

*[Editorial Note: This is a transcript automatically generated by Zoom. Where possible, we have corrected it to show speaker names and to correct transcription errors. It is otherwise verbatim.]*

[City of Key Colony Beach] 15:31:22  
Um, pledge please.

[City of Key Colony Beach] 15:31:28  
of the United States is like your act. delivery project which stands one nation under God, indivisible, with liberty and justice for all.

[City of Key Colony Beach] 15:31:43  
We also preserve our flag. We thank you for a great country and for your bounty to the Florida Keys and to our city.

[City of Key Colony Beach] 15:31:49  
We praise your guidance and all observations at the Commission rephrase your progress and thought.

[City of Key Colony Beach] 15:32:01  
Okay, Sylvia roll call. Mayor Foster? Here. Vice Mayor Colonell here, Commissioner Harding here. Commissioner Diehl here.

Okay, do I have any additions or changes to the agenda?

Yes, Mr. Mayor. We have under item 3 for special request recognition of Sergeant Jamie Buxton for her life-saving actions on February 9th, 2026. Under item 5, addendum to 5G, you beautification. by Chair Bahman. Under item 7 for discussion again. Addendum to item 7A recommendation by Jason Schepler to award the previous paper bid and new item 7F, recommendation by the Utility Board to approve a quote by Novonic for annual preventative spares and service. Under item 11, Commissioner Reports and Comments, Commissioner Harding, the addendum to the wastewater report.

[Foster]  
Okay. Do I have a motion to approve the agenda?

[Difransico]  
I would like to make suggest one additional change to the agenda. I would like to add an item to item 7 have to discuss and approve the rescission of the commission's approval to the solid fish tablets, Sunset Park.

[Foster]  
Is there something that needs to be done today?

[Difransico]

Yes. Is it an urgent issue? It's on order. It will be installed if we don't take any action. We can take it out if we need legal. Yeah, I mean, if it's if it's an urgent matter, it would be appropriate for a vote. If it's not. Oh, sorry.

[City of Key Colony Beach] 15:33:38

Um, yeah, generally, if you're gonna add something to the agenda, if it's urgent in nature without being advertised previously, that would be a basis. If it's something that can be taken up to the next meeting, our recommendation would be to add it to a subsequent meeting.

[Foster]

So I'm okay if you want to talk about it in your report, but let me double check. Mike, you're not going to install the exchange table within a month.

[Difrancico]

It's been ordered.

[Foster]

So here's my concern. This has already been approved 5. Oh yes, and now, last minute we want to go ahead and undo it. I'm not... I don't want to have that discussion here. I don't mind if you want to cover it under your... your agenda, or under your commission section, but I do not want to vote on it today. It's nothing urgent that has to be done today. So long as we can agree that it will not be installed before commission has suggested this too. I'm not agreeing on anything. Okay.

[Difrancico]

Well, I would like to add it from the agenda. I propose making an agenda addition to for discussion and possible rescission of the Commission's approval to install the fish making table, because I think it's an eyesore.

[Foster]

Okay, I appreciate that, but here's my concern. We too many times we've approved stuff and either people are not thinking about it when we do it, or You get feedback that you want to undo it. I'm okay, I just don't want it today. So if you want to put it to a vote, my vote is no.

[Difrancico]

I would like to put it to a vote. Okay, I'm good with that.

[City of Key Colony Beach] 15:35:18

So just let's do this one separate. So. Tom would like to have Difrancico would like to have the fish cleaning station. Actually, it's for bait. But anyway, put to a vote today. I want to hold it.

[Foster]

Okay, so we have a motion by commercial time defense secret. Do we have a second?

[City of Key Colony Beach] 15:35:45  
I'll second it. We have a second.

[Foster]  
No further discussion will call, please. Commissioner Harding. I have a little bit of discussion. Well of this this issue. I mean, you got a motion and a second. It's open for discussion. When we initially approved this.

[Colonell]  
I thought it was going to be a small one foot by two foot base preparation station on on the pier. I find out now it's a 4-foot wide, 7-foot tall, uh fish cleaning station. It's going to take up the whole end of the pier. It's going to extend above the pier by about 4 feet. It's going to be an eyesore, and it's going to prompt people to want to plant fish down there. I just think it's inappropriate to do that, and I'd like to... share it with Commissioner to see if anyone else agrees. Awesome. So here's my my revolt. They're cleaning the fish, but they really don't really catch much, but they're cleaning the bait on the rails. I'd rather have it so they can clean the bait on the station. And we have the grant that was well spelled out. This stuff was already documented, talked about, vet it several times, and now at the 12th hour we want to undo it. So that's my concern.

[Difransico]  
I understand, but I think this is I misunderstood what I looked at the initial was it.

[Colonell]  
Let me offer something. Just quickly, I know where are we today. Is it possible that we could look at something smaller?

[Difransico]  
But we did. We went with the smallest 7 feet tall. That's just the curve now.

[Colonell]  
If it was a smaller one, you know, like the back of my boat has one this big enough for days.

[Harding]  
There's a picture of what's going on. That's the 7 foot. That 7 foot high straight across. And that's canvas, that's not solid.

[Silvia]  
Mr. Mayor. I mean, this is this is the vote to add the agenda item. You're not voting on the item yet. So the the discussion is whether or not to add it as add an additional agenda item. Correct.

[Foster]

So I've made my fees. We have a first, and we have a second. Can we have roll call, please?

Commissioner Harding. No. Commissioner Difransico Yes. Commissioner. No. Vice Mayor Colonell no. Yes. Mayor Pasta? No. And the motion to add the item to the agenda has failed.

[Foster]

Okay. All right. So we're back to a 1st and second, I believe, on the regular agenda. Is that correct?

