Services are provided for City-related business at no cost. No other Notary Services will be provided.

\*Sec.1-10(g)(2) sets maximum fine of \$250.00 per day; See also, FL ST §162.09(2)(a) (setting maximum fine shall not exceed \$250.00 for first violation or \$500.00 per day for repeat violation).

\*\*All violations/penalties set forth herein are subject to an administrative fee of \$380.00 plus cost of prosecution. Violations that are irreparable or irreversible in nature may have a fine imposed not to exceed \$5,000 per violation.

\*\*\*An additional fine of \$2.50 will be assessed exclusive of the penalty set forth above, to be paid to the State's General Fund for safety programs.

**ORDINANCE NO. 2025-497**

**AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, COASTAL MANAGEMENT, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS, ELEMENTS OF THE COMPREHENSIVE PLAN; ADDING A PROPERTY RIGHTS ELEMENT AND ACCOMPANYING GOAL, OBJECTIVE AND POLICIES; AS MANDATED BY FLORIDA STATUTES 163.3177; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.**

---

**WHEREAS**, Section 163.3184, Florida Statutes, establishes a process for adoption of Comprehensive Plans and Plan Amendments, and the City of Key Colony Beach adopted its Comprehensive Plan in 1992; and

**WHEREAS**, the City Commission desires to adopt said Amendments to the current Comprehensive Plan to guide and control the future development of the City and to preserve, promote and protect the public's health, safety, and welfare; and

**WHEREAS**, Florida Statutes, requires Comprehensive Plans Amendments in areas of critical state concern to be adopted under the State Coordinated Review Process; and

**WHEREAS**, the City Commission deems it necessary to add the following sections within the Coastal Management Element to include: Coastal Storm Areas, Increase Communitywide Resiliency, Reduce Flood Risk in Coastal Areas, and Remove Coastal Property from Flood Zone Designations, Site Development Techniques, Best Practices to Reduce Flood Loss and Claims, Keeping Consistent with Florida Building Code and Floodplain Management Regulations and Coastal Construction Standards in Chapter 161 F.S. and FEMA's Community Rating System; and

**WHEREAS**, the City Commission deemed it necessary to add language to include the 2024 Vulnerability Assessment and Watershed Management Plans; and

**WHEREAS**, the Planning & Zoning Committee of Key Colony Beach acting as the Local Planning Agency held its duly advertised public hearing on February 19, 2025, reviewed the proposed Amendments and forwarded its recommendation to the City Commission for transmittal to the State Land Planning Agency; and

**WHEREAS**, the City Commission has agreed with the recommendations of the Local Planning Agency that the proposed amendments comply with the requirements of Chapter 163, Florida Statutes, and that the proposed amendments are consistent with the Comprehensive Plan; and

**WHEREAS**, the City Commission held its duly advertised public hearing for the transmittal of the proposed amendments on March 20<sup>th</sup>, 2025; and

**WHEREAS**, the City has received and responded to timely comments from certain review agencies which have been granted such authority under Florida Statute 163.3184(3)(b)3; and

**WHEREAS**, the City Commission held its duly advertised second public hearing for the Adoption of this Ordinance on January 22<sup>nd</sup>, 2026.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA**, that:

- Section 1.** The City of Key Colony Beach City Commission hereby adopts Amendments to its current Comprehensive Plan dated July 9, 2015, which Amendments consist of the pages which are identified as Exhibit "A" attached, and which are incorporated into the current Comprehensive Plan. A copy of the Comprehensive Plan, as amended, is on file in the office of the City Clerk of Key Colony Beach, Florida.
- Section 2.** The City Clerk is hereby directed to transmit the amendments of the current Comprehensive Plan to the State Land Planning Agency, along with copies to the South Florida Regional Planning Council; Florida Department of Environmental Protection; Florida Department of State, Division of Historic Resources; Florida Department of Transportation; South Florida Water Management District; the Monroe County Planning & Environmental Resources Department; and to any other unit of local government which has filed a written request for a copy.
- Section 3.** All ordinances or parts of ordinances in conflict are hereby repealed.
- Section 4.** In the event any section, subsection, sentence, clause, phrase or word or this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions.
- Section 5.** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made part of the City of Key Colony Beach Code of Ordinances, and the sections of this Ordinance may be renumbered to accomplish such intention.
- Section 6.** The effective date of this plan amendment, if amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency, or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a

resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

**FIRST READING** by the City of Key Colony Beach City Commission this 20<sup>th</sup> day of March, 2025.

Mayor Freddie Foster	NO _____	YES <input checked="" type="checkbox"/> x _____
Vice-Mayor Joey Raspe	NO _____	YES <input checked="" type="checkbox"/> x _____
Commissioner Tom Harding	NO _____	YES <input checked="" type="checkbox"/> x _____
Commissioner Tom DiFransico	NO _____	YES <input checked="" type="checkbox"/> x _____
Commissioner Doug Colonell	NO _____	YES <input checked="" type="checkbox"/> x _____

**SECOND READING AND DULY ADOPTED** by the City of Key Colony Beach City Commission on this 22<sup>nd</sup> day of January 2026.

Mayor Freddie Foster	NO _____	YES _____
Vice-Mayor Joey Raspe	NO _____	YES _____
Commissioner Tom Harding	NO _____	YES _____
Commissioner Tom DiFransico	NO _____	YES _____
Commissioner Doug Colonell	NO _____	YES _____

**DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA**, this 22<sup>nd</sup> day of January 2026.

---

Freddie Foster, Mayor

---

Silvia Roussin, City Clerk

*Approved as to form and legal sufficiency:*

---

Dirk M. Smits, Esq. B.C.S., City Attorney

# City of Key Colony Beach Comprehensive Plan (2025 Edit)



Prepared By:



LaRue  
planning  
1375 Jackson Street # 206 Fort Myers, FL 33901

ERIN L. DEADY, P.A. 

Brian Shea, AICP CFM

In conjunction with:

The City of Key Colony Beach  
PO Box 510141 - Key Colony Beach, FL 33051-0141



**Adopted Date: February 24, 1992**

Amended	Ordinance Number
January 22, 2026	
June 9, 2022	2021-468
July 9, 2015	440-2015
February 26, 2009	406-2009
November 24, 2008	404-2008
July 12, 2007	395-2007

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## FUTURE LAND USE

### **GOAL 1      Protect and enhance the residential, commercial, resort and natural resource areas of Key Colony Beach.**

#### **Objective 1.1 Infrastructure**

*The City shall provide 100 percent public water and sewer service to any new development, and continue to achieve on-site stormwater run-off detention, soil erosion control and floodplain (topography) protection via the most current Land Development Regulations provisions.*

- Policy 1.1.1      As new development occurs the City, will continue to use the development regulations to require a connection to the sanitary sewer and public water systems.
- Policy 1.1.2      The City shall continue to apply the updated flood plain and coastal construction provisions from the City's Land Development Regulations to ensure new development at topographic elevations sufficient to minimize flood impact.
- Policy 1.1.3      The City shall review all current development codes to determine any needed refinements relative to on-site drainage, erosion control, open-space, traffic flow and parking lot design standards. This shall include the drainage level of service standard and canal bank reconstruction standards, i.e. to ensure mangrove retention and no new seawalls without proper State and Federal permits.
- Policy 1.1.4      The City shall use the development regulations which reflect a concurrency management system, to ensure that no development permit shall be issued unless the public facilities necessitated by the project (in order to meet level of service standards specified in the Transportation, and Infrastructure policies) will be in place concurrent with the impacts of the development or the permit is conditional to assure that they will be in place.

#### **Objective 1.2 Natural Resources**

*The City shall review and revise the development code as necessary to ensure no loss of waterfront natural resources and environmentally sensitive land as new development occurs, particularly mangroves; supplement with regular County or Department of Environmental Protection testing of bay water quality for greater measurability.*

- Policy 1.2.1      The City shall review and if necessary revise the appropriate land development regulations to fully preserve the existing natural waterfront, particularly mangroves, beach vegetation, wetlands and significant bottomlands via setbacks, site plan review criteria, landscape requirements and dock or canal bank standards that can be used as development applications are reviewed.

Policy 1.2.2 The City shall supplement this code and development review process with a program to improve bay water quality by eliminating the 73 storm drain outfalls to facilitate bay flushing.

### **Objective 1.3 Hurricane Evacuation**

*The City shall grant no land use plan amendments that would increase land use density and intensity, to ensure that the projected "buildout" hurricane evacuation traffic entering on U.S. 1 will not increase.*

Policy 1.3.1 The City shall deny any plan amendments and rezoning requests that would increase population densities on the island in order to avoid further burdens on the hurricane evacuation plan. Vacant parcels will be developed at densities and intensities consistent with the Future Land Use Map and pre-1990 plats.

### **Objective 1.4 Post Disaster Recovery**

*The City shall participate in post-disaster planning procedures to guide City actions following a natural disaster.*

Policy 1.4.1 The Post Disaster Plan will be maintained by the City Emergency Manager to work with local, state and federal emergency officials, assess damage, review emergency actions, prepare a redevelopment plan, and recommend needed changes to the Strategic Plan and to this Comprehensive Plan.

Policy 1.4.2 The Post Disaster Plan will maintain guidelines for determining priorities for the acquisition of storm-damaged property in hazard-prone areas.

Policy 1.4.3 The Post Disaster Plan will establish principles for repairing, replacing, modifying, or relocating public facilities in hazard-prone areas.

Policy 1.4.4 The City shall act in accordance with its Emergency Management Plan by complying with these policies and will contain step-by-step details for post-disaster recovery operations.

### **Objective 1.5 Future Land Use Categories**

*The City of Key Colony Beach shall continue to ensure that all new development is consistent with the Future Land Use Element.*

Policy 1.5.1 The following Future Land Use Plan densities, shall be established for the purpose of managing future growth. These land use policies shall govern even if it delays a development project application until the necessary implementing zoning is enacted.

- Single-Family Residential: Up to 7.5 units per acre.
- Two-Family Residential: Up to 8 units per acre.

- Multifamily Residential: Up to 8 units per acre.
- Commercial: Normal range of office and community retail uses at an intensity whereby at least ~~20~~ 25 percent of the lot is pervious and the maximum allowable floor area ratio of three (3 FAR).
- Resort: Hotels, restaurants, beach clubs and dwelling units that have ocean frontage. Development code design standards shall include a 3 story height limit, a prohibition against view obstructions of the ocean in the side yard setbacks and a 100 foot minimum setback from the mean high water level. The intensity shall be at least ~~20~~ 25 percent of the lot in pervious cover and a maximum allowable floor area ratio of three (3 FAR).
- Public Buildings and Grounds: Municipal, State and Federal uses. The intensity shall be at least ~~20~~ 25 percent of the lot in pervious cover and a maximum allowable floor area ratio of two (2 FAR).
- Conservation: Significant wetlands.
- Recreational: Public park and golf course uses.

Policy 1.5.2 On an annual basis, the City shall review, and if necessary revise the Land Development Regulations relative to subdivision control, sign controls, landscaping, ~~vulnerability analysis~~ the [City's Vulnerability Analysis completed in 2025](#), and floodplain protection to assure their compatibility with the intent of this plan.

Policy 1.5.3 The City shall consider further revisions to its regulations that include special buffer requirements for all new resort and commercial development that abuts residential districts.

#### **Objective 1.6 Water and Sewer System Land Needs**

*The City shall should review the development regulations, on an annual basis, to ensure adequate provision for water and sewer system land requirements.*

Policy 1.6.1 The City shall should continue to monitor the zoning provisions to assure ensure adequate provisions for sewer lift stations and other utility land requirements.

## **Objective 1.7 Keys Area of Critical State Concern**

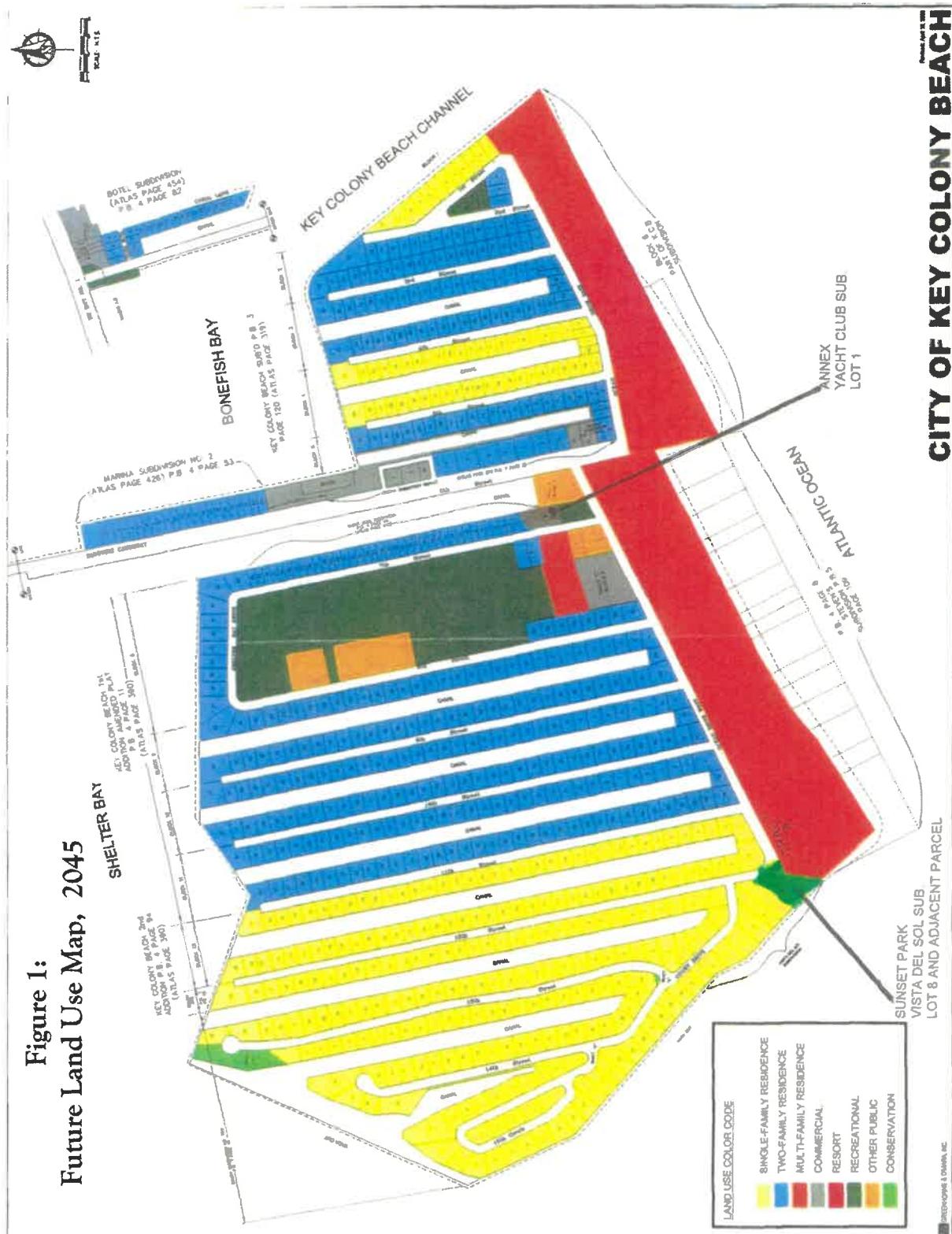
The City's Comprehensive Plan and Land Development Regulations shall be consistent with the Florida Keys Protection Act; 380.0552 FS.