We actually had no 1st and 2nd yet.

So the regular agenda was the changes that were read into the record. Okay.

All right, local. Can you make an offer motion? Oh, I thought we did. All right. Motion to approve the agenda as written with the changes. Make the motion to approve the agenda with changes that show.

Do we have a second? Second. Commissioner Diehl. Yes, Commissioner Harding. Yes, Commissioner. Yes. Vice Mayo. Yes. Mayor Foster? Yes. Agenda exchange is approved. Thank you. Thank you.

[Foster]

Okay. Now, I don't get to do this much and this is, well... This is 2-sided. I hope I don't get to do this much, but now that I do, and and the and when you hear what we're going to do, you'll understand why it's what's the right words? Bittersweet, um... I'll just get right into it. Jamie. So we're going to read this, and then we'll go from there. All right. I'm writing this to formally recognize and condemn the heroic life saving actions of Jamie Buxton regarding the incident occurred on February 9, th 2,026 at 1138 hours. Sergeant Buxton responded to a report of a fault victim at 711 10th Street. Upon arrival, she discovered an unconscious female victim and a pool of blood with no deductible pulse. Without hesitation, Sergeant Buxton initiated a life-saving protocols, performed CPR and deploy the AED. Her expertise and her composure under pressure were successful in establishing a pulse and an agonal breathing before the arrival of the medical units. The victim was subsequently airlifted to a trauma center where she was stabilized. I have been informed that by both hospital staff as well as the family members that the victim has made a full recovery. It was noted by staff and family had it not been for Sergeant Buxton's immediate and skilled intervention, the victim would not have survived. Sergeant Buxton's performance during the crisis was exemplary. Her ability to assess a dire situation and execute high-level medical aid reflects the highest standards of your department and policing profession. She is a credit to the Key Colony Beach Police Department and a hero to the family she kept well help keep it whole. I respectfully request that this accommodation be formally recognized, and a copy of this letter be placed in Sergeant Buxton's permanent personal file. So that was from fellow officer and is also echoed by the chief and everybody else involved. So, Jamie, if you would please. No, we have it. staff. Okay, it's a Again, it's hard to explain with a thermometer to give this to you. I hope you don't have to do this again, but I'm glad you have the skills to do that along the other officers. And this is a well-deserved. Okay, thank you. And again,

I'm sure the family can't thank you enough. Sylvia. Did the family not stop by? All right, good, good. Lady.

Okay, we can do that. Thank you. Were you allowing us to come out there quarterly to your CPR and AD and everything else before you have the great skills that we have out here. So thank you very much for what you all for others. Okay. The plant here, she's doing well, too. Okay. Sylvia, you have the original. for this. If not, I'll get it to you. Okay, thanks.

All right. Citizens comments and correspondence, please. Yes,

Mr. Mayor. We received the following system correspondence. On February 5th, Roy Virost, 80 7th Street wrote the City Commission requesting to lower the speed limit on the island from 25 to 20 miles per hour. *[Note that this was reported incorrectly and will be corrected in the record at the next commission meeting. Mr. Virost's letter is available on the comments page.]* On February 13th, 2026, Tammy Monach, Davosbrook, Maryland, wrote to the city and the beautification and Recreation Committee, thanking them for the improvements to public spaces and parks. February 14th, Joe and Chris Corso, KCB residents, wrote to the city commission with the suggestion to bury overhead wires to make it safer and more beautiful February 18th, 980 Shelter Bay, Theodore Bentley wrote to the city commission questioning the recently installed no overnight parking signs along the Shelter Bay Drive. In addition, the City Commission received resident correspondence with concerns about the installation of license plate reader canvas in the city from Jan Pfluger 248th Street, Stanley Bachmann, Kcb resident, Laurie Swanson, 629th Street. And Theodore Bentley 980 Shelter Bay Drive. All correspondence has been shared with City Commission and will be attached to the meeting minutes for today's meeting.

[Foster]

Okay. Any correspondence or citizens comments from the audience, please?

[City of Key Colony Beach] 15:44:50

You've state your name and where you live. You get a push button.

[Barbara Haag-Heitman, 180 11th Street]

180 11th Street. So I come today in the spirit of liberty, justice for all. Late last month, I became aware of the license plates readers, and that are the cameras being installed on the causeway, and then I decided to speak directly to Police Chief Chris D. Giovanni to learn more about it and see I so I sought him out. It was very brief encounter informal, that was January 23rd. I learned that the cameras had not been turned on yet, and they would be hooked up to the county system. Chris Chief stated that he didn't know the software data company that would be collecting and reporting the data. Although I recently learned that the vendor is InSight. I thought previously that was blocked, but it's insight database. Since I still had questions and concerns about the camera. I sent the commissioners, the city administrator and Chief D. Giovanni an email on January 26th. In this email I requested that the cameras not be enabled. Until the concerns about their use have been addressed publicly at the Commission meeting. My

specific concerns and questions include the rules of use, who and when. Identification of the database access beyond Kcb, and the link to data storage. I also listened to the commission meeting in July 2025 where the request was made, and the Commission approved the purchase of the camera, or cameras for \$19,700. There was little discussion about the use before approval. And a comment was made that this would be part of the city expansion.

Today, I'm here to request that the Commission share the policy and procedure for use of the cameras, identify all the authorized users, and I believe that ICE will have access to the data, which actually I'm not in favor of.

In addition, I would like an explanation about the Treasurer's report item on page 151 of the meeting packet, and perhaps we'll get that from Mr. Harding, that identifies the receipt of \$170,000 from the Department of Homeland Security with a question mark about agreement funding. This seems to be related to the memo of agreement between ice and the Kcb police department signed by Chief DiGiovanni on March 27, 2025.

However, I couldn't find any record that that agreement was discussed at the Commission, and perhaps Chris has the authority to execute that without your review or legal review.

Just wanted to make that a public comment. Also in Section 9 of this agreement, it indicates ICE will train KCB police on immigration functions to be performed, but the exact role the KCB police after training is not to find there.

I request the name of the KCP police officers who are already trained by ICE, that are connected to the payment that on page 151 in the Treasurer's report today.

I'd also like to know the plans to train more or all of the six KCB police force to be shared at a commission meeting and the release of the financial agreement that accompanies the demo A Um, if that's available. In summary, I asked the Commission to share the policy and procedure for the use of license plate reader, including but not limited to authorized users, use of the data by KCP police, and sharing of the data with other agencies.

And also at the next commission meeting, I request that there be a review and discussion of the agreement between ICE and the KCB police, and define the details of how this agreement will be operationalized in KCB.

Thank you.

Thank you. Thank you. Anyone else?

[Theodore Bentley 980 Shelter Bay Drive]

Can you speak up just a little bit?

Last week, I believe it was early last week I looked out my bedroom, not my bedroom, but my kitchen window to see a no parking sign placed in front of my driveway along Shelter Bay Drive. I'm not what know when this was approved or how it got approved, or anything else, but... This is a problem that is not a problem. The city, for whatever reason, which I can't understand, putting up no overnight parking signs along Shelter Bay Drive. What's the point? There's never been an issue with overnight parking along Shelter Bay Drive to start with. Number two, every once in a while, maybe somebody does park on Shelter Bay drive overnight because they're a guest of somebody in their overflow. And for the city to just not even pull us residents that live there. This seems to keep

happening over and over again lately within the city, and it's really not right. You know, we're the ones that are impacted when you guys make rules. And, you know, most of the rules are not unreasonable. This is an absolutely unreasonable rule. It's unnecessary. And why don't you put it along 7th Street? If it's such a problem, there's a lot more cars that park overnight on 7th Street. What's the difference? I have a really hard time getting my head wrapped around this particular subject matter. And I respectfully request that those signs be removed forthwith. Plus the right hazard. Do some of us that have trailers trying to buck back back in and back out of our driveways. So. Please remove the signs. There's no point in having them. Thank you.

Laurie Swanson 629th Street. Good afternoon.

[City of Key Colony Beach] 15:51:22

On January 16th, I was arrested, handcuffed, and stashed in a cage of a highway patrol cruiser for not using the sidewalk when I walked across 37th Street in Marathon.

[City of Key Colony Beach] 15:51:37

37th Street has no sidewalk. The day before yesterday, I was tailgated by Customs and Border Patrol from 25th Street to 75th Street.

[City of Key Colony Beach] 15:51:50

This was just after I filmed a Marathon High School student being kidnapped.

[City of Key Colony Beach] 15:51:55

by probably the same Border Patrol. The boy is in Alcatraz now, and forevermore, no doubt.

[City of Key Colony Beach] 15:52:04

Collusion with the Sheriff's department is... sealed his fate.

[City of Key Colony Beach] 15:52:11

Last night, I read the MOA that Christie D. Giovani signed with ICE, and I was outraged.

[City of Key Colony Beach] 15:52:20

Did you know we now have secret police living and working among us?

[City of Key Colony Beach] 15:52:25

As far as I know, all our police are ICE agents.

[City of Key Colony Beach] 15:52:30

The same as those who shot and killed Renee Good and Alex Pretty in Minneapolis.

[City of Key Colony Beach] 15:52:38

When I drive down the causeway in KCB, I've always felt a sense of relief.

[City of Key Colony Beach] 15:52:44

I'm almost home. Now I know there's a target on my back.

[City of Key Colony Beach] 15:52:50

The license plate readers are sending my license plate to ICE.

[City of Key Colony Beach] 15:52:57

Are the secret police stalking me? I know they are stalking some people, immigrant citizens to be exact.

[City of Key Colony Beach] 15:53:08

When my brown-skinned grandson visits in a few weeks and drives the causeway, one of our ICE agents stop him?

[City of Key Colony Beach] 15:53:21

If I call KTD police for help, will Ice show up?

[City of Key Colony Beach] 15:53:26

If they can track me and my friends, don't you think you will be next?

[City of Key Colony Beach] 15:53:35

If they can. Oh, no. If they can track me. Whoops, sorry.

[City of Key Colony Beach] 15:53:40

We don't need license plate reading cameras, and we don't want them.

[City of Key Colony Beach] 15:53:47

Turn off the damn cameras. We don't need or want ICE agents in KCB. Tear up that agreement with our KCB police department that they have with ICE.

[City of Key Colony Beach] 15:53:59

Thank you. Thank you. Anyone else?

[Carmen Slusher 411 12th Street]

I was just wanting to know the status or the progress on the 7th Street boat ramp.

[City of Key Colony Beach] 15:54:26

Oh, I think we got there. It um, go ahead. I was just informed. I got a phone call the other day from our administrator and said that we've got an opportunity to put in a grant and it's due in by April, just for the boat ramp renovation. So it's a rather nice, sizable grant. If it's approved, and if all goes well in 2027, we should start, you know constructing a new boat ramp and the surroundings. Great.

Appreciate you being on top of it. Thank you. Thank you.

[City of Key Colony Beach] 15:55:04

Go ahead.

[Cynthia Catto, 601 West Ocean Drive]

I think both the license plate reader. And the agreement with ICE needs to have a community meeting. I. Sadly, people don't pay as much attention as they should, but this really needs to be a full discussion. available to citizens to know exactly what the topic is. And it should be discussed because I'm very nervous about what could happen, as are other people who were surprised. When I talk to them and couldn't come today, so just... A request. Thank you.