Policy 1.7.1 The elements of the City's Comprehensive Plan shall contain pertinent policies furthering all principles for guiding development in the Florida Keys and specifically in Key Colony Beach (Section 380.0522(7)a-n, FS).

## **Future Land Use Map**

Figure 1 shows the Future Land Use pattern. There are no existing or proposed industrial, agricultural or educational uses. There are no historic properties, water wells, estuaries, rivers, harbors, minerals of commercial value or soils other than urban fill. Figure 1 also shows the ocean and bays; this map is adopted as part of the Future Land Use map series.

Figure 1:  
Future Land Use Map, 2045



# TRANSPORTATION

**GOAL 1** To maintain a transportation system that meets the circulation needs of Key Colony Beach in a safe and efficient manner but does not adversely impact residential streets.

## **Objective 1.1 Motorized Transportation System**

*Maintain the existing efficient and convenient street system as shown in Figure 2 with no changes to its basic configuration but improve safety where necessary.*

Policy 1.1.1 Maintain at least the following peak hour Level of Service standards:

- Arterials and collectors – “C”

Policy 1.1.2 Continue to use the development plan review process to control roadway access points, on-site traffic flow and on-site parking, including requiring bike racks under certain conditions.

Policy 1.1.3 The City shall coordinate transportation planning with the County and State to assure that Sadowski Causeway remains two lanes, and has a structurally sound bridge.

## **Objective 1.2 Land Use Plan Implications**

*Achieve coordination between this element and the Future Land Use Plan by approving no land use plan or zoning amendments that increase the permitted density/intensity of use.*

Policy 1.2.1 By not approving land use density/intensity increases, the City will assure adequacy of its existing roadway system.

## **Objective 1.3 Right-of-way Protection**

*The City shall continue to review the development regulations to ensure the ability to protect existing and future street rights-of-way from new development that would increase the cost of street improvements. (Ordinance No. 382 Amended Code about City costs to protect right of way.)*

Policy 1.3.1 Use the development review process to protect existing (rights-of-way through setback requirements.

## **Objective 1.4 Bikeway or Non-motorized Transportation**

*Achieve preservation of the existing path system, thereby providing safe, convenient non-motorized circulation.*

Policy 1.4.1 Maintain the existing path system on the Sadowski Causeway and Ocean Drive.

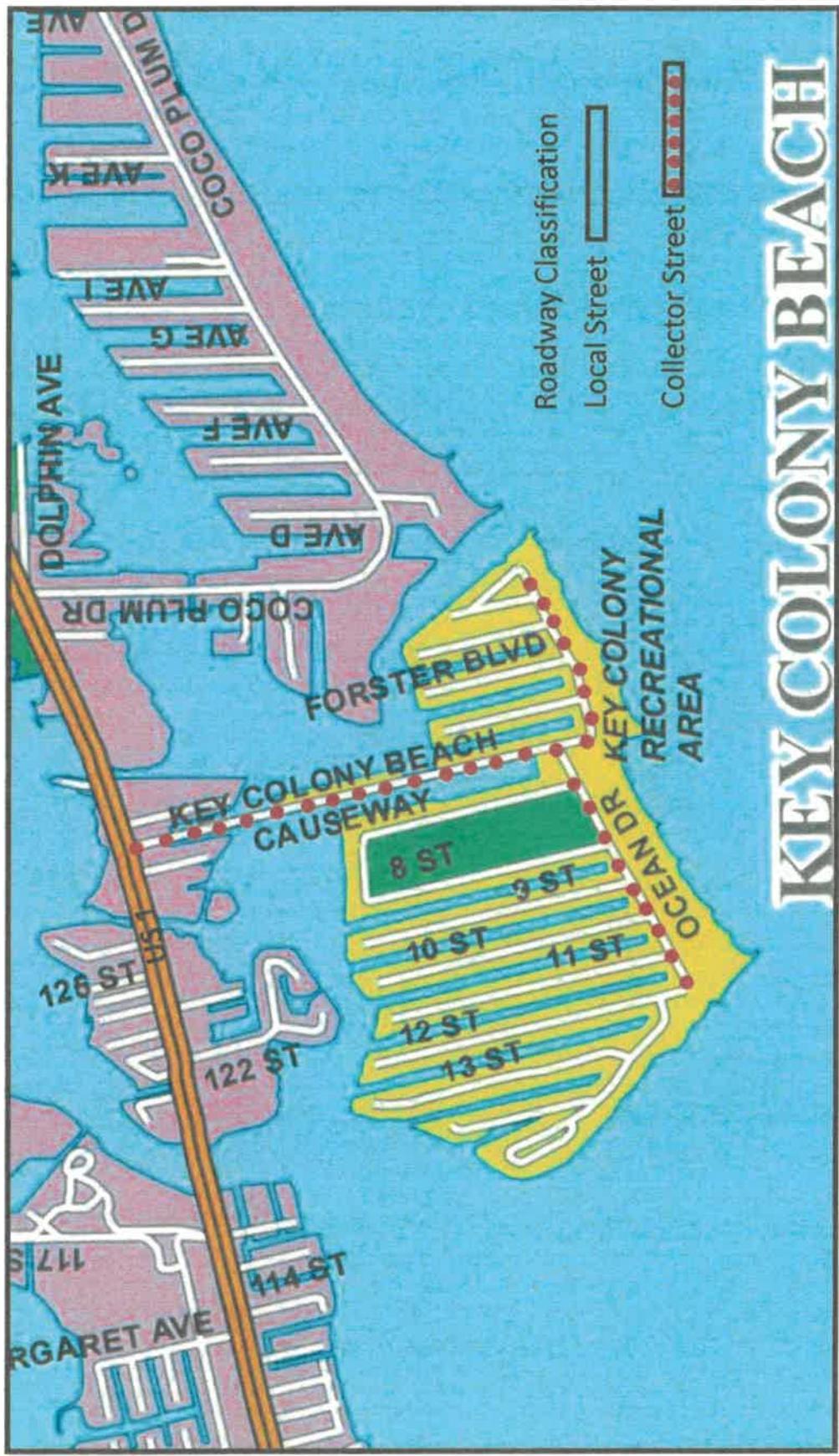
### **Objective 1.5 Hurricane Evacuation Plan**

*Upon adoption of the Plan, the City shall adopt a Hurricane Evacuation Plan, and coordinate with the Monroe County Emergency Management Department to maintain or reduce hurricane evacuation times.*

Policy 1.5.1 The City shall periodically update the its Emergency Evacuation Assistance Program to provide notice and transportation to citizens who require evacuation assistance.

Policy 1.5.2 Continue to review annually hurricane evacuation plans for the City as presented in the Monroe County Comprehensive Plan and notify residents of any changes.

Figure 2: Future Transportation Map, 2045



# HOUSING

**GOAL 1      To enhance the availability of sound and affordable housing stock for all residents of Key Colony Beach.**

**Objective 1.1 New Construction**

*The City shall encourage the private sector to provide additional units that are diversified in terms of design and affordability.*

Policy 1.1.1      The City shall continue to provide the framework for a housing program that encourages the creation and preservation of affordable housing for all current and anticipated future residents of the City.

Policy 1.1.2      The City shall continue to have a full-time Building Official thereby assuring a prompt and professional development permitting process.

Policy 1.1.3      The Building Official, Planning and Zoning Committee and City Commission shall continue to use the Land Development Regulations of the City code to assure exterior architectural design of new construction that is compatible with the neighborhood.

Policy 1.1.4      Lowest habitable floor elevations shall comply with all applicable FEMA Floodplain Regulations and Guidelines.

**Objective 1.2 Low and Moderate Income Housing**

*The City shall continue to provide for and promote low- and moderate-income housing.*

Policy 1.2.1      Through the comprehensive planning process and the Land Development Regulations, a streamlined permitting process will be established, providing for efficient review with minimal delays and costs for affordable housing.

Policy 1.2.2      Continue to utilize the zoning map and non-conforming lot policy to provide vacant land for relatively high-density duplex and multifamily housing that is adequately served by public water and sewers.

Policy 1.2.3      Any developer constructing a new project that creates 25 per cent or more permanent jobs shall be required to provide housing within the City (or in Marathon) no later than 6 months after the new project receives its certificate of occupancy; said housing shall accommodate at least 25 per cent of the permanent employees and shall cost no more than one-third of the household income of those employees whose income is less than 120 of the median for Monroe County as determined by the Florida Statistical Abstract. This shall also include City

initiatives to help the developer secure any available Federal, State or County subsidies, including Section 8 rental subsidy certificates.

Policy 1.2.4 The City shall explore available programs in Monroe County and through the Florida Department of Commerce and other state agencies to mitigate the affordable housing shortage.

### **Objective 1.3 Group Homes**

*The City shall enforce the Land Development Regulations which continue to provide the ability to accommodate group homes and foster care facilities in residential districts through zoning policies.*

Policy 1.3.1 The City's development regulations shall continue to permit group homes and foster care facilities through zoning policy; the provisions shall reflect State Law, *i.e.* 6 or less clients in single-family district units which must be at least 1,000 feet apart and 14 or less clients in multifamily district units at least 1,200 feet apart.

### **Objective 1.4 Conservation**

*The City shall continue to enforce the Buildings chapter of the City code to maintain a structurally sound housing stock; measurability shall be no substandard units.*

Policy 1.4.1 The City shall promote maintenance of the existing housing stock by continued code enforcement, required demolition of deteriorated structures that are beyond repair (using the Standard Unsafe Building Code), and providing guidance in obtaining rehabilitation assistance for qualified residents.

Policy 1.4.2 The City Building Department shall identify substandard housing units, as defined by Florida Statutes, and shall contact owners of substandard units in order to communicate necessary corrective actions and inform owners of available federal, state and local housing assistance programs.

### **Objective 1.5 Housing Coordination and Implementation**

*The City Commission shall serve as the body to coordinate and achieve housing policy implementation; measurability is dependent upon the private sector.*

Policy 1.5.1 The City Commission shall maintain formal communications (mailing list) with appropriate private and non-profit housing agencies to assure that adequate information on City housing policies flows to housing providers.

Policy 1.5.2 The City shall continue working with the County and its Affordable Housing Task Force and the South Florida Regional Planning Council on a Countywide Affordable Housing Strategy and Plan via intergovernmental coordination.

Policy 1.5.3 The City shall appoint a contact person to work with Monroe County, Monroe County's SHIP Program and the Middle Keys Community Land Trust to identify parcels on which affordable housing can be constructed within or near the City.

### **Objective 1.6 Affordable Housing**

*The City shall continue to eliminate substandard housing and blighted areas, and shall continue to improve structural and aesthetic housing conditions.*

Policy 1.6.1. The City shall develop an affordable housing strategic plan or participate in a Regional Strategic Plan that includes specific indicators and benchmarks for measuring success in achieving affordable housing.

Policy 1.6.2 The City shall seek the use of federal, state, and county housing financial support programs as a means of providing housing opportunities for very low, low, and moderate income persons and families, where appropriate.

Policy 1.6.3 The City shall commit to Countywide and municipal efforts to identify and promote infill sites appropriate for affordable housing.

## INFRASTRUCTURE

**GOAL 1** **To provide and maintain the public infrastructure in a manner that will ensure public health, safety and quality of life for Key Colony Beach.**

**Objective 1.1 Current Deficiencies and Future Needs; County**

*The City shall continue its program of curbside separation of solid waste and in other ways cooperate with the County in its projected infrastructure deficiencies.*

Policy 1.1.1 City officials shall work with the County to help achieve its goal of recycling 30 percent of all solid waste, by initiating curbside separation (assuming the County initiates its part of the program) thereby assisting its landfill capacity problem.

Policy 1.1.2 In accordance with Section 163.3180(2) (a), F.S., the City shall determine whether there will be adequate water supplies to serve the new development prior to approval of a building permit or its functional equivalent. This determination will be based on water capacity availability from the Florida Keys Aqueduct Authority (FKAA). All development is subject to the City's Concurrency Management system. The City shall track current water demand and outstanding commitments in order to determine the availability of an adequate water supply for proposed developments. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Policy 1.1.3 The City shall continue to enforce its code provisions that, a) require proof of water availability at time of building permit, b) water conservation plumbing and fixtures and c) emergency water conservation (when necessary) in order to assist the County during its potential water capacity deficiency period.

**Objective 1.2 Future Needs; City Drainage**

*Contingent upon available funding, by 2045 2032, the City shall eliminate the 7 3 remaining direct storm drain outfalls into the canals.*

Policy 1.2.1 Based on the cost projections set forth in the stormwater management plan, the City shall amend the Capital Improvements Schedule to provide any additional funding as necessary to eliminate the 3 stormwater outfalls and provide an alternative disposal method by 2045 2032 that eliminates untreated stormwater discharge to surface waters.

Policy 1.2.2 The City shall consider by 2028 the recommendations of the 2025 Vulnerability Assessment and Watershed Management Plans projected to be completed in 2026 to determine additional stormwater management and flooding improvement needs to develop future capital improvements projects to address increasing flooding impacts.

### **Objective 1.3 Level of Service**

*The City shall provide an adequate level of service during the planning period; see below policies for measurable standards.*

- Policy 1.3.1 Sanitary Sewer: The City sanitary sewer collection and treatment system shall accommodate an average daily flow of at least 115 gallons per household per day, recognizing that the peak winter season population is twice the permanent or summer population.
- Policy 1.3.2 Solid Waste: The County collection and disposal system shall be able to accommodate 6 pounds per person per day and accommodate projected landfill needs.
- Policy 1.3.3 Drainage: All new development shall detain on-site, the first 1.5 inches of runoff (except  $\frac{3}{4}$  inch if vegetated swales are used) from a 3-day storm that statistically occurs once in 25 years. Existing non-structural systems (swales) shall accommodate the first 1 inch.
- Policy 1.3.4 Potable Water: The FKAA water distribution system shall provide 127.08 gallons per person per day average and (158.86 peak day). See also Intergovernmental Policy 1.2.1.

### **Objective 1.4 Water Conservation**

*Recognizing that the City is located in an area that the South Florida Water Management District (SFWMD) identifies as a “priority water resource caution area”, the City shall strive to lower its per capita usage of potable water below 127 gallons per capita per day (gpcpd) and will continue to work together with the FKAA and the SFWMD to reduce demand within the City for potable water.*

- Policy 1.4.1 The City shall strive to reduce its level of service (LOS) standards for potable water from 127.08 to 117.22 gpcpd by the year 2026.
- Policy 1.4.2 The City will promote water conservation through the enforcement of the Florida Building Code which requires such items as low-volume commodes, water flow restrictions for showers and spigots and similar devices in all new construction and renovations and will comply with the South Florida Water Management District water use restrictions.
- Policy 1.4.3 The City shall inform residents and businesses of, and shall encourage their participation in, the County’s water conservation programs. These informational and educational programs shall include the following types of efforts:
  - a. brochures and signage to be made available at City Hall;

- b. pursuing funding through SFWMD Community Education Grant and cooperative funding programs for educational efforts such as demonstration gardens and prototype landscaping on public properties; and,
- c. inviting speakers for forums or workshops at City Hall.

**Policy 1.4.4** The City shall adopt an Ordinance by 2028 which requires the use of water-efficient landscaping in all new development and redevelopment, and require functioning rain-sensor devices on all automatic irrigation systems on both new and existing systems. Other provisions shall include: 1) at least 50 percent of all required landscaping shall use native (or similar) or Florida friendly plant materials to reduce water consumption, 2) the list in the code shall be based upon the County Comprehensive Plan or FDOT list of plant materials not more than 25 percent of any lot shall be placed in lawn grass requiring irrigation, and 3) the landscaping section shall include an irrigation section mandating zones, etc.

**Policy 1.4.5** The City will continue to cooperate with the FKAA and the SFWMD in its efforts to restrict the unnecessary consumption of potable water, particularly as it relates to irrigation, lawn watering, and car washing during periods of drought, supply reduction, and other emergencies.

**Policy 1.4.6** The City will continue to cooperate with the SFWMD's Year Round Irrigation Conservation Measure which limits irrigation to two days per week (based on address) between the hours of 12 a.m. to 10 a.m. AND/OR 4 p.m. to 11:59 p.m. with some exceptions, as may be revised. The City will implement these standards through its own local ordinance (Ord. 2021-465).

**Policy 1.4.7** The City shall coordinate local water conservation education efforts with the SFWMD, the FKAA, and the Monroe County School Board.

**Policy 1.4.8** The City will encourage the use of low impact development techniques (such as the Florida Water Star<sup>SM</sup> program, which is a point based, new home certification program for water-efficient developments, similar to the federal Energy Star program).

**Policy 1.4.9** The City shall develop a leak detection and repair program for all City facilities by the end of 2030. It shall also encourage its citizens to adopt such a program for their own individual properties.

### **Objective 1.5 County Infrastructure Coordination**

*The City will strive to have a city resident or businessperson appointed to the Florida Keys Aqueduct Authority Board.*

**Policy 1.5.1** If such an appointment can be achieved, the board member could directly address the capacity problems facing the City and County.

## **Objective 1.6 Water Supply Facilities Work Plan**

*The City shall adopt a Water Supply Facilities Work Plan Update in support of the SFWMD's Lower East Coast Water Supply Plan Update and the FKAA 20-Year Water System Capital Improvements Master Plan.*

Policy 1.6.1 The City hereby adopts by reference the Water Supply Facilities Work Plan (Work Plan) for the FKAA, dated 2022, for a planning period of not less than 10 years. The Work Plan addresses issues that pertain to water supply Facilities and requirements needed to serve current and future development within the City's water service area. The City shall review and update the Work Plan at least every 5 years, within 18 months after the Governing Board of the water management district approves an updated regional water supply plan. Any changes affecting the Work Plan shall be included in the annual Capital Improvements Plan update to ensure consistency between the Potable Water Sub-Element and the Capital Improvements Element.

Policy 1.6.2 The adopted Work Plan shall be updated within 18 months following the approval of a Regional Water Supply Plan or its update.

## COASTAL MANAGEMENT

**Goal 1** **To conserve, manage and use the environmental and man-made uses in the coastal area of Key Colony Beach.**

### **Objective 1.1 Mangroves; The City's Prime Natural Resource**

The City shall strive to prevent loss of mangroves bordering its bays and canals.

**Policy 1.1.1** The City shall enforce land development provisions that require protection of mangroves as docks or other development occurs, including T-docks constructed over the mangroves; assure conformance with DEP requirements.

**Policy 1.1.2** The City shall preserve the City-owned mangroves along the Causeway public right-of-way and in the conservation area at the end of 13<sup>th</sup> Street.

### **Objective 1.2 Protection of Water Quality in the Bays**

*The City shall achieve a net improvement in the environmental quality of Shelter and Bonefish Bays using the DEP water samples as a benchmark.*

**Policy 1.2.1** Based on the cost projections set forth in the stormwater management plan, the City shall amend the Capital Improvements Schedule to provide any additional funding as necessary to eliminate the remaining stormwater outfalls by ~~2045~~ 2032 and provide an alternative disposal method that eliminates untreated stormwater discharge to surface waters.

**Policy 1.2.2** The City shall amend ~~enforce~~ its seawall code provisions to require that substandard seawall replacement must meet the requirements of the State of Florida Department of Environmental Protection and U.S. Army Corps of Engineers.

### **Objective 1.3 Water Dependent Uses**

*Achieve development code priority for well-designed water-dependent and water-related uses in the Resort district and thereby also assure continuation of this economic base.*

**Policy 1.3.1** The revised zoning provisions of the code shall give priority to water-related uses (by special exception techniques) in the Resort District and similar incentives for water-dependent and water-related uses in any Commercial property with a waterfront location. Uses receiving priority shall include hotels, restaurants, beach clubs, marinas and boat service uses.

- No new docking facility shall be located in water of less than 4 feet below mean low water or directly over any grass bed (excluding grass beds in man-made canals), reef, or patch reef except for a main access walkway necessary

to reach vessels docked in waters of said depth; the purpose is to allow for a minimum clearance of one foot between the deepest draft and the bottom.

- When applying for docking facilities, applicants shall be encouraged to use coordinated permit review procedures.
- Marinas (new or expanded) shall provide sewage pump-out facilities, fuel spill plans, a water quality monitoring program, a manatee protection plan and a hurricane contingency plan. The special exception review process shall assess public availability and need.

#### **Objective 1.4 Beaches and Dunes**

*Achieve development code regulations that protect the existing beaches from adverse construction impacts, require dune nourishment and continue ocean-front construction setback lines.*

Policy 1.4.1 The development regulations shall retain the 100-foot minimum ocean-front setback requirement from the mean high-water line.

Policy 1.4.2 The development regulations shall be amended to require dune vegetation planting in conjunction with any beach-front construction or development.

#### **Objective 1.5 Shoreline Public Access**

*Preserve the existing public shoreline access points for the residents.*

Policy 1.5.1 The City shall preserve public viewing or scenic access to Vaca Cut and the Ocean at the 13<sup>th</sup> Street conservation area, to Shelter and Bonefish Bays via the Sadowski Causeway and the canal behind City Hall.

#### **Objective 1.6 Shoreline Setbacks**

*New principal structures shall be set back a minimum as follows:*

- a. *Along the ocean, 100' from Mean High Water (MHW);*
- b. *Along Vaca Cut, 50' from MHW;*
- c. *Along manmade canals, twenty (20) feet from the MHW line.*

Policy 1.6.1 New, permissible accessory structures within the shoreline setback other than docks, utility pilings, seawalls, retaining walls, riprap, walkways, and water observation platforms must maintain:

- a. A minimum of 20' as measured from the mean high water (MHW) line on Vaca Cut, 100' from MHW on the Ocean and 10' from MHW on canals, except dockside shelters maximum set back 3 feet from rear property line. No

development shall occur between the MHW line and the 20' setback line on Vaca Cut and the 100' setback line on the Ocean.

b. ~~In no event shall the total, combined area of accessory structures within the shoreline setback occupy more than thirty (30) percent within the principal use shoreline setback on Vaca Cut and sixty (60) percent within the principal use shoreline setback on manmade canals. The total combined area of accessory structures within the shoreline setback may only occupy 30 percent of the principal shoreline setback on Vaca Cut excluding the first 20 feet from MHW, and 60 percent of the principal shoreline setback along manmade canals including the first 10 feet from MHW except for pools and spas.~~

**Policy 1.6.2** Redevelopment which is the result of a natural disaster may be reconstructed in the original footprint provided the lot can comply with the stormwater standards in the plan. In the event of a natural disaster, structures that are nonconforming as to density or as to height may rebuild provided that the number of units are not increased. Voluntary redevelopment which constitutes a “substantial improvement” must comply with the new setback standards.

**Policy 1.6.3** Pollutant sources may not discharge directly into surface waters. Where no runoff control structures are present, berms and vegetation shall be used to control runoff. Native vegetation shall not be removed to install berms or runoff control structures.

## **Goal 2 To minimize human and property loss due to hurricanes.**

### **Objective 2.1 Coastal High-Hazard Area Infrastructure**

*There shall be no City expenditures for infrastructure in the City (coastal high-hazard area) that would subsidize development.*

**Policy 2.1.1** The City’s capital improvement schedule shall not include 1) any additional infrastructure in the V zone as shown on the most current Floodplain Map or 2) infrastructure elsewhere in the City that would prompt Land use Plan or zoning map amendments to achieve more intensive development.

**Policy 2.1.2** The limitations under policy 2.1.1 do not preclude the City’s continuing program of sewer line rehabilitation or the Florida Keys Aqueduct Authority’s distribution line replacement elsewhere on the island in order to provide adequate future infrastructure to serve the Future Land Use Plan development pattern.

### **Objective 2.2 Coastal Land Use Intensity**

*The City shall not grant any land use plan or zoning amendments that would increase land use density or intensity on the island in order to direct development away from the coastal high-hazard area.*

Policy 2.2.1 The City shall not approve any land use plan/zoning density or intensity increases over and above what is permitted by the Future Land Use map.

Policy 2.2.2 Lowest habitable floor elevations shall comply with all applicable FEMA Floodplain Regulations and Guidelines.

### **Objective 2.3: Coastal Storm Areas**

*In the Coastal Storm Area and areas inundated by a Category 2 hurricane as depicted by the SLOSH model, the City shall make all efforts to reduce or eliminate the exposure of human life and property to natural hazards.*

Policy 2.3.1 As updates are made to the City's comprehensive plan, flood policy will be dispersed throughout its plan elements as appropriate.

Policy 2.3.2 The City shall continue flood inspections which are used to prioritize various drainage projects being designed for construction improvements.

Policy 2.3.3 The City shall encourage the design and construction of Capital Improvement Projects that require the use of proven methods in the design of drainage systems that will provide flood protection, add water quality improvements to the system, and to reduce pollution found in stormwater runoff.

Policy 2.3.4 The City shall continue to consider, whenever feasible, purchasing properties in areas most vulnerable to destructive storm surges for recreation uses and open space

Policy 2.3.5 If feasible, no public buildings shall be constructed within the 100-year flood zone with the exception of minor structures including public restrooms and picnic shelters which are customarily provided to support recreation and open space activities, and pedestrian access facilities.

### **Objective 2.4 Hurricane Evacuation**

*In the event of a pending major hurricane (Category 3-5) the City of Key Colony Beach shall implement the following staged/phased evacuation procedures to achieve and maintain an overall 24-hour hurricane evacuation clearance time for the resident population.*

1. Approximately 48 hours in advance of tropical storm winds, a mandatory evacuation of non-residents, visitors, recreational vehicles (RVs), travel trailers, live-aboards (transient and non-transient), and military personnel from the Keys shall be initiated. State parks and campgrounds should be closed at this time or sooner and entry into the Florida Keys by non-residents should be strictly limited.

2. Approximately 36 hours in advance of tropical storm winds a mandatory evacuation of mobile home residents, special needs residents, and hospital and nursing home patients from the Keys shall be initiated.
3. Approximately 30 hours in advance of tropical storm winds, a mandatory phased evacuation of permanent residents, by evacuation zone (described below) shall be initiated. Existing evacuation zones are as follows:

Zone 1-Key West, Stock Island, and Key Haven to Boca Chica Channel Bridge (MM 1-6) Zone 2-Boca Chica Channel Bridge to west end of 7-mile Bridge (MM 6-40)

Zone 3-West end of 7-mile Bridge to west end of Long Key Bridge (MM 40-63)

Zone 4-West end of Long Key Bridge to CR905 and CR905A intersection (MM 63-106.5)

Zone 5-CR905A to and including Ocean Reef (MM 106.5-126.5)

The actual sequence of the evacuation by zones will vary depending on the individual storm. The concepts embodied in this staged evacuation procedure should be embodied in the appropriate city and county operational management plans.

**Policy 2.4.1** The City shall continue to cooperate (by permitting, traffic control, etc.) with the County in order to avoid possible hurricane damage to the Causeway facilities thereby inhibiting evacuation.

**Policy 2.4.2** The City will continue its annual public information program whereby residents are informed of hurricane preparedness measures.

**Policy 2.4.3** The City shall request all residents and visitors to start evacuations immediately once an evacuation order has been given.

### **Objective 2.5 Post-Disaster Redevelopment**

*Continue to refine the City's post-disaster redevelopment plan to reduce exposure to natural hazards.*

**Policy 2.5.1** The City's disaster assessment, clean-up and repair plan shall be reviewed and amended annually to achieve conformance with the County's plan. Special attention shall be devoted to the Building Inspector's permitting process to distinguish between minor and major repairs, require demolition or nuisance removal, etc.

## **Objective 2.6 Hurricane Damage Avoidance**

*The City shall retain its controls on coastal construction and floodplain construction and add dune nourishment provisions in order to reduce storm hazards.*

Policy 2.6.1 Using the Monroe County Peacetime Emergency Plan and the County Comprehensive Plan as background, the City's Coastal Code, Building Code, floodplain provisions, and proposed dune controls shall be reviewed and revised as necessary to assure provisions that require a 100 foot ocean setback, and vegetated dunes for new beachfront construction, meet the requirements of the State Coastal Zone Protection Act including structural standards, etc.

Note: There are no estuaries or deep-water ports within Key Colony Beach or any "resource protection plans" impacting the City.

## **Goal 3 The City shall enhance efforts to prepare, adapt, mitigate and manage climate change impacts to achieve a resilient community.**

### **Objective 3.1 Increasing communitywide resiliency**

*Increase adaptability and resiliency to climate change impacts by developing a 2024 Vulnerability Assessment including strategies that address coastal flooding, tidal events, storm surge, flash floods, storm water runoff, saltwater intrusion and other impacts related to or exacerbated by sea level rise, changing precipitation patterns, temperature increases, and other climate change factors.*

Policy 3.1.1 The City shall utilize its Vulnerability Assessment, completed in 2025. Vulnerability Assessment within one (1) year of its completion.

Policy 3.1.2 The City shall seek funding for adaptation projects and partnerships with other local governments related to the adaptation of critical infrastructure prioritized in its Vulnerability Assessment, the County's Vulnerability Assessment, and the Watershed Management Plan scheduled to be completed in 2026. The 2025 Vulnerability Assessment shall be a resource upon which to base new principles, strategies, and engineering solutions to reduce future flood risk of existing and future development including for the design of new infrastructure projects.

### **Objective 3.2 Reducing flood risk in coastal areas**

*Include development and redevelopment principles, strategies, and engineering solutions into development and infrastructure decisions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.*

Policy 3.2.1 The 2024 2025 Vulnerability Assessment shall be a resource upon which to base

new principles, strategies, and engineering solutions to reduce future flood risk of existing and future development including for the design of new infrastructure projects.