[Fred Swanson, 620 9th Street]

And I also read the MOU for supporting ICE. I believe in cooperation, I believe in our police force. They're they're here for us. But I don't believe ice is I I know too many people personally that have been picked up in the last couple of months, and it's it's not American. It's un-American and we should not be supporting this stuff. It's one thing if they pick somebody up and and he has an opportunity to defend himself or whatever in a court of law, but they're picking people up and putting them in cages. And then, if somebody is released and somebody was released today that was picked up about Halloween. Okay, in Marathon. Actually wasn't in marathon. I was picked up this where he resides. That guy has been in the cage here. Alcatraz, then in Texas, and then in in Arizona, I guess, or New Mexico. It's cost them thousands of dollars. Now he's been released, but he's not okay. And that should not happen. And it did. I don't want our city to support ICE in any way. I'm really angry about other things. Absolutely. But this is not right. I said the same thing to the marathon City Council, and so I feel strongly about it. Thank you.

[City of Key Colony Beach] 15:57:52

Okay. All right. So anyone online?

[City of Key Colony Beach] 15:57:59

Hands up. If there's anybody online. You got to use the raise hand feature.

[City of Key Colony Beach] 15:58:06

Okay. Howard, do you want to scroll down?

[City of Key Colony Beach] 15:58:11

Okay, I don't see. Okay. Seeing none. Let's. Get into the meat of it. Okay.

[City of Key Colony Beach] 15:58:20

And by the way, thanks for the comments, though. That's what the the times for.

[City of Key Colony Beach] 15:58:24

Appreciate it. Um... Marathon, fire department. You're up.

[City of Key Colony Beach] 15:58:31

and by proxy, also your fire department. James Bureau. It's always a pleasure to join you all this afternoon.

[Chief Muro]

I am honored to sit next to Ms. Foxon. This is the partnership that we strive for, and it's the reason why that program works so well that we've talked about with the ADs and the CPR, so... And again, we can't thank you enough for... 100%. And we plan to further embarrass her at a city meeting at some point. So we reserve that right as legal council would advise to bookmark it. To that end, the statistical report, never exciting, but also informative, I hope. We had a fuel-spill event in the past 30 days that was mitigated and controlled. We had one of the no charge take home services that we provide for those who are not ambulatory, but who are discharged from the hospital. That's a program that we provide just to city residents and also Key Colony Beach residents. Year over year up by 3 over last corresponding calendar year. And, um, you know, kind of what we would expect this time of year, the CPR program, we did our first public CPR program, separate from the advanced version that we do the law enforcement. That will be on Wednesdays and Saturdays, and it has been conveyed to Sylvia that the pickleball group wants to do it. There is no charge for those who we seek a block of 10 or 12, and as long as they can make it to Station 14, we will get them certified for two years. So that's a program that we're doing. So there's a QR code that we're utilizing for the public, but you guys will directly communicate with Katie or myself. Let's see what else we have. All helicopters have been taken in service. Again, we don't own them, but we partner with the Sheriff's office and Merrick Monroe County. All are in service, all are flying, and all in use, and they're system-wide or countywide training is in place. And let's see if I have anything else here. I believe that's it other than Cct is a separate strategic function that some of the residents enjoy. These are our highly trained non-firefighters who were paramedics who work on our CCT trucks at this point, this time of year. These are high acuity patients that can't have their needs met locally. We're transporting, on average, 12 a day, sometimes 16, depending on turnaround time, out of this region up to the mainland. So that's something that's community service separate from 911. I'm always available for questions, and I appreciate the invite.

[City of Key Colony Beach] 16:00:59

Okay, anybody any questions?

[Harding]

Yeah, Chief, I got one. I was happy to see in your report the NERS. I'm not sure how you pronounce that, but can you send me an example of the data that comes out of that? I'm curious for using it for something. Sure, no problem. And just to add to the confusion in the acronym for 30 years since I was 19 or so, it was called a NURIS report. So I guess they're making improvements. We'll get to you. And it's primarily a fire report, and I'll get that to you. Thank you.

[City of Key Colony Beach] 16:01:24

Any other questions? Again, thank you for your service. We appreciate everything you do. And keep those CPR classes going. There's people, thank you for that. Okay. Jamie, we have your report. Do you have any additional? I don't have anything additional. All

right. Again, nice job. I appreciate it. I appreciate it. That'd be something more we can do for that. We'll think about it.

[City of Key Colony Beach] 16:01:56

How about you and I? We commiserate on that. We'll do a clandestine operation there. There we go.

[City of Key Colony Beach] 16:02:02

Don't say that. Hi, John.

[Bartus]

Yes, good afternoon, Mayor Commissioners. You have my report. Couple of quick things. We had the mayor and I had a really good trip to Tallahassee already. We got a lot of stuff done that's outlined in the report, and one update as to, well. Two updates quickly. First off, you heard that I found a Florida Voter Improvement Fund, which is going to hopefully give us a nice grant for the renovation of our boat ramp, which I think is a decent-sized pool of money. I think we can get enough to make that a really wonderful boat ramp with a new dock and everything else. The other thing is just got emails today from FERDOT, both of the grants for Park West Zooms were approved for funding today. So what dress room was it? At 7th Street and Eighth Street. Perfect.

[City of Key Colony Beach] 16:02:57

I read it. It's the 26-27. Um, where when's that fish fiscal cycle open? It starts October 1st.

[City of Key Colony Beach] 16:03:07

Okay? When will we know?