- Policy 3.2.2 Analyze and determine whether to build, modify, adapt or relocate public infrastructure to allow for adaptation, strategic managed retreat or relocation from areas at risk to sea level rise.
- Policy 3.2.3 The City shall regularly assess and plan for public infrastructure, facilities and utilities as required by the Capital Improvements Element, including the impacts of potential intensifying floods and sea level rise, and account for those impacts in engineering design criteria for projects where necessary.
- Policy 3.2.4 Phase projects, including but not limited to, shorelines, backflow prevention devices, in-line check valves and other strategies based on the existing conditions, year of projected impacts and economies of scale to minimize commercial and residential disruption from future flooding.
- Policy 3.2.5 Within **three (3)** years of completion of the **2024 2025** Vulnerability Assessment, the City shall determine if updated or multiple levels of service are needed for infrastructure other than stormwater management. Consideration of levels of service may include current and future flood inundation and the ability to deliver established levels of service under those conditions.

### **Objective 3.3 Remove coastal property from flood zone designations**

*Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.*

- Policy 3.3.1 Develop and adopt Land Development Regulations provisions specific to vulnerable areas that include best-practice development that prioritizes the natural environment and habitats, and that includes strategies for protection, accommodation, managed retreat, and avoidance of flooding impacts.
- Policy 3.3.2 Encourage the use of pervious materials for landscaping and driveways.
- Policy 3.3.3 The City will continue to require the use of erosion and sediment control during construction and project development activities.
- Policy 3.3.4 Actively seek funding for the implementation of projects and capital improvements in vulnerable areas associated adaptation strategies from sources such Federal and State grants and technical expertise assistance (in-kind); local storm water utility enterprise funds; Capital Improvement Plan prioritization; public/private

partnerships; and other sources.

Policy 3.3.5 The floodplain administrator/building official shall review all permit applications to determine whether proposed development sites will be reasonably safe from flooding. If a proposed development site is in a flood hazard area, all site development activities, new construction, and substantial improvements shall be designed and constructed with methods, practices and materials, that minimize flood damage.

**Objective 3.4 Site development techniques and best practices to reduce flood loss and claims**

*Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.*

Policy 3.4.1 Develop and update land development techniques and best practices for coastal real property in flood zone designations established by the Federal Emergency Management Agency and outlined in FEMA Guidelines and the Florida Building Code. Such standards may include, but are not limited to, structural and nonstructural techniques such as low impact development and green infrastructure strategies that will enhance water quality treatment while also providing flood mitigation benefits. Best practices include flood mitigation strategies including design of elements on structures, such as electrical components, and modification of infrastructure (including utilities) and the City shall consider impacts to adjacent properties, historic properties, and infrastructure projects.

Policy 3.4.2 The City shall continue to support the reduction of flood insurance premiums for City residents through the following actions:

1. Supporting programs and outreach which educate residents on the benefits of flood insurance, and their flood risk associated with high tide events, storm surge, flash floods, stormwater runoff, and the sea level rise;
2. Reviewing, developing, and enhancing standards and programs to mitigate increasing flood;
3. Coordinating with relevant stakeholders to secure access to technical assistance and support for these initiatives;
4. Participating in the Local Mitigation Strategy update process and development of local mitigation project lists.

Policy 3.4.3 All lowest habitable floor elevations shall comply with all applicable FEMA Floodplain Regulations and Guidelines. The City shall implement freeboard requirements consistent with or exceeding the Florida Building Code.

Policy 3.4.4 The City shall continue to work with local, state and federal partners to target repetitive loss properties for possible acquisition or mitigation of flood hazard through hard and soft structural, and non-structural adaptation strategies including

elevating existing structures.

Policy 3.4.5 Where possible the City will consider the acquisition of severe repetitive loss properties, which have sustained repeated flood losses for use as public open space.

**Objective 3.5 Consistency with Florida Building Code and floodplain management regulations**

*Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.*

Policy 3.5.1 Within three (3) years of completion of the Vulnerability Assessment, the City shall review and update its Floodplain Management and Landscape Code sections incorporating data where appropriate.

Policy 3.5.2 The City's Land Development Regulations shall continue to be consistent with or more stringent than the requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R., Part 60.

**Objective 3.6 Consistency with coastal construction standards in Chapter 161, Florida Statutes**

*Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with Chapter 161.*

Policy 3.6.1 Continue to enforce the rules and regulations pertaining to the Department of Environmental Protection "Coastal Construction Control Line" and "Erosion Control Line" programs in the Land Development Regulations.

Policy 3.6.2 Continue established and ongoing programs that regulate coastal construction practices and contribute to the resilience of the built environment.

**Objective 3.7 FEMA's Community Rating System**

*The City shall continue to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.*

Policy 3.7.1 Link future cycles of Community Rating System scoring with completion of its 2024 2025 Vulnerability Assessment and Watershed Management Plan (scheduled to be completed in 2026) to incorporate sea level rise projections as outlined by FEMA in the most recent version of the National Flood Insurance Program Community Rating System Coordinator's Manual.

Policy 3.7.2 Coordinate climate, vulnerability, sustainability and resiliency activities with Community Rating System cycles to enhance and maximize community outreach

activities and result in reductions in flood risk and insurance premiums for residents and businesses.

## CONSERVATION

**Goal 1** **To preserve and enhance the significant natural features in Key Colony Beach.**

**Objective 1.1 Air Quality**

*The City shall maintain its high air quality.*

Policy 1.1.1 The City shall maintain the current permitted land use density-intensity pattern thereby assuring congestion-free roadways.

**Objective 1.2 Water Pollution**

*Through the Land Development Regulations and Capital projects, the City shall reduce City-generated pollution of surrounding marine waters and fisheries; see also Coastal Management Objective 1.2. See policies for measurability.*

Policy 1.2.1 Based on the cost projections set forth in the stormwater management plan, the City shall amend the Capital Improvements Schedule to provide any additional funding as necessary to eliminate the 3 stormwater outfalls.

Policy 1.2.2 As a part of the development review process, the City shall continue to require on-site detention of stormwater runoff.

Policy 1.2.3 The City shall enforce the stormwater management code provisions based upon the County's regulations.

Policy 1.2.4 The City shall review and revise its development code, as necessary, to ensure adequate controls over the disposal of hazardous waste which in the case of Key Colony Beach is almost entirely household products.

Policy 1.2.5 The City shall also assist the County in publicizing its amnesty days and distributing the booklet that explains the County's hazardous waste collection and disposal program.

**Objective 1.3 Vegetation and Soil Resources/Endangered Wading Birds**

*The City shall strive to prevent the loss of the 41,000 lineal feet of mangroves.*

Policy 1.3.1 The City shall review all development permit applications in the context of the mangrove protection policies of the City and State DEP.

Policy 1.3.2 Through the Future Land Use map, the City shall assure continuation of the Conservation area at the end of 13<sup>th</sup> Street.

Policy 1.3.3 The City shall contact the County Growth Management Divisions' Environmental Office if any adverse impact is observed relative to the seagrass beds in adjacent bay waters.

#### **Objective 1.4 Wildlife and Marine Resources**

*The City shall strive to prevent the loss of sea turtle eggs and manatees. See also Objective 1.2 and 1.3*

Policy 1.4.1 The City marine patrol, working with County and State marine police, shall enforce boat speed limits in the canals and adjacent waters to protect the manatees.

Policy 1.4.2 The City's current Land Development Regulations shall include a provision that, during the nesting season, each beachfront property owner will be responsible for the daily patrol of the beach (by a person holding State and Federal permits) to determine nesting sites.

#### **Objective 1.5 Conservation of Natural Floodplains**

*To prevent impacts to natural floodplains the City shall issue no building permits unless the first habitable floor is above the flood elevations specified in the City's Land Development Regulations and appropriate FEMA rules.*

Policy 1.5.1 The City shall review (and revise as necessary) its floodplain code to ensure that new construction meets the appropriate FEMA floodplain map requirements.

#### **Objective 1.6 Water Supply Resources**

*The City shall strive to reduce water consumption over time and appropriately manage water during water shortages.*

Policy 1.6.1 In the event of water shortage, the City shall manage water use in ways consistent with the requirements of the SFWMD.

#### **Objective 1.7 Water Conservation**

*Recognizing that the City is located in an area that the SFWMD identifies as a "priority water resource caution area", the City shall strive to lower its per capita usage of potable water and will continue to work together with the FKAA and the SFWMD to reduce demand within the City for potable water.*

Policy 1.7.1: The City will promote water conservation through the enforcement of the adopted Florida Building Code which requires such items as low-volume commodes, water flow restrictions for showers and spigots and similar devices in all new construction and renovations and will comply with the appropriate water management district water use restrictions.

Policy 1.7.2 The City shall inform residents and businesses of, and shall encourage their participation in, the County's water conservation programs. These informational and educational programs shall include the following types of efforts:

- a. brochures and signage to be made available at City Hall;
- b. pursuing funding through SFWMD Community Education Grant and cooperative funding programs for educational efforts such as demonstration gardens and prototype landscaping on public properties; and,
- c. inviting speakers for forums or workshops at City Hall.

Policy 1.7.3 The City shall adopt an Ordinance **by 2028** which requires the use of water-efficient landscaping in all new development and redevelopment, and require functioning rain-sensor devices on all automatic irrigation systems on both new and existing systems. Other provisions shall include the requirement that at least 50 percent of all required landscaping shall use native (or similar) or Florida Friendly plant materials to reduce water consumption.

Policy 1.7.4 The City will continue to cooperate with the FKAA and the SFWMD in their efforts to restrict the unnecessary consumption of potable water, particularly as it relates to irrigation, lawn watering, and car washing during periods of drought, supply reduction, and other emergencies.

Policy 1.7.5 The City will continue to cooperate with the SFWMD's Year Round Irrigation Conservation Measures which limits irrigation to two days per week (based on address) between the hours of 12 a.m. to 10 a.m. AND/OR 4 p.m. to 11:59 p.m. with some exceptions, as may be revised. The City will implement these standards through its own local ordinance (Ord. No. 2021-465).

Policy 1.7.6 The City shall coordinate local water conservation education efforts with the SFWMD, the FKAA, and the Monroe County School Board.

Policy 1.7.7 The City will encourage the use of low impact development techniques (such as the Florida Water Star<sup>SM</sup> program, which is a point based, new home certification program for water-efficient developments, similar to the federal Energy Star program).

Policy 1.7.8 The City shall develop a leak detection and repair program for all City facilities by the end of 2030. It shall also encourage its citizens to adopt such a program for their own individual properties.

## RECREATION AND OPEN SPACE

**Goal 1:** The City shall provide a desirable level of public recreation and open space and encourage the provision of private recreation and open space.

### Objective 1.1 Waterfront and Park Access

*The City shall strive to preserve the existing 1,800 feet of public frontage along Shelter Bay and Vaca Cut plus full access to the City parks.*

Policy 1.1.1 The City shall preserve (by code and Land Use Plan provisions) the Vaca Cut conservation area, the Sadowski Causeway frontage on Shelter Bay and full access to the City park system except for the hours when the public golf course and parks are closed.

### Objective 1.2 Recreation Facilities

*A system of public recreation facilities meeting the needs of the City's population will be maintained.*

Policy 1.2.1 The City shall continue to provide its existing 8 acre playground and adjacent 9 hole golf course.

Policy 1.2.2 Sunset and Eastside Parks have been added to continue to meet the diverse recreational needs of the City's population.

### Objective 1.3 Open Space

*The City shall preserve the two prime public/private open space tracts and open space tracts along the waters.*

Policy 1.3.1 The City's development code shall continue to require minimum front, side and rear setbacks for all new construction including 100-foot ocean setbacks (from mean high water) and 50 feet from Vaca Cut.

Policy 1.3.2 The City shall preserve the park adjacent to City Hall and the conservation area at the end of 13<sup>th</sup> Street.

### Objective 1.4 Public-Private Coordination

*The City shall ensure the coordination of public and private resources to meet recreational demand by conducting a recreational survey one year after Plan adoption.*

Policy 1.4.1 The City shall maintain a recreation committee to determine the extent to which City, private and nearby public facilities are meeting the resident's recreational needs.

## INTERGOVERNMENTAL COORDINATION

**GOAL 1** **The City shall establish and maintain processes to assure coordination with other governmental entities where necessary to implement this plan.**

### **Objective 1.1 Plan Impact and Implementation Coordination**

*The City shall coordinate City plan impact and implementation with Monroe County through the appropriate interlocal agreements.*

Policy 1.1.1 The City shall continue to oversee implementation of the existing interlocal agreements (between the City and County) that deal with impact fee collection, and hurricane evacuation and damage. The City shall continue to monitor and implement interlocal agreements covering the allocation of impact fees.

Policy 1.1.2 The City will continue to coordinate with the County on planning and implementing programs to improve the quality of Shelter and Bonefish Bays. (Culvert under US 1)

Policy 1.1.3 The City shall assist the County in providing information to its residents concerning services provided by the County, *e.g.* solid waste and potable water through newspaper articles, Post Office bulletin board notices and web page posts.

Policy 1.1.4 The City shall use the South Florida Regional Planning Council (SFRPC) mediation process should any conflicts arise relative to County coordination. .

### **Objective 1.2 Level-of-Service Standards Coordination**

*The City shall ensure level-of-service standards coordination with other governmental entities by continuing formal agreements with County Solid Waste Department and the Florida Keys Aqueduct Authority and by utilizing the County solid waste and water level of service standards.*

Policy 1.2.1 The City shall both continue its formal agreements with the Florida Keys Aqueduct Authority and the County relative to water supply and solid waste and assist the County during its period of facility capacity problems by utilizing water conservation techniques and curbside solid waste separation.

Policy 1.2.2 In accordance with Section 163.3180(2) (a), F.S., the City shall determine whether there will be adequate water supplies to serve the new development prior to approval of a building permit or its functional equivalent. All development is subject to the City's Concurrency Management system. The City shall track current water demand and outstanding commitments in order to determine the availability of an adequate water supply for proposed developments. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Policy 1.2.3 The City will maintain a water supply facilities work plan that is coordinated with SFWMD's Lower East Coast Regional Water Supply Plan and FKAA by updating its own work plan within 18 months of an update to SFWMD's Lower East Coast Regional Water Supply Plan that affects the City.

**GOAL 2** **The City shall establish and maintain processes to assure coordination with the County and other governmental entities where necessary to address climate and flooding issues.**

**Objective 2.1 Resiliency Coordination**

*The City shall maintain and enhance coordination with the County and other entities related to infrastructure planning, resiliency and flooding analysis*

Policy 2.1.1 The City shall continue to coordinate with the County and other entities data collection and analysis related to roads planning and flooding.

Policy 2.1.2 The City shall continue to partner with the County and other entities on grant applications and development of funding sources to address City resiliency issues.

Policy 2.1.3 The City shall continue to exchange data and participate in floodplain, emergency management and resiliency initiatives with the County and other entities.

## CAPITAL IMPROVEMENTS

**GOAL 1** **The City will undertake capital improvements that are necessary to keep its present public facilities in good condition and to accommodate new development, within sound fiscal practices.**

### **Objective 1.1 The Annual Capital improvement Program Process**

*The City shall use the framework of this Element to monitor public facility needs as a basis for annual capital budget and program preparation.*

Policy 1.1.1 Staff and engineering studies shall form the basis for annual preparation of a five-year capital improvement program schedule, including one year capital budget to further the comprehensive plan elements.

Policy 1.1.2 The City shall include in the capital programming process funds available for wastewater and stormwater improvements and street repaving.

Policy 1.1.3 In setting priorities, the following types of criteria shall be used:

- Public safety implications: a project to address a threat to public health or safety will receive first priority.
- Level of service of capacity problems: next in priority would be projects needed to maintain the stated Level of Service.
- Because of the critical area status, environmental improvement projects would be next in priority.
- Quality of life projects: next in priority would be those projects not in the first 3 categories but that would enhance the quality of life which is important to Key Colony Beach and exemplified by public open space and landscaping.
- State/County and redevelopment projects: equal in importance to the quality of life projects are those that support a State or County road improvement or a revitalization project.
- Future flood risk and resiliency strategies developed in the 2024 2025 Vulnerability Assessment and Watershed Management Plan (to be completed in 2026).

Policy 1.1.4 The fiscal policies that reflect the Comprehensive Plan recommendations shall also be used to guide the capital programming process. They can be summarized as providing quality neighborhoods and community amenities with minimal bonding and maximum developer participation.

## **Objective 1.2 Level of Service and Concurrency**

*The City shall use the level of service standards in reviewing development applications and preparing the annual schedule of capital improvements.*

- Policy 1.2.1 Streets: A peak hour Level of Service Standard “C” Shall be maintained for arterial and collector streets.
- Policy 1.2.2 Sanitary Sewer: The City sanitary sewer collection and treatment system shall accommodate an average daily flow of at least 115 gallons per household per day.
- Policy 1.2.3 Solid Waste: The County collection and disposal system shall be able to accommodate 6 pounds per person per day.
- Policy 1.2.4 Drainage: All new development shall detain on-site, the first 1.5 inches of runoff (except  $\frac{3}{4}$  inch if vegetated swales are used) from a 3-day storm that statistically occurs once in 25 years. Existing non-structural systems (swales) shall accommodate the first one inch.
- Policy 1.2.5 Potable Water: The Florida Keys Aqueduct Authority’s water distribution system shall provide 127.08 gallons per person per day average (and 158.86 peak day).

## **Objective 1.3 Infrastructure in Coastal High Hazard Area**

*No funds will be spent by the City for sewer main or street extensions (or capacity increases) in order to avoid subsidizing new development in the coastal high hazard area.*

- Policy 1.3.1 The City’s five-year capital improvement schedule shall not include road or sewer line projects that serve to increase land use intensity beyond what is now platted or shown on the Land Use Plan.

## **Objective 1.4 Concurrency**

*The City shall ensure the provision of public facilities concurrent with development through a current concurrency management system.*

- Policy 1.4.1 The Land Development Regulations includes a provision which requires developers to provide facilities concurrent with the impacts of development and in compliance with level of service standards.
- Policy 1.4.2 The City shall continue to implement the sewer line rehabilitation plan to assure adequate facilities commensurate with projected growth.
- Policy 1.4.3 The City of Key Colony Beach recognizes that the FKAA provides their potable water and the necessary water facilities to serve existing and future development with the City’s water service area. The City will support and coordinate with the

FKAA, as necessary, to assist in the implementation of FKAA's Capital Improvements projects for a period of not less than 10 years.

Policy 1.4.4 The City of Key Colony Beach recognizes that it relies upon the FKAA facilities for the provision of potable water for its residents, businesses and visitors, and as such the continued supply of potable water will be dependent upon all local governments striving to maintain demand for potable water at sustainable levels. As such, the City will:

- a. Continue to maintain relationships with the SFWMD and the FKAA to maintain or reduce potable water consumption thorough education, conservation, and participation in ongoing programs of the region, county and city including coordinating local conservation education efforts with the SFWMD and the FKAA programs.
- b. Require landscaping in all new development or redevelopment to use water-efficient landscaping and require functioning rain-sensor devices on all automatic irrigation systems on both new and existing systems.
- c. Recognizing that the City is located in an area that the SFWMD identifies as a "priority water resource caution area", the City shall strive to lower its per capita usage of potable water below 127.08 gallons per capita per day (gpcpd) and will continue to work together with the FKAA and the SFWMD to reduce demand within the City for potable water.
- d. The City shall inform residents and businesses of, and shall encourage their participation in, all FKAA and SFWMD water conservation programs.

### **Objective 1.5 Funding Capital Improvements**

*The current development code (and related City code provisions) shall achieve a concurrency management system that includes connection fees, impact fees and County infrastructure sales tax grants that is sufficient to assure conformance with elements of this plan.*

Policy 1.5.1 City impact fees for parks shall be allocated in conformance with the City-County inter-local agreement and the implementation recommendations of this Element.

Policy 1.5.2 The building permit review process shall continue to require on-site detention.

Policy 1.5.3 Public sewer and water connection shall be required in the case of all new development; developer financial participation shall be required by connection fees.

Policy 1.5.4 The concurrency management system shall require direct development provisions of facilities if one of these other policies is insufficient to achieve concurrency.

## **IMPLEMENTATION**

### **A. Five-Year Schedule of Capital Improvements**

The schedule may be revised every year by ordinance without requiring a comprehensive Plan Amendment.

### **B. Programs**

The principal programs needed to implement this Element are as follows:

1. An annual capital programming and budgeting process including use of project selection criteria.
2. Engineering studies to a) prepare storm water outfall removal schedule and b) pinpoint the costs of any projects such as the possible sewage treatment plant expansion.
3. Review and revisions to the development code shall assure conformance to the “concurrency” requirements relative to development orders, levels of service and public facility timing.
4. Impact fees.

### **C. Concurrency Management**

The City's current Land Development Regulations have been amended to include a concurrency management system that meets the state requirements.

**City of Key Colony Beach**  
**Five Year Schedule of Capital Improvements (Draft)**

Project	Funding Source	FY 2024-2025	FY 2025-2026	FY 2027-2028	FY 2028-2029	FY 2029-2030	Total Cost
<b>Wastewater Treatment Plant Improvements</b>							
<b>600 8th Street</b>							
Replace UV Contact Tank - <b>COMPLETED</b>	Local funds - city wastewater	\$ 450,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
Aerobic digester access stair replacement - <b>COMPLETED</b>	Local funds - city wastewater	\$ 75,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
Lift station control boxes raised	Grant funding	\$ -	\$ -	\$ 42,000.00	\$ -	\$ -	\$ -
Yearly replacement of pumps/motors	Local funds - city wastewater	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Paint exterior of tanks, buildings, and piping	Local funds - city wastewater	\$ -	\$ 90,000.00	\$ 90,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
Membrane replacement	Local funds - city wastewater	\$ -	\$ 245,000.00	\$ -	\$ -	\$ -	\$ -
Coating of effluent holding tank	Local funds - city wastewater	\$ -	\$ 40,000.00	\$ 125,000.00	\$ -	\$ -	\$ -
Additional lift station control boxes raised	Potential Grant Funding	\$ -	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -
Replace RO Membranes	Local funds - city wastewater	\$ -	\$ -	\$ 60,000.00	\$ -	\$ -	\$ -
Alum feed system	Local funds - city wastewater	\$ -	\$ -	\$ 60,000.00	\$ -	\$ -	\$ -
Jet aeration system	Local funds - city wastewater	\$ -	\$ -	\$ 350,000.00	\$ -	\$ -	\$ -
Digester tank	Local funds - city wastewater	\$ -	\$ -	\$ 40,000.00	\$ -	\$ -	\$ -
Additional lift station control boxes raised	Potential Grant Funding	\$ -	\$ -	\$ -	\$ 40,000.00	\$ -	\$ 40,000.00
Control room - electronics update	Local funds - city wastewater	\$ -	\$ -	\$ -	\$ 40,000.00	\$ -	\$ 40,000.00
Digester biosolid pumps	Local funds - city wastewater	\$ -	\$ -	\$ -	\$ 350,000.00	\$ -	\$ 350,000.00
Replace diesel generator for back up power	Potential Grant Funding	\$ -	\$ -	\$ -	\$ 750,000.00	\$ -	\$ 750,000.00
Update or replace RO building	Potential Grant Funding	\$ -	\$ -	\$ -	\$ 450,000.00	\$ -	\$ 450,000.00
Replace storage tank	Local funds - city wastewater	\$ -	\$ -	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00
Replace odor control system	Local funds - city wastewater	\$ -	\$ -	\$ -	\$ 1,300,000.00	\$ -	\$ 1,300,000.00
Sub-total costs		\$ 535,000.00	\$ 410,000.00	\$ 777,000.00	\$ 420,000.00	\$ 3,442,000.00	\$ 3,442,000.00
<b>Stormwater Drainage Improvements</b>							
Stormwater improvements for 7th street and dry retention pond	Grant funding - COMPLETE	\$ 1,000,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
improvements -COMPLETE	Injection wells for elimination of remaining outfalls and street	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
stormwater improvements for 11th street	Grant funding	\$ -	\$ -	\$ 800,000.00	\$ 800,000.00	\$ -	\$ -
Stormwater improvements for 12th street	Grant funding	\$ -	\$ -	\$ -	\$ 600,000.00	\$ -	\$ 600,000.00
Stormwater improvements for East and West Ocean	Grant funding	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ -	\$ 1,500,000.00
Stormwater Utility Maintenance/Improvements	Grant funding/local	\$ 1,000,000.00	\$ 100,000.00	\$ 900,000.00	\$ 1,500,000.00	\$ 100,000.00	\$ 100,000.00
Subtotal costs		\$ -	\$ -	\$ -	\$ 2,200,000.00	\$ -	\$ 2,200,000.00
<b>Parks and Recreation</b>							
Tennis court new location support funding - <b>COMPLETE</b>	COMPLETE	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
Shared funding, FDOT Grant and	Grant funding	\$ -	\$ -	\$ 800,000.00	\$ 800,000.00	\$ -	\$ -
Local funding	Grant funding	\$ -	\$ -	\$ -	\$ 600,000.00	\$ -	\$ 600,000.00
Review for grant funding	Grant funding	\$ -	\$ -	\$ 100,000.00	\$ 100,000.00	\$ -	\$ 100,000.00
Yearly park improvements	Grant funding	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
7th & 8th Street Bathrooms	Grant funding	\$ 250,000.00	\$ 300,000.00	\$ 340,000.00	\$ 300,000.00	\$ 150,000.00	\$ 1,340,000.00
Subtotal costs		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

## Transportation

<b>Repair of city streets and localized elevation increased in critical areas</b>	Local funding and State supported funds (taxes/grants)	\$ 75,000.00	\$ 200,000.00	\$ 150,000.00	\$ 500,000.00	\$ 500,000.00
<b>Bridge maintenance and repairs</b>	Local funding and potential for grant funding	\$ 30,000.00	\$ 30,000.00	\$ 200,000.00	\$ 30,000.00	\$ 200,000.00
	Subtotal costs	\$ 105,000.00	\$ 230,000.00	\$ 350,000.00	\$ 530,000.00	\$ 700,000.00
<b>Public Facilities</b>						\$ 1,915,000.00
<b>City hall repairs, flood protection, and capital maintenance</b>	Local city general funds, Grant & Infrastructure funds	\$ 1,500,000.00	\$ 1,500,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
<b>Maintenance Building - Dry Floodproofing project</b>	FEMA Grant funding 90%	\$ 30,000.00	\$ 139,000.00	\$ 139,000.00	\$ -	\$ -
<b>Update City Hall Flood Protection</b>	Review grant potential	\$ -	\$ -	\$ 100,000.00	\$ 100,000.00	\$ -
	Subtotal costs	\$ 1,530,000.00	\$ 1,639,000.00	\$ 269,000.00	\$ 130,000.00	\$ 30,000.00
<b>Total All Projects</b>		\$ 3,420,000.00	\$ 2,679,000.00	\$ 2,635,000.00	\$ 2,880,000.00	\$ 4,380,000.00
						\$ 15,995,000.00

**UTILITY BOARD - FISCAL YEAR 2024-2025 BUDGET**

**Summary of potential projects for FY2026 (Draft)**

**Wastewater**

Item	Description	Cost	Comments	
1	Purchase and install 4 cassettes membranes (veolia)	\$250,000.00	Last replaced in May 2017, additional replacement needed for 2027, Maintenance	
2	Pipe stand trellis for MBR processing piping, replace rusting steel stand	\$75,000.00	2025	Maintenance
3	Lift station control boxes being raised	\$42,000.00	2027	Flood Mitigation Grant - DEP
4	Yearly repair or if needed replacement of pumps and motors	\$75,000.00	2025-2030	Maintenance Each year.
5	Sewer system return system- leak corrections	\$70,000.00	2026	Maintenance
6	Sewage pumping system update (grinder pump and control panel)	\$40,000.00	TBD	Maintenance
7	Painting Buildings and Equipment - Phase 1	\$75,000.00	2026	Maintenance
8	ISAM Tank Baffle replace	\$25,000.00	TBD	Maintenance
	<b>Total</b>	<b>\$652,000.00</b>	(Plant \$540,000, System \$112,000)	

**Stormwater**

Item	Description	Cost	Comments	
1	Stormwater improvements wet retention pond - Phase I work, quote and approve Phase II work, evaluate timing and grant funding	\$482,756.00	2025	Grant funding remaining
	<b>Total</b>	<b>\$482,756.00</b>		

## PROPERTY RIGHTS

**GOAL 1** The City shall recognize and respect all judicially acknowledged or constitutionally protected private property rights when making local decisions.

### **Objective 1.1 Recognition of Private Property Rights**

*Decisions made by the City shall reflect the private property rights of each land owner.*

Policy 1.1.1 Local decisions made by the City shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy 1.1.2 Local decisions made by the City shall consider the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances

Policy 1.1.3 Local decisions made by the City shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy 1.1.4 Local decisions made by the City shall consider the right of a property owner to dispose of his or her property through sale or gift.

## MONITORING, UPDATING AND EVALUATION PROCEDURES CITY OF KEY COLONY BEACH

### 1. Citizen Participation:

In conjunction with one of the plan amendment cycles, the Planning and Zoning Committee shall ~~annually~~ conduct a public hearing on the Comprehensive Plan at least every ~~five~~ seven years ~~starting in 2024~~. A status report shall be provided by the Committee Chair and then citizen comment shall be solicited. This meeting shall be publicized by a legal notice in the newspaper plus efforts to have web page notification, a news story and Post Office bulletin board announcement. The Committee will then submit a report on the status of the Plan to the Mayor and City Commission. This report may be accompanied by recommended amendments, using the normal plan amendment process.

### 2. Data and Objectives Update:

As a part of the annual meeting(s), pertinent measurable objectives and policies will be the subject of review and comment by the Committee Chair.