[Bartus]

Um, it's... I have never seen a FERDAP grant get cut from the budget. All right. How much were they each? I forget what we put them. They were over \$100,000 each, I believe. All right, then the next question is, could you check to see if we... if we started that work if we get it.

[City of Key Colony Beach] 16:03:26

Will it go backwards and pay for it?

[Bartus]

I will find that out.

[Foster]

All right, because I'd like to get that work done because we're gonna... I think, Tom, we're budgeted for one of them anyway. Yeah. We got to be careful starting work. Typically, federal state won't allow you to start work. Yeah, you can. You can do the design. That kind of work. But as far as shovels. Even if we hit the design.

[Harding]

Yeah, if we get the design ready, that'd be fun. Yeah, just find out. I will. And we'll use that accordingly. bridge. We'll talk about that later down here.

[Bartus]

Tomorrow, though, is the pickleball shades. The pickleball shades are in at 2 o'clock. I've already got 2 bids on my in my office, and there may be more before the deadline. Okay, that's fine.

[Foster]

All right, any questions for John? Public Works, Mike.

[Guarino]

They'll gather through the report.

[Foster]

Nice job you guys are doing around here. Thank you. We appreciate it. The city. It's hard to go anywhere without somebody recognizing how how the city looks. It's just really Really bang up. Got a great crew, man. Speaking of that, you're one short, so you need to... Yes, sir. Okay.

[City of Key Colony Beach] 16:04:46

that letter, one of the correspondents from I think Sandy might be covering that. Okay. If not, I will.

[Foster]

All right, Tony. Good afternoon, Mayor Commissioners.

[Loreno]

My reports there. If you have any questions or any insights, let me know.

[Foster]

Okay. No questions for Tony. City Hall. Sylvia.

Nothing further. Okay, beautification. I do have a question for Sylvia for a comment.

[City of Key Colony Beach] 16:05:17

Um, so correct me if I'm wrong, Sylvia, but the election work is being transferred from the county to us for the city, right? Correct. Um... And obviously, you know, you're in tune with the budget for we need to think about 2027 budget, what we need for that Um, and I guess comment for the commissioners is to just let you know that's coming and that's additional workload slash money being transferred from the county workload to us. And therefore, budgets affect a little bit, but just to comment, because before we had a small budget for that. I'm not sure it's going to go up much. We will hopefully not have an election in 2027, because we go every 2 years. So this year, and I do have the packages ready. I'm waiting for final approval from the SOE to send them out.

[City of Key Colony Beach] 16:06:13

Um, so we have elections this year and then we have our next election cycle in 2028. So unless something bad happens where we must have an election next year. But if you want to budget it, you can budget probably between.

[City of Key Colony Beach] 16:06:28

\$15,000, that will be a fair for an extra independent election. And to clarify, so you're going to be covering November 2026?

[City of Key Colony Beach] 16:06:34

Yes. Okay. Yeah. So so there will be cost.

[City of Key Colony Beach] 16:06:41

Some cost in 20. Let's rephrase. We fall the elections office will still support us. They'll still be running the election. I will be the qualifying officer. So that's really the big change where before you would have to go to Marathon to get qualified.

[City of Key Colony Beach] 16:06:57

So now it runs through me. But they will still be bringing the voting machines. And yes, there's a small quantity. Okay. Thank you.

[Foster]

Okay, Sandy, did you want to talk on beautification? I saw something on the on the agenda. Okay, let's see ready to go. Sylvia that was added here. Yeah, there was an agenda addition. Your beautification report.

[Sandy Bachman]

I just want to say we received a letter from Tammy Monarch, who visits our city every February for the last 7 years, and she just I I think it's a big deal when somebody comes back and notices the difference. She just highlighted everything, things that recreation does, that Mike's department does, that commissioners do, that beautification does. And I think that's a big deal when people and I know people stop me all the time and say, what a beautiful city. I think we should congratulate all of us. Thanks.

[Foster]

All right. I don't think I have anything. Cindy, did you have anything?

[Cynthia Catto]

Yeah, I don't want to go quite in order. Plan enzyme's not here. There's nothing there. Well, Commissioner Harding, Daryl, and myself met a week ago, Monday, and it was an absolutely fantastic meeting. It was positive. Daryl had great ideas. He was in agreement on. Everything had good suggestions, and it's going to come before you today. We're kind of looking at it as a 2-year plan. Hoping that... We can get going in September for something, um, that will really be out of next year's budget, but moving along. And so

our concerns were safety and nets. Um, Daryl... was big on some tree plantings that would take care of the safety issues. Um, at the rec committee, there was still a little concern of in between that time, did we need some netting? I mentioned it to Daryl. You will now find the porch of the Gulf. Clubhouse, completely netted by Daryl in the last two days. A it's going to be pressure washed off. And now our big desire is for some tables to go up there. But it is now a completely safe seating area for people to come and watch. Especially the ninth tee box. and see what's going on. Um, he also said as part of the safety factor, he would like to put in a I'll call it mini driving range. that would be netted in that people have been dying for as a place to practice their swing. And so we have that to come before you today. And there will be some tree plantings that he had picked out. And he then suggested that he was very willing to redo the old putting green, but he'd like to double the size and make it also a chipping area, too. So I can't say anything but wonderful plans there. And the Rec Committee did have one of our other issues, which we leave to your thought processes, the Wi-Fi and cameras in Sunset Park. But those are discussion items. If you have any questions of me or Commissioner Harding, when you get to that topic, we would love to answer them, but everything is So positive. I'm so pleased. Okay, thank you.

[Foster]

Okay, and Utility Board credit, you hang? Hi, thanks.