### 3. Five-Seven - Year Review:

The Mayor or City Manager Administrator shall designate the person or consultant responsible for preparation of the Evaluation and Appraisal Analysis in conformance with statutory requirements and with special emphasis on the extent to which the Plan objectives and policies have been achieved and are in compliance with state laws.

### 4. Revised Objectives and Policies:

The Mayor or City Manager Administrator shall designate the person or consultant to prepare draft amendments to the goals, measurable objectives and policies based upon the above process. The citizen participation procedures used in preparing the Plan (plus any future modifications thereto) shall be used in amending these recommendations of the Comprehensive Plan.

### 5. Data & Analysis

The Data and Analysis required to comply with the 10- and 20-year planning horizons are included as appendices along with the Key Colony Beach staff report and are duly incorporated as part of this Comprehensive Plan.

# *City of Key Colony Beach*

PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax# 305-289-1767



## **Staff Report**

**To:** Key Colony Beach Planning & Zoning / City Commission / Florida Commerce

**From:** Staff

**Date:** November 15, 2025

**Subject:** Comprehensive Plan Amendment - Evaluation & Appraisal Update

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### **I. Background**

The City of Key Colony Beach is required by Chapter 163, Florida Statutes, to maintain a Comprehensive Plan consistent with the Florida Community Planning Act. This includes evaluating demographic, housing, infrastructure, and environmental data on both 10-year and 20-year planning horizons.

Unlike many mainland communities, Key Colony Beach is largely built out and constrained by geography, sea-level rise vulnerability, and infrastructure capacity. Population growth is not expected, and in fact minor population decline may occur due to smaller household sizes, seasonal residency patterns, and redevelopment trends.

Additionally, the Florida Keys Area of Critical State Concern Annual Reports (2012-2016) confirm that Key Colony Beach does not have (nor does it require) an adopted building permit allocation system within its Comprehensive Plan. Other Keys jurisdictions (Marathon, Islamorada, Monroe County, Key West, and Layton) all operate under allocation limits tied to hurricane evacuation clearance times. Because Key Colony Beach has no allocations established in rule or plan, no significant additional growth is anticipated that would alter LOS capacity.

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### **II. Data & Analysis**

#### **Population**

##### **Historical Population Trends**

According to the U.S. Decennial Census, Key Colony Beach experienced significant growth between 1960 and 1980, followed by a long period of stability and slight decline.

Census Year	Population	% Change
1960	66	—
1970	371	+462.1%
1980	977	+163.3%
1990	977	0.0%
2000	788	-19.3%

2010	797	+1.1%
2020	790	-0.9%

Source: U.S. Decennial Census, 1960–2020

### Planning Horizon Projections

(Based on BEBR medium series, adjusted for local seasonal trends)

Year	Permanent Population	Seasonal Population (Peak)
2025 (current)	~800	1,500–2,000
2035 (10-year)	~770	1,500–2,000
2045 (20-year)	~750	1,500–2,000

#### Analysis:

- The City's permanent population has remained under 1,000 residents for 40+ years.
- Seasonal population peaks remain the primary LOS planning factor.
- Because Key Colony Beach has no building rights allocations as it relates to ROGO, there is no anticipated growth that would trigger LOS deficits.

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### Housing

- Existing units: ~1,400 total (with 636 transient rentals reported in 2025).
- Vacancy: High seasonal vacancy rates (approx. 50%).
- Vacant parcels: ~34, valued at \$88.4 million in 2025 estimates.

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### Level of Service (LOS) Analysis

#### 10-Year Horizon (2035)

- **Water supply:** Capacity exceeds projected demand.
- **Wastewater:** Advanced treatment system meets current and future demand.
- **Solid waste:** Contract service scales to demand; no deficits.
- **Recreation/Open Space:** LOS improves per capita with population decline.
- **Transportation:** Evacuation modeling governs growth, LOS will remain stable.

#### 20-Year Horizon (2045)

- **Water supply:** Continued capacity surplus.
- **Wastewater:** Advanced treatment system meets current and future demand.

- **Solid waste:** Adequate through contract scaling.
- **Recreation/Open Space:** Increased per capita provision.
- **Transportation:** US-1 hurricane evacuation clearance time remains the governing factor; LOS will remain stable.

**Conclusion:** With the limited potential for development, and primary focus on redevelopment, LOS standards will continue to be met through both the 10-year and 20-year planning horizons.

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#### **Environmental & Coastal Considerations**

- Growth limits tied to hurricane evacuation clearance times.
- City investment in advanced wastewater treatment and stormwater utility projects support water quality goals.
- Focus of comprehensive plan amendments should remain on resiliency, drainage improvements, and storm-hardening.

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#### **III. Consistency**

- Amendments are consistent with Florida Statutes, Monroe County regional resiliency frameworks, and the City's adopted LOS standards.
- Because Key Colony Beach is close to buildout and is limited on new residential growth, the City is not expected to expand infrastructure capacity, only maintain it. Further improvements planned to existing infrastructure through Capital Improvements and technological improvements will increase projected LOS.

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#### **IV. Staff Recommendation**

Staff recommends approval of the proposed Comprehensive Plan amendments, as they:

1. Reflect accurate population trends (stable to declining).
2. Demonstrate LOS compliance for both 10-year and 20-year horizons.
3. Emphasize resiliency and infrastructure maintenance rather than expansion.
4. Recognize the limiting factor of building rights that hinders future growth.
5. Ensure consistency with State requirements for hurricane evacuation clearance times.

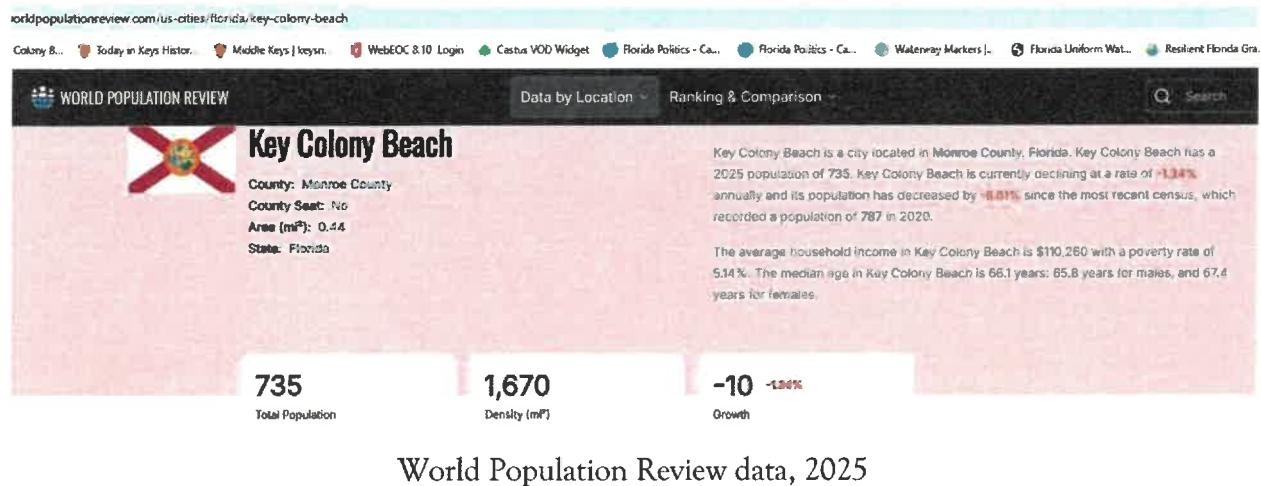
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#### **Attachments**

1. Population projections (BEBR/WPG/State sources).

## 2. SFWMD Water Supply Projections (Monroe County).

### 1. Population Projections:

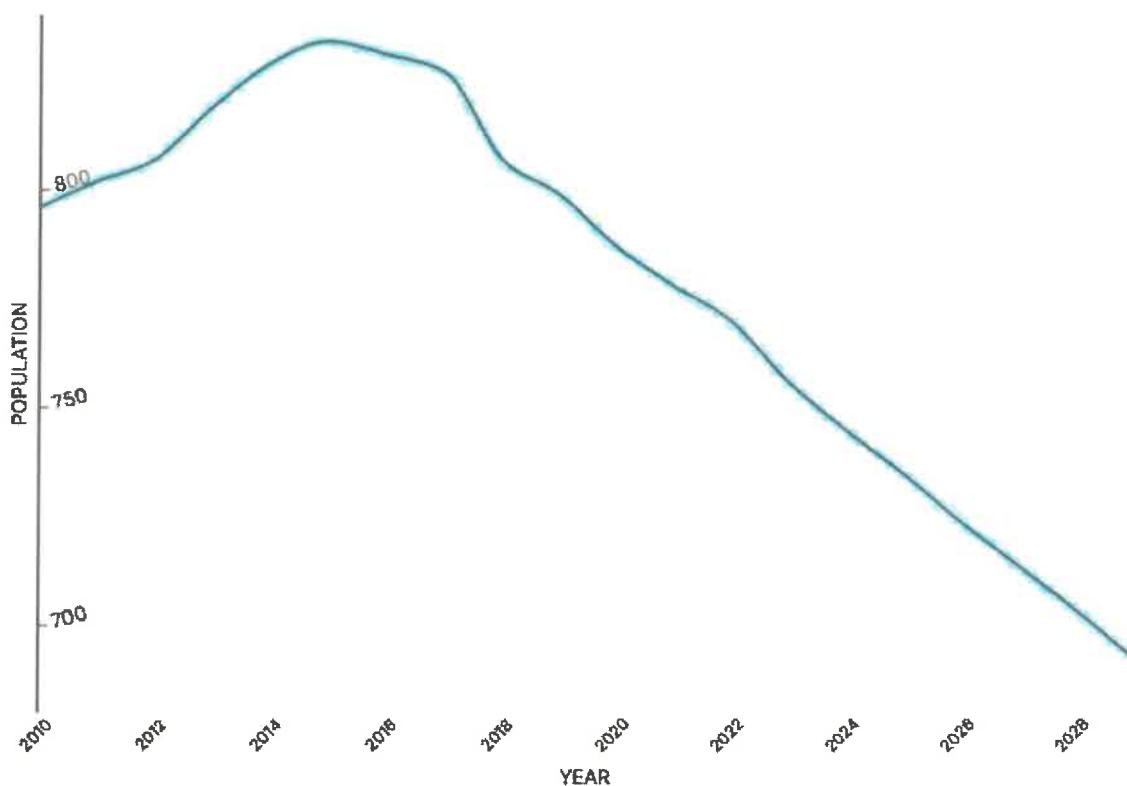


# Key Colony Beach Population

[By Population](#) [By Age](#) [By Growth Rate](#)

## Key Colony Beach Population

Data after 2023 is projected based on recent change



World Population Review – Key Colony Beach Projected Population through 2028

## Projections of Florida Population by County, 2025–2045, with Estimates for 2020

County and State	Estimates April 1, 2020	Projections, April 1				
		2025	2030	2035	2040	2045
Lee	750,493	829,303	894,597	948,834	996,086	1,038,511
Leon	299,484	312,338	323,012	331,425	338,510	344,579
Levy	41,699	43,115	44,260	45,176	45,947	46,650
Liberty	8,575	8,848	9,068	9,229	9,354	9,459
Madison	18,954	19,038	19,114	19,181	19,242	19,298
Manatee	398,503	437,640	470,632	498,045	522,641	544,365
Marion	368,135	394,914	417,138	434,244	448,104	459,981
Martin	161,301	170,496	177,612	183,467	188,675	193,311
Miami-Dade	2,832,794	2,992,713	3,128,267	3,234,615	3,322,226	3,398,177
Monroe	77,823	78,799	79,424	79,793	80,020	80,159

Florida Demographic Estimating Conference, March 2021 and the University of Florida, Bureau of Economic and Business Research, Florida Population Studies, Volume 54, Bulletin 189, April 2021.

## Projections of Florida Population by County, 2025–2050, with Estimates for 2023

County and State	Estimates April 1, 2023	Projections, April 1				
		2025	2030	2035	2040	2045
MIAMI-DADE	2,768,954					
Low		2,673,300	2,663,100	2,630,800	2,587,800	2,543,600
Medium		2,814,000	2,910,500	2,981,000	3,035,500	3,083,200
High		2,954,700	3,157,900	3,331,300	3,483,200	3,622,700
MONROE	84,511					
Low		80,300	78,400	76,000	73,300	70,700
Medium		85,400	87,100	88,100	88,600	88,900
High		90,600	95,800	100,200	103,900	107,100

University of Florida Bureau of Economic and Business Research, Florida Population Studies, Bulletin 198.

## 2. SFWMD Water Supply Projections (Monroe County):

Table A-3. Continued.

PS Utility	Net (Finished) Demand – Average Rainfall Conditions (mgd)						
	2020	2021	2025	2030	2035	2040	2045
Miami-Dade County							
Americana Village	0.23	0.23	0.23	0.23	0.23	0.23	0.23
Florida City	2.10	2.16	2.54	2.88	2.97	3.06	3.36
Homestead	11.74	13.32	13.80	14.37	14.89	15.37	15.83
MDWASD	306.97	307.31	317.91	329.18	340.68	351.52	360.34
North Miami	6.69	6.58	6.75	6.96	7.17	7.31	7.34
North Miami Beach	18.89	19.00	19.25	21.05	22.10	22.98	24.44
<b>Miami-Dade County Total</b>	<b>346.62</b>	<b>348.59</b>	<b>360.48</b>	<b>374.66</b>	<b>388.04</b>	<b>400.47</b>	<b>411.54</b>
Monroe County							
FKAA	18.29	18.39	18.52	18.66	18.75	18.80	18.85
<b>Monroe County Total</b>	<b>18.29</b>	<b>18.39</b>	<b>18.52</b>	<b>18.66</b>	<b>18.75</b>	<b>18.80</b>	<b>18.85</b>
Palm Beach County							

South Florida Water Management District water use projections for Monroe County through 2045. 2023-24 Lower East Coast Water Supply Plan Update, SFWMD. With a population not projected to increase, and a steady water supply, LOS needs through 2045 will be met with little if any change.

# Comprehensive Plan Edits Guide – December 2025 v.2

*(This draft incorporates changes that were made in response to Florida-Commerce's Objections, Recommendations, and Comments (ORC) Report.)*

Page 2, Policy 1.2.2.: Changed to correct outfall number

Page 3, Policy 1.5.1.: Changed to 25% pervious

Page 3, Policy 1.5.2.: Changed to 2025 Vulnerability Assessment

Page 3, Objective 1.6: Replaced shall with "should"

Page 3, Policy 1.6.1: Replaced shall with "should"

Page 8: Added Future Transportation Map

Page 9, Policy 1.1.4.: Changed to "applicable FEMA Floodplain Regulations and Guidelines

Page 12, Objective 1.2: Changed to 3 outfalls; *changed date from 2045 to 2032 after 12/18 City Commission meeting*

Page 12, Policy 1.2.2: Added a deadline of 2028 responding to Florida Commerce's comment section stating this policy lacked a "timeframe for implementation."

Page 12, Policy 1.2.2.: Changed to the 2025 Vulnerability Assessment and 2026 Watershed Management Plan

Page 12: Table removed

Page 14, Policy 1.4.4.: Changed to "by 2028."

Page 16, Policy 1.2.1: *Changed date to 2032 to remain consistent with Objective 1.2*

Page 16, Policy 1.2.2.: Changed "amend" to "enforce" to reflect our City's current LDRs

Page 18, Policy 1.6.1 (b): Replacing this policy verbiage with the following, *"The total combined area of accessory structures within the shoreline setback may only occupy 30 percent of the principal shoreline setback on Vaca Cut excluding the first 20 feet from MHW, and 60 percent of the principal shoreline setback along manmade canals including the first 10 feet from MHW except for pools and spas".*

Page 19, Policy 2.2.2.: Changed to "applicable FEMA Floodplain Regulations and Guidelines"

Page 21, Policy 3.1.1.: Changed to Vulnerability Assessment "...completed in 2025."

Page 21, Policy 3.1.2.: Changed to "Watershed Management Plan scheduled to be completed in 2026;" "2025 Vulnerability Assessment"

Page 21, Policy 3.2.1.: Changed to 2025 Vulnerability Assessment

Page 21, Policy 3.2.1.: Changed to 2025 Vulnerability Assessment

Page 22, Policy 3.2.5.: Changed to 3 years; 2025 Vulnerability Assessment

Page 23, Policy 3.4.1.: Rewritten to read: *“Develop and update land development techniques and best practices for coastal real property in flood zone designations established by the Federal Emergency Management Agency and outlined in FEMA Guidelines and the Florida Building Code. Such standards may include, but are not limited to, structural and nonstructural techniques such as low impact development and green infrastructure strategies that will enhance water quality treatment while also providing flood mitigation benefits. Best practices include flood mitigation strategies, including design of elements on structures, such as electrical components, and modification of infrastructure (including utilities) and shall consider impacts to adjacent properties, historic properties, and infrastructure projects.”*

Page 23, Policy 3.4.3.: Changed to *“shall comply with all applicable FEMA Floodplain Regulations and Guidelines. The City shall implement freeboard requirements consistent with or exceeding the Florida Building Code.”*

Page 24, Policy 3.5.1.: Changed to 3 years

Page 24, Policy 3.7.1.: Changed to 2025 VA and 2026 WMP

Page 27, Objective 1.5: Added “habitable” to floor definition

Page 28, Policy 1.7.3.: Adopt by 2028

Page 32, Policy 1.1.2.: Added stormwater

Page 32, Policy 1.1.3.: 2025 VA and 2026 WMP

Page 36-38: Removed old Five Year Capital Improvement Plan; replaced with new draft Five Year Capital and Wastewater Project Plans

Page 40: Changed City Manager to City Administrator

Page 40: Added Data & Analysis section that reads: *“The Data and Analysis required to comply with the 10- and 20-year planning horizons are included as appendices along with the Key Colony Beach staff report, and are duly incorporated as part of this Comprehensive Plan.”*

Page 41-47: Added Staff Report; Data & Analysis – included projections for population and Levels of Service



## **Business Impact Estimate**

*This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City of Key Colony Beach, Florida's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference:

ORDINANCE NO. 2025-497

AN ORDINANCE OF KEY COLONY BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, COASTAL MANAGEMENT, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS, ELEMENTS OF THE COMPREHENSIVE PLAN; ADDING A PROPERTY RIGHTS ELEMENT AND ACCOMPANYING GOAL, OBJECTIVE AND POLICIES; AS MANDATED BY FLORIDA STATUTES 163.3177; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
  - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
  - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

**1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):**

The City Commission will hold a public hearing to adopt textual amendments to the Comprehensive Plan. These amendments align the City's long-term growth and development strategy with state planning requirements and address future land use, housing, transportation, infrastructure, conservation, and property rights. The ordinance serves the public interest by promoting orderly development, protecting the environment, and ensuring consistency with state regulations.

**2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:**

There is no new or additional costs on private businesses within the City. The amendments primarily address planning and regulatory alignment without introducing new restrictions or costs for businesses.

**3. Estimate of direct compliance costs that businesses may reasonably incur:**

The proposed amendments do not impose new regulatory burdens, compliance requirements, or financial obligations on businesses beyond existing requirements.

**4. Any new charge or fee imposed by the proposed ordinance:**

The ordinance does not introduce new fees, taxes, or financial assessments.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

The City does not anticipate any significant regulatory costs associated with implementing the ordinance. No new fees or charges are introduced to offset regulatory expenses.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The ordinance applies to comprehensive planning and land-use policy adjustments that do not directly affect business operations or costs.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

The proposed amendments were developed in compliance with Florida Statutes §163.3177, ensuring consistency with state planning objectives. No anticipated fiscal burden has been identified for businesses or individuals.



Published Weekly  
Marathon, Monroe County, Florida

## PROOF OF PUBLICATION

### STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared JASON KOLER who on oath, says that he is PUBLISHER of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

February 6, 2025

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

*2/6/25*  
Sworn to and subscribed before me  
this 6 day of FEB, 2025.  
(SEAL)

*[Signature]*  
Notary



TERRY PATTERSON  
MY COMMISSION # HH 189034  
EXPIRES: December 17, 2025  
Bonded Thru Notary Public Underwriters

*City of Key Colony Beach*



## CITY OF KEY COLONY BEACH NOTICE OF COMPREHENSIVE PLAN AMENDMENTS HEARING

NOTICE IS HEREBY GIVEN that the PLANNING AND ZONING BOARD SITTING AS THE LOCAL PLANNING AGENCY (LPA) of the City of Key Colony Beach, Florida will hold a Public Hearing on Wednesday, February 19, 2025, at 9:30 a.m., or as soon thereafter as the agenda permits. This meeting will be at the Key Colony Beach City Hall Auditorium 'Marble Hall' located at 600 W. Ocean Drive, Key Colony Beach, Florida, 33051. The Planning & Zoning Board will hear the following Ordinance:

ORDINANCE NO. 2025-497

AN ORDINANCE OF KEY COLONY BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, COASTAL MANAGEMENT, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS, ELEMENTS OF THE COMPREHENSIVE PLAN; ADDING A PROPERTY RIGHTS ELEMENT AND ACCOMPANYING GOAL, OBJECTIVE AND POLICIES; AS MANDATED BY FLORIDA STATUTES 163.3177; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. This meeting will be available virtually via ZOOM Meetings. Members of the public who wish to attend virtually may join via Zoom at <https://us02web.zoom.us/j/86254175368?pwd=OBqE7hsxTR0nlhzQBevubTzjUMs.1>

Copies of the proposed Ordinance are available for inspection at the City Hall of Key Colony Beach.

The City Commission requests an amendment to the City's Comprehensive Plan in order to guide and control the future development of the City to preserve, promote, and protect the public's health, safety, and welfare. This proposed amendment is required by Florida law in areas of critical state concern. Interested parties may attend the Hearing and be heard with respect to the requested code amendment.

If any person decides to appeal any decision made by the Commission with respect to any matter considered at the Comprehensive Plan Amendment Hearing, that person will need a record of the proceeding 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.

If you are unable to attend the Hearing on Wednesday, February 19, 2025, but wish to comment, please direct correspondence to:  
City Clerk, P.O. Box 510141, Key Colony Beach, FL 33051,  
or [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) and your comments will be entered into the record.

City Clerk, City of Key Colony Beach

Publish: February 6, 2025. The Weekly Newspapers



Published Weekly  
Marathon, Monroe County, Florida

## PROOF OF PUBLICATION

### STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared JASON KOLER who on oath, says that he is PUBLISHER of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

January 8, 2026

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, In Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

*for V2*  
Sworn to and subscribed before me  
this 8 day of JAN 2026.  
(SEAL)

*Terry Patterson*  
Notary

CITY OF KEY COLONY BEACH  
NOTICE OF CODE  
AMENDMENT HEARING  
"SECOND/FINAL READING OF  
ORDINANCE NO. 2025-497"  
NOTICE IS HEREBY GIVEN that  
the City Commission of the  
City of Key Colony Beach,  
Florida, will hold the following  
Public Hearing to hear  
amendments to the City's  
Code of Ordinances.  
DATE/TIME: Thursday, January  
22nd, 2026, 9:30 AM  
LOCATION: City of Key Colony  
Beach, Marble Hall, 600 W.  
Ocean Dr., Key Colony Beach.  
The proposed Ordinance  
to be heard by the City  
Commission is (ORDINANCE  
NO. 2025-497), entitled, "AN  
ORDINANCE OF KEY COLONY  
BEACH, FLORIDA, AMENDING  
THE GOALS, OBJECTIVES AND  
POLICIES OF THE FUTURE  
LAND USE, TRANSPORTATION,  
HOUSING, INFRASTRUCTURE,  
COASTAL MANAGEMENT,  
CONSERVATION, RECREATION  
AND OPEN SPACE,  
INTERGOVERNMENTAL  
COORDINATION, AND CAPITAL  
IMPROVEMENTS, ELEMENTS  
OF THE COMPREHENSIVE  
PLAN; ADDING A PROPERTY  
RIGHTS ELEMENT  
AND ACCOMPANYING  
GOAL, OBJECTIVE AND  
POLICIES; AS MANDATED  
BY FLORIDA STATUTES  
163.3177; PROVIDING FOR  
TRANSMITTAL TO THE STATE  
LAND PLANNING AGENCY;  
PROVIDING A CONFLICTS  
CLAUSE AND SEVERABILITY  
CLAUSE; PROVIDING AN  
EFFECTIVE DATE."

The Business Impact  
Statement is available for  
review on the City of Key  
Colony Beach's website at  
[www.keycolonybeach.net](http://www.keycolonybeach.net) and  
at City Hall at 600 W. Ocean  
Drive, Key Colony Beach.  
Interested parties may appear  
at the meeting and be heard  
with respect to the proposed  
ordinance. Copies of the  
proposed Ordinance are  
available for inspection at the  
City Hall of Key Colony Beach.  
If any person decides to  
appeal any decision made  
by the Key Colony Beach City  
Commission with respect to  
any matter considered at the  
Code Amendment Hearing,  
that person will need a record  
of the proceeding 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.

If you are unable to attend the  
Public Hearing on Thursday,  
January 22nd, 2026, but wish  
to comment, please direct  
correspondence to the City  
Clerk, P.O. Box 510141, Key  
Colony Beach, FL 33051,  
and your comments will be  
entered into the record.

To be published: On or before  
January 12th, 2026  
City Clerk - City of Key Colony  
Beach, Florida  
Publish:  
January 8, 2026  
The Weekly Newspapers





CITY OF KEY COLONY BEACH  
PO BOX 510141  
KEY COLONY BEACH FL 33051

Account: 423431

Ticket: 3979976

---

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF MONROE

[legal.text]

Before the undersigned authority personally appeared

Amber Douglas \_\_\_\_\_, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of was published in said newspaper in the issues of:

Thursday, January 15, 2026

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Affirmed and subscribed before me this 15th day of January 2026

(Notary Public Signature)

Jill Kelli Di Benedetto \_\_\_\_\_  
(Notary Public Printed Name)

My commission expires \_\_\_\_\_ 8/19/2027 \_\_\_\_\_

Personally Known  Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_ (Notary Seal) \_\_\_\_\_



# *City of Key Colony Beach*

PO Box 510141 Key Colony Beach, Florida • Phone # 305-289-1212 • Fax 305-289-1767



## **CITY OF KEY COLONY BEACH NOTICE OF COMPREHENSIVE PLAN AMENDMENTS HEARING**

**NOTICE IS HEREBY GIVEN** that the **CITY COMMISSION** of the City of Key Colony Beach, Florida will hold a Public Hearing for a Second and Final Reading on Thursday, January 22nd, 2026, at 9:30 a.m. or as soon thereafter as the agenda permits. This meeting will be at the Key Colony Beach City Hall Commission room located at 600 W. Ocean Drive, Key Colony Beach, Florida, 33051. The City Commission will hear the following Ordinance:

**ORDINANCE NO. 2025-497**

**AN ORDINANCE OF KEY COLONY BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, COASTAL MANAGEMENT, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS, ELEMENTS OF THE COMPREHENSIVE PLAN; ADDING A PROPERTY RIGHTS ELEMENT AND ACCOMPANYING GOAL, OBJECTIVE AND POLICIES; AS MANDATED BY FLORIDA STATUTES 163.3177; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.**

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. This meeting will be available virtually via ZOOM Meetings. Members of the public who wish to attend virtually may join the Zoom Meeting at  
<https://us02web.zoom.us/j/89884064712?pwd=KqWT4Bh1SxUUGcr3sbPPESzQ1Qxqmc.1>

Copies of the proposed Ordinance are available for inspection at the City Hall of Key Colony Beach.

The City Commission requests an amendment to the City's Comprehensive Plan in order to guide and control the future development of the City to preserve, promote, and protect the public's health, safety, and welfare. This proposed amendment is required by Florida law in areas of critical state concern. Interested parties may attend the Hearing and be heard with respect to the requested code amendment.

If any person decides to appeal any decision made by the Commission with respect to any matter considered at the Code Amendment Hearing, that person will need a record of the proceeding 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.

If you are unable to attend the Hearing on Thursday, January 22nd, 2026, but wish to comment, please direct correspondence to: City Clerk, P.O. Box. 510141, Key Colony Beach, FL 33051, or [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) and your comments will be entered into the record.

Silvia Roussin  
City Clerk, City of Key Colony Beach  
Publish: 01-15-2026

## ORDINANCE NO. 2025-507

**AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE III, CHAPTER 101 OF THE LAND DEVELOPMENT REGULATIONS RELATED TO REDUCTION OF SETBACKS FOR RESIDENTIAL POOLS; SPECIFICALLY AMENDING SECTIONS 101-13 AND 101-26 OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR REDUCED SETBACKS FOR POOLS WITHIN THE R-2B ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE**

---

**WHEREAS**, the City of Key Colony Beach, Florida (the “City”), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

**WHEREAS**, the City Commission of the City of Key Colony Beach, Florida (the “City Commission”) determined the need to amend the Land Development Regulations to reduce required side setbacks for pools; and

**WHEREAS**, the City Commission desires to specifically amend Article III, Sections 101-13 and 101-26 of the City’s Land Development Regulations in order to clarify the required setbacks for pools within the R-2B zoning district; and

**WHEREAS**, the City Commission finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:**

Strikethrough = deletion

**Bold underline** = addition

### **Section 1: Recitals**

The above recitals are true and correct.

### **Section 2: Effective Date**

This Ordinance shall become effective upon final approval by the City Commission.

### **Section 3: Amending Section 101-13 and 101-26 of the Land Development Regulations**

Sections 101-13 and 101-26 of Article III, "District Regulations" of the Land Development Regulations of the City of Key Colony Beach, Florida, is hereby amended as follows:

Sec. 101-13. - R-2B Two dwelling unit residence district.

(1) Intent. This district is intended to accommodate one unit detached and two-unit dwellings. It conforms with the two-family residential category of the comprehensive plan.

\*\*\*

(5) Setbacks (see also section 101-26).

Front yard minimum of 20 feet, except 5 feet on Clara Boulevard and Coral Lane.