All right, consent item consent action items under the consent agenda. All actions 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 were voted on separately. The commission member at the beginning of the open session must ask that that action line be moved to the discussion action item section. Do I have any changes to the action item? Section 6? If not, do I have a recommendation to approve?

[City of Key Colony Beach] 16:12:04

make a motion to approve. I have a second second.

[Foster]

Any discussion? What question? Did the Pnz approve this? Yes.

Okay. Protocol. Yes, Commissioner Dia. Yes, Vice Mayor Colonel. Yes, Commissioner Harding. Yes, Mayor Foster. Yes. Consent action items approved. Okay, all right discussion action items. The 1st one.

Discuss award IP 2601, 7th Street, Shelter Bay, pervious favors. This may answer your question that you had earlier recommendation of the award of CHP, Jason Schepler. So. This... I don't know why we did this. We killed a bunch of trees. Anyway, these are the paver, the drawings for the pavers are going to wrap from the edge. of your sewer plant all the way around Shelter Bay, all the way down this street down to the trailers. We are going to require people not to park on that while this work is going, and then, after it's done If people need to park there, they can park there for their overflow. So you say that we were talking 7th Street. I've already told her a couple days ago to notify them. They're going to have to stop because this has already been awarded. So when Haig gets ready to start work, I'm not going to try to find people to go ahead and get their cars moved. So that's the purpose. And then the second piece of it is, if you look at those shoulders,

they're a mess. Especially from the contractors there. If you look at what that looks like, that whole area looks fairly nice, with the exception of the shoulder. It's a mud hole. It's just nasty. So we got lucky. We were able to get this and not have to worry about the eyesore, and then the destruction of that shoulder. And that's why you're seeing what you're going to see. You're going to see more of it, where they're not going to be parking along that whole road until this is done. And if we put it there and it's supposed to be, uh. There's a term for it. I can't remember, but you're supposed to be able to drive on these fine. But. Park it on that shoulder as as just tears out the whole area up. Both 7th Street and that. If you look upon 8th Street, they don't, so... More to come on that, but that's part of your answer.

[Harding?]

All right, so... I've already... I think everybody knows what these are. These are the locking pavers, they're being paid for by the grant. However I have to make sure I mention this. We are probably going to be about \$40,000 short. We have been Abel and been successful, and will be continued to be successful, because we just got another 2.3 million. One, um... On West Ocean Drive. I recommend that we do this one fell swoop, take the extra 35, 40,000 out of the storm, the stormwater account and pay for this work. So it's done.

[City of Key Colony Beach] 16:15:17

So that's the recommendation. Yeah, it's, you know, we're short a little bit more than that based on the price. But yeah, and I agree that there's not an issue of paying for it out of stormwater. Okay, appreciate it. So you want to make that recommendation? Yeah, so I'll recommend.

[City of Key Colony Beach] 16:15:37

or 7A that we award to Mike Expugating for the \$292,750 right. Do I have a second second.

[City of Key Colony Beach] 16:15:47

Any discussion? Good things coming roll call. Our roll call. Vice Mayor. Yes. Commissioner Hardin? Yes. Commissioner Dia? Yes. Commissioner DeFrancico? Yes. Mayor Foster? Yes. Motion approved.

[City of Key Colony Beach] 16:16:00

And please let, uh, Mr. Haight know that it's been approved, so they can start.

[Foster]

All right. Discussion, approval, purchase of the police department. Item one is discussion approval of a proposal for purchase of a Ford F250 Pickup truck, and the price here is a little. It's incorrect. It's really 67,695 and change. And this is being paid for by monies out of the agreement with ICE. And so it does not come out of the city coffers.

[City of Key Colony Beach] 16:16:48

That's correct, and the monies have been already received. Okay.

[Foster]

So do I have a recommendation to to buy this truck?

[City of Key Colony Beach] 16:16:50

I'll make a recommendation to buy it. Back it.

[City of Key Colony Beach] 16:16:58

Then I'll second. I'll second. Any discussion?

[City of Key Colony Beach] 16:17:03

Roll call. Commissioner Harding? Yes. Commissioner Defenseko? Yes. Vice Mayor? Yes. Commissioner Deal? Yes. Mayor Foster? Yes. Motion approved. Second part. Discussion approval proposal by Paradise 911 Equipment. This is to outfit the truck.

[City of Key Colony Beach] 16:17:20

And it's for \$25,703 and 20 cents. Do I have a recommendation to approve.

[City of Key Colony Beach] 16:17:26

I'll make a recommendation to approve. Second. Any discussion?

[City of Key Colony Beach] 16:17:35

Roll call. Commissioner Dia? Yes. Commissioner Harden? Yes. Commissioner Defense? Yes. Vice Mayor Corner? Yes. Mayor Clawson? Yes. Motion to approve. Okay, now we had something to add in here, too.

[City of Key Colony Beach] 16:17:45

Item 7. Oh, new item 4, 7F recommendation by the utility board to approve a quote by Novonics for.

[City of Key Colony Beach] 16:17:57

The annual preventive spares and service. I believe that was 20,000 and.

[City of Key Colony Beach] 16:18:05

20,73774. All right. Mr. Mayor. The first of item 7c was the recommendations by the Recreation Committee.

[Foster]

I may be out of order, but since I got this one already gone, let's do this first And then you can keep me in line. All right. Recommendation. Yeah, I'll make the motion. Second. Roll call.

[City of Key Colony Beach] 16:18:36

Commissioner DeFrancico? Yes. Commissioner Deal? Yes. Vice Mayor Colonel? Yes. Commissioner Harding? Yes. Mayor Foster? Yes. Motion to approve. All right, Sylvia. What else do I have?

[Foster]

See? We have item C. All right. So item C has got some good stuff on it, but I don't think we have, with the exception of the Wi-Fi and a camera at Sunset Park. I don't think we have prices that we can actually do any of this with. Um... Tom is the... Is a safety issue been rectified with the netting on Cindy had said. I can tell you what, if I would recommend I start with my page And then I think there's one item that isn't covered on my page. You want me to do that. Sure.

[City of Key Colony Beach] 16:19:24

You go to page 61.

[Harding]

Okay, 61. So organize this again to support what Cindy said. So I I did a walk through with Daryl, Cindy and I. We walked the whole golf course. Daryl was very positive, constructive items and give you a perspective. There's there's been items that have been damaged from Irma that we never fixed or repaired, you know, so he kind of went through some of those. Those are lower on the priority list. So, we came up with a list, and obviously I'm the budget guy, so I said, well, we should probably do this in a couple phases, and we've got some money left this year. So let's see what we can get done this year. Cindy gave clear direction that rec committee was focused on safety and the additional seating on the porch. Just, you know, help support the residents. So that's what we focused on, and then we made a final list, and Cindy and Daryl and I will do this probably on a monthly basis, at least, and continue to monitor the list. And actually, I've got some new items people sent me about adding to the list. So, when I'm requesting today is approval up to \$30,000, which is in our budget, and I've got some estimates of details that will fall within that, but not to exceed \$30,000. Um, and what we'd like to do is get this stuff done over the summer, when we've got some rainy season, so it'll be ready at the, you know, end of the rainy season in October, everybody coming back so for the safety request beyond the netting that Daryl just put up, he asked for some specific palm trees and areas by the clubhouse and around the course where there's other areas that also need some protection. So we came up with about 10 trees that needed to be placed for safety. And then the second was this golf driving net, which would be close to the clubhouse, which will all add in safety for balls coming in, and then it will also give people. There's been requests for people wanting to do practice driving. Um, to do that next to the, um, while they're waiting. Um, so that's also on the list. And then the last thing for this year would be, um, purchase tables and benches. Um, we all talked about cleaning up around the clubhouse, putting types of picnic tables, and then some benches we need out in the course for people to sit at. And so I came up with an estimate of that within the \$30,000. So and then that would allow people to sit there casually, whether they play golf or not. So that's my request. And then we looked at future, you know, by kind of my separation was for next year's budget. Um, he had a number of ideas that we talked about screening, mulch, um, to practice putting green to put that back in, add some hedges, um... probably some continued review of table and benches, if there's enough. And then what you'll notice around the golf course around a lot of the perimeter is not well taken care of because it's out of the fairway, so try to clean up some of that area. And then tree trimming. So, you know, with this monthly review, I think we can come up

with a budget for next year, and then stay within that budget. So the request, I'll make a motion to improve up to \$30,000 Which addresses all the items on except one. On the bocce court we can talk about and I'll make that motion, see if there's a second.

[Foster]

All right. So hang on. So you're saying Just let's be clear on items C. There's 1, 2, 3, 4, 5 items. Which ones are you? Yeah. So so safety improvements is 3 Uh, which would be part of this. You're asking for approval for number 3. 3 and 5 is a total of \$30,000, which is already in our budget. Okay, I just want to be clear on this. Yep, yep.

[City of Key Colony Beach] 16:23:46

One question. I have a question. Mr. Mayor, if I have a question for Commissioner Harding. Let's have first and second discussions. I'll make a second. Okay, so we have a second to approve C. Item three and five not to exceed 30,000.

[City of Key Colony Beach] 16:24:03

Am I correct? Correct. Okay. Now we can have discussion.

[City of Key Colony Beach] 16:24:08

On the 10 palm trees around the clubhouse, so we're not going to place them in the vicinity where there's a possible expansion of the clubhouse in the near future. Okay. Thank you. And and you know, these are the standard tables that Mike has around public parks, so, you know, they can obviously be used any place else within KCB, so... curious as to the type of palm tree you're going to use. The main thing we're focused on is so for a barrier he wanted 15 foot. A couple of them are going to have to be 15 foot. He just mentioned coconut palms. There's not a specific one. I think what we want to do is work with Mike and say, what is the best, you know, for low maintenance? We obviously want protection, but I think that the key thing is we need about four that are 15 feet, so they really address the driving. So I got a couple quick questions too. One of them was the same thing. If you're looking for something that's going to shade the balls, the balls in there. We may want to think about like a Sylvester has a bigger head on it. So it's got a bigger shade protection area, and it's got a thicker trunk and also you don't have to worry about cutting coconuts down. So, and the outdoor furniture, I know Mike's been using this furniture for a long time, however Comma, I think we need to look at something different because that furniture there's gotta be something better out there. That stuff's just... I wouldn't just stay with that. There's been changes in furniture production and other things. I'd look at something different. And what's the what's the concern you have? Some of them, if you lift up enough times, they just they'll snap. It's just it's been a long time since I think we really went out and looked for different alternatives. Okay, so durability is kind of the point. Are we looking for something lighter? Pvc? Because I do have. It could be anything. But I would run it through Mike to make sure. All I'm saying is we've been going with the same thing. Let's make sure that's the right thing, right? And then the last piece at some point, this is not... you're not talking until summer to do this, right? No, no. So and the only thing, obviously, for planting of the trees, we'd want to wait till June or something. Right. So that said, I'm okay approving this, but I want you to bring it back to tell us what we're going to be doing. Okay, okay. And the other piece is...

But there, I assume he's got some stake in this too. He's also responsible for doing stuff there. So just come back and tell us the type of tree. Uh, split the cost out when you want to plan it. And if the furniture is different if just come back and tell, but I'm okay approving this today. Yeah. Just fair enough to get us moving. Right. Okay. Does that work? That works now. But that said, safety issues been addressed right now is my understanding. So the immediate safety issue, you're still, if you're standing left of the clubhouse, Um, outside the clubhouse, there's so risk. So there's the tree in this driving net would be an improvement for that. As you're walking through that area, you know, there's really no protection, right? He's he's protected the clubhouse, right? But as far as walking around that perimeter, they're still open. And, you know, and the thing I got educated is good to do the walkthrough is that what he's seeing is slicing off of 9th hole that comes over the shrubs. It's a... they're fairly tall. Bougainvillea type of shrub, um, and it's coming right over that in that area where the sand and the little driveway is, it's coming right into that area. Come back to us if we need, uh, something to say.

[City of Key Colony Beach] 16:28:01

All right, so I think we... anybody got any more questions?

[City of Key Colony Beach] 16:28:05

I do. I noticed a bunch of mulch that we have down by the clubhouse. Is that part of this? So part of Daryl's doing is that we talked about that entrance. He's going to put mulch down. He's got somebody coming in, putting some trees in there. Smaller trees, and then flowers. So he's going to pretty that up.

[City of Key Colony Beach] 16:28:24

Um, and then it's a positive, he has been doing some tree trimming, some lower shrub kind of tree trimming, he showed me that, so... All right. So I think we have a first and second for item C number 3 and 5. Not to exceed 30,000. Bronco. 5. Mayor. Yes. Commissioner Harding. Yes. Commissioner Dia? Yes. Commissioner DeFencico? Yes. Mayor Foster? Yes. Motion approved.

[City of Key Colony Beach] 16:28:49

Okay, so that leaves 1, 2, and 4. Yeah. We need to bring them back. Yeah, so I think two and two I addressed is we'll probably do that next budget year. Okay. If Nero wants to do it this year.

[City of Key Colony Beach] 16:29:06

If he wants to pay for it, do it, then I'm good with that. Yeah, yeah, it'd have to be a joint effort, but um... But I'm throwing it out there. Okay, great. And I think number 4, the way I would address that is I will put some funds available for next year's budget, um, so we can get that.

[City of Key Colony Beach] 16:29:22

And when Frank went through it, he said, hey, this could be a five-year plan, but I think we could do it in a year or two. That one shot. Yeah, yeah, yeah. So I'll put that in the

next year's budget. Okay. And then number one, um, this one I'd like to talk a little bit about more in line.

[City of Key Colony Beach] 16:29:36

So in the last couple of years, you know, I've been doing a lot of research, and uh... State parks and city parks, and it's pretty common now. Majority of Florida cities have Wi-Fi.

[City of Key Colony Beach] 16:29:51

And you know, besides, I guess the 1st question is, why? Well, from 5g to Wi-Fi. Obviously, you get more capability. A lot of based on people want to work, you know, do some work activities set at a park. There is a small percentage that people actually need it for emergency communication.

[City of Key Colony Beach] 16:30:12

Um, so you could get quick communication if you had Wi-Fi. My experience, I've had it at our condo association about 10, 12 years now in common area. People love it. They just love it. And I know the Recreation Committee brought up that, you know, I don't want to see a bunch of noise.

[Harding]

I see people checking their emails, I see people reviewing videos. I don't see, you know, I've never seen abuse of noise with it. I will say people are looking down more at their phones than they are at the ocean. So I'll say that so the thought was Wi-Fi is the first step, and we did have money that we put away in the police budget to put Wi-Fi in one of the couple of the parks. There's a first step. The second step was to add some security cameras, not the purpose. I'm looking at sunset, it was to add security camera. So there's adequate budget and the police budget to do a couple parts this year if we want to do that. So it's nice that we have a quote. The only thing I'd say the quote, it's got one camera, right? And I noticed there's pushback about people didn't want cameras in the parks. So I think as a commission, we probably want to think of separate. Is it? Do we want to do any Wi-Fi implementation, and then do we want to do cameras as two different topics, I think. But the purpose of the Wi-Fi was to be another tool for people to use when out in the public.

[City of Key Colony Beach] 16:31:46

You know, I've seen people use it without any concern, and and typically people switch over from 5G to Wi-Fi just because of the speed. Yeah. So I'll I know when this 1st came out.

[Harding]

Again, we didn't bring this here. We were asked to bring it here, but it's here. There was communication about this being a surveillance. The 1st thing we talked about was for people at home in Michigan, where you are when it's cold, Uh, to be able to get on their Internet. Because I mean, in Ocean City, Maryland, we got them all over the place, and if you're, uh, if you're home, you want to just look at the beach, or look at the boardwalk, just hold up. I mean, it's wide open. So it's not uncommon. Well, for that matter, ring

cameras probably cover more of this city than anything. So I thought it was a great idea, especially to be able to look at the beach.

[City of Key Colony Beach] 16:32:46

I'll let it sit for right now until we get more. And the other pieces, I think we should ask AT&T also because they have fiber all the way down that road. If I'm not mistaken, and they maybe they'll give us a better price and better bandwidth.

[Diehl]

Yeah. I was looking. I was looking over them as Tom does, I like to crunch the numbers, too, on certain items to use this KCS technical services. The 1st year would cost us \$5,600, \$5,684. This is for the first year. That's insulation in the and the \$3,100 hours a year Comcast would charge for the 12-month service. You know, you pay \$5,600 for the first year, and then \$3,100 every year after that, so there's got to be a cheaper alternative for this option.

[Foster]

So we'll table this until we got more and then we'll figure it out.

[Harding]

The one thing that I would attest to from 10 years of experience, you definitely