Side yard minimum of 5 feet on each side, except on corner lots or on combined lots. In the case of attached two-unit dwellings, one side setback shall be required for each dwelling. ~~A minimum side yard setback of 5 feet shall be allowed only for pools within R2B zoning in accordance with section 101-26.~~

Rear yard minimum of 15 feet, except 5 feet on Clara Boulevard and Coral Lane.

Corner lot minimum side yard of 15 feet on the street frontage and rear yard of 5 feet.

For combined lots, the side yard minimum shall be 10 per cent of total width.

(6) Floor area. Minimum habitable building area of 450 square feet per dwelling unit.

(7) Pervious area. Minimum of 15 per cent.

(8) Height. Maximum of 1 story, but in no case more than 20 feet.

(9) Special regulations. See sections governing parking, landscaping and signs.

\*\*\*\*

Sec. 101-26. - Accessory structures and uses.

\*\*\*

(11) *Swimming pools, spas, hot tubs.*

(a) *Setbacks:*

~~10 5 feet from side lot lines and 10 feet from rear lot lines and (MHW) on canals and 10 5 feet from sides lot lines and 10 feet from rear lot lines on dry lots; except~~

~~that a minimum side yard setback of 5 feet shall be allowed for pools only within the R2B zoning district as provided for in Section 101-13 above.~~

25 feet from front lot line in all districts;

15 feet from side lot line in R-3 and RH districts;

100 feet from Ocean (MHW);

20 feet from MHW on Vaca Cut.

(b) [Pools, spas, and hot tubs:] Above grade pools are not permitted in any district. Prefabricated portable wading pools not over 18 inches in height above grade are permitted. Portable, plug in type spas or hot tubs no larger than 8'0" x 8'0" x 3'0" in height above grade are permitted when in compliance with the following:

1. Setbacks must comply with section 101-26(11)(a).
2. All controls, water heating and water circulating equipment are an integral part of the product and must be cord-connected to GFI outlet (no hard or permanent plumbing or electrical connections are permitted).
3. Must comply with SBCCI Standard Swimming Pool Code 1999 Edition (in particular Section 315, Protective Enclosure).
4. Must comply with City Code Chapter 6, section 6-2.3 which states that structures are designed to be securely anchored so as to withstand hurricane force wind and wave pressure.
5. A building permit must be approved and obtained prior to any installation.

(c) Drainage: Pool drainage shall not be piped to the city sewer system. See article VII. Pools cannot drain onto adjoining property or rights-of-way.

(d) Pool enclosures: Insect screening or other enclosures shall be permitted when the pool and its enclosure are not located within the required setback.

\*\*\*\*\*

#### **Section 4: Severability and Conflict**

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

#### **Section 5: Inclusion in the Code of Ordinances and Land Development Regulations**

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances and Land Development Regulations of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

#### **Section 6: Effective Date**

This Ordinance shall become effective upon its final adoption by the City Commission of the City of Key Colony Beach, Florida.

*-/Remainder of Page Left Intentionally Blank/-*

**FIRST READING** by the City of Key Colony Beach, Florida, City Commission this 18<sup>th</sup> day of December 2025.

Mayor Freddie Foster	NO _____	YES <input checked="" type="checkbox"/> x _____
Vice-Mayor Doug Colonell	NO _____	YES <input checked="" type="checkbox"/> x _____
Commissioner Tom Harding	NO _____	YES <input checked="" type="checkbox"/> x _____
Commissioner Tom DiFransico	NO _____	YES <input checked="" type="checkbox"/> x _____
Commissioner Kirk Diehl	NO _____	YES <input checked="" type="checkbox"/> x _____

**SECOND READING AND DULY ADOPTED** by the City of Key Colony Beach, Florida, City Commission on this 22<sup>nd</sup> day of January 2026.

Mayor Freddie Foster	NO _____	YES _____
Vice-Mayor Doug Colonell	NO _____	YES _____
Commissioner Tom Harding	NO _____	YES _____
Commissioner Tom DiFransico	NO _____	YES _____
Commissioner Kirk Diehl	NO _____	YES _____

**DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA**, this 22nd day of January 2026.

---

Freddie Foster  
Mayor

---

Silvia Roussin, City Clerk

*Approved as to form and legal sufficiency:*

---

Dirk M. Smits, Esq. B.C.S., City Attorney



## **Business Impact Estimate**

*This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City of Key Colony Beach, Florida's website by the time notice of the proposed ordinance is published.*

**Proposed ordinance's title/reference:** Ordinance No. 2025-507: An Ordinance related to Setback Requirements for Residential Swimming Pools. "AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE III, CHAPTER 101 OF THE LAND DEVELOPMENT REGULATIONS RELATED TO REDUCTION OF SETBACKS FOR RESIDENTIAL POOLS; SPECIFICALLY AMENDING SECTIONS 101-13 AND 101-26 OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR REDUCED SETBACKS FOR POOLS WITHIN THE R-2B ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE."

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or

- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
  - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
  - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

- 1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):** The purpose of the proposed ordinance is to reduce costs to residents for variance applications that are typically granted for this type of setback request and to allow more timely construction for residents.
- 2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:** None.
- 3. Estimate of direct compliance costs that businesses may reasonably incur:** None.
- 4. Any new charge or fee imposed by the proposed ordinance:** None.
- 5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:** None.
- 6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:** None.
- 7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):** None.



Published Weekly  
Marathon, Monroe County, Florida

## PROOF OF PUBLICATION

### **STATE OF FLORIDA COUNTY OF MONROE**

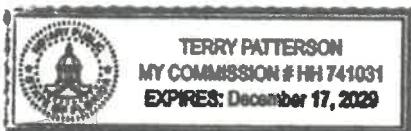
Before the undersigned authority personally appeared **JASON KOLER** who on oath, says that he is **PUBLISHER** of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

January 8, 2026

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Sworn to and subscribed before me this 8 day of JAN, 2026.  
(SEAL)

Terry Patterson  
Notary



**CITY OF KEY COLONY BEACH  
NOTICE OF CODE  
AMENDMENT HEARING  
"SECOND/FINAL READING OF  
ORDINANCE NO. 2025-507"**  
NOTICE IS HEREBY GIVEN that the City Commission of the City of Key Colony Beach, Florida, will hold the following Public Hearing to hear amendments to the City's Code of Ordinances.  
DATE/TIME: Thursday, January 22nd, 2026, 9:30 AM  
LOCATION: City of Key Colony Beach, Marble Hall, 600 W. Ocean Dr., Key Colony Beach. The proposed Ordinance to be heard by the City Commission is [ORDINANCE NO. 2025-507], entitled: "AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING ARTICLE III, CHAPTER 101 OF THE LAND DEVELOPMENT REGULATIONS RELATED TO REDUCTION OF SETBACKS FOR RESIDENTIAL POOLS, SPECIFICALLY AMENDING SECTIONS 101-13 AND 101-26 OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR REDUCED SETBACKS FOR POOLS WITHIN THE R-2B ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE."

The Business Impact Statement is available for review on the City of Key Colony Beach's website at [www.keycolonybeach.net](http://www.keycolonybeach.net) and at City Hall at 600 W. Ocean Drive, Key Colony Beach. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Copies of the proposed Ordinance are available for inspection at the City Hall of Key Colony Beach. If any person decides to appeal any decision made by the Key Colony Beach City Commission with respect to any matter considered at the Code Amendment Hearing, that person will need a record of the proceeding 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.

If you are unable to attend the Public Hearing on Thursday, January 22nd, 2026, but wish to comment, please direct correspondence to the City Clerk, P.O. Box 510141, Key Colony Beach, FL 33051 and your comments will be entered into the record.

To be published: On or before January 12th, 2026

City Clerk  
City of Key Colony Beach,  
Florida  
Published:  
January 8, 2026  
The Weekly Newspapers

## City of Key Colony Beach Treasurer's Report – January 22, 2026

### December 31, 2026, financial summary – General Fund

- ✓ 3rd Month of the 2026 fiscal year budget, Monthly Plot below:



#### Revenue Comments:

- Year to date revenue is similar to last year at this time, 3% higher, no concerns.

#### Expenses Comments:

- Overall expenses are slightly over planned budget amount by \$38,000 for year to date.
- Legal costs year to date are slightly above budget, however, we had a lower invoice for the month of December.
- Monthly tracking of irrigation costs continued to monitor usage.

#### Grant Reimbursements:

- Sunset park grant reimbursement received for \$50,000, which closes out this grant.

#### Building Fund:

- Year to date in good shape. Revenue lower than planned budget, Expenses lower than planned budget, net YTD in good shape.

## City of Key Colony Beach Treasurer's Report – January 22, 2026

### December 31, 2025, financial summary – Wastewater/Stormwater

✓ 3rd month of the 2026 Fiscal Year, Wastewater Monthly plot below:



#### Revenue Status:

- Total revenue slightly lower YTD vs. planned budget by 6%

#### Expenses Status:

- Overall expenses slightly under budget for year-to-date
- Initial payment (\$63,230.00) made for membrane order, that was approved and is in the budget

#### Reimbursement Status of Submitted Projects:

- \$190,278.75 submitted on 20Oc25, not received yet

#### Stormwater:

Checking/Savings balance \$68,788.99

**Revenue:** Stormwater fees collected YTD at 88% of budget based on front end loading of revenue

#### Reimbursement grant status:

- Reimbursement requested for \$411,448.38 on 20Oc25, not received yet

**City of Key Colony Beach Treasurer's Report – January 22, 2026**

**Updates on analysis of funding options to support City Hall Hardening Project:**

Reminder of suggested funding need:

\$3.0 million funding need, assumes \$1.5 million keep in reserves for city contingency (storms/emergency/cash flow). Target length of payments – 15 years

Planned use of current Infrastructure/Impact/Building/Reserve Funds. No new major projects.

10% contingency assumed beyond Contractor contract amount

Assumed list of bills beyond the scope of the contractor contract that was reviewed previously

Assumed a line of credit will be used until construction work is complete.

Capability to potentially lower final amount needed as we gain experience this year.

## City of Key Colony Beach Treasurer's Report – January 22, 2026

### Updates on analysis of funding options to support City Hall Hardening Project:

#### Option review:

##### Key Colony Beach City Hall Financing Options

##### Summary of Options Proposed \$3.0 million financing

Item	Description	Revenue Stream	Approval	Length options	Legal Fees Est	Additional Fee Est.	Interest Rate Est.	Net amount (assumed 15 years)	Recommendation
1	General Obligation Debt	Ad-Valorem Tax, separate from Millage	Voter Approved, requires election	Up to 30 years	\$ 15,000.00	\$ 30,000.00	4.75	\$ 4,245,292.00	Not recommended
2	Pledged Revenue Debt	Single Non Ad-Valorem Funding, Single Fee Revenue Stream	Commission and Lender Approval	Approval by Commission yearly, up to 20 years	\$ 10,000.00	\$ 30,000.00	5	\$ 4,310,286.00	Not recommended, no single funding stream available
3	Covenant to Budget and Appropriate (CB&A) Debt	Multiple Non Ad-Valorem Funding streams from fees	Commission and Lender Approval	Approval by Commission yearly, up to 20 years	\$ 10,000.00	\$ 30,000.00	5	\$ 4,310,286.00	Recommended
4	Special Assessment Debt	Special Assessment of Non Ad-Valorem Funds	Commission and Lender Approval	Approval by Commission yearly, up to 20 years	\$ 15,000.00	\$ 30,000.00	5	\$ 4,315,286.00	Not recommended
5	Certificates of Participation (COPs)	Lease payment funded by Ad-Valorem Tax	Trustee, Leasing and Commission Approval	Annual approval required, up to 20 years	\$ 40,000.00	\$ 235,000.00	5.25	\$ 4,615,940.00	Not recommended, additional fees including yearly renewal fees, higher rates due to risk In the event of a non-appropriation, facility is re-let by trustee through length of the lease

Compiled by T. Harding, Reference Information provided by Ford & Associates, First Horizon

## **Key Colony City Commission Meeting 22Ja26**

### **Commissioner updates:**

Topic: US1 and Sadowski Causeway Pedestrian crossing improvements

Reminder: Safety concern highlighted in crossing US1 using the current crosswalk (North/South crosswalk on west side of the intersection)

- On site data collection completed in April 2025 by FDOT Contractor
- FDOT modified the pedestrian timer within limits of the current controls – July 2025
- FDOT Design work completed on a longer-term solution - Oct 2025
- Signalization Improvements, signs, and road markings planned for 1<sup>st</sup> quarter 2026 implementation.
  - Hardware and controller changes that will not allow left hand turns from Sadowski while pedestrians are crossing US1 (North/South) (activated push button operation mode).
  - Updated signs
  - Pedestrian walkways will be re-painted
- **Reminder, Florida Law requires drivers to “Stop” for Pedestrians in a crosswalk**

## **Key Colony City Commission Meeting 22Ja26**

### **Commissioner updates:**

Topic: Please review speed limits within the city by our park areas, specifically East Park by 1<sup>st</sup> and 2<sup>nd</sup> street was the request

Concern, 7 residents with small children in the immediate area by the Park, can the speed limit be reduced and signs be added for “Children at Play”?

Background Awareness from FDOT meetings/training/communications

- Many cities have started to reduce some speed limits from 25 mph to 20 mph in residential areas, by parks, where congestion occurs, where driveway density is a concern for risk reduction.
- 5 mph reduces the probability of fatal or severe injury by 40% for pedestrians and bicycles. Improves response time for both the driver and pedestrians.
- Data supports if speed limits are reduced, actual operational speed also reduced.
- U.S. DOT and FDOT have adopted the Safe System Approach to pursue proactive ideas for improved safety, with residential speed limits part of the suggestions.
- Florida has seen an 18.9% increase in pedestrians crashes in the last year

**Question, would we like to pursue proactive improvement?**

## Key Colony City Commission Meeting 22Ja26

### Commissioner updates:

Topic: Awareness of fuel needs for Emergency Generators:

#### **Summary of Key Colony Beach Generators**

Item	Description	Brand/Model	Run time at 100% Load (Hrs.)	Run time at 75% Load (Hrs.)	Diesel Tank capacity	Additional Diesel Volume for 7 days (gallons) - Full Load	Additional Diesel Volume for 14 days (gallons) Full Load
1	New City Hall Generator	Kohler 200REOZJF, John Deere	96 - 4 days	123 - 5.125 days	1517	1138	3792
2	Wastewater Plant	Detroit Diesel	118 - 4.9 days	151 - 6.3 days	2000	857	3713
3	Large Portable Trailer	Wacker G50/John Deere	65 - 2.7 days	83.5 - 3.5 days	300	475	1248
					<b>Total</b>	<b>2470</b>	<b>8753</b>
					<b>Total plus 20% Safety Factor</b>	<b>2964</b>	<b>10503.6</b>
Miscellaneous portable generators require 84 gallons for refill							
Power outage last 7 major storms for Florida (10 years):Average is 11 days;Max range is 16 days; Min Range is 5 days							
	T. Harding	20De25					

Have we reviewed options for back-up fuel, City dedicated back up tank, Monroe County, Marathon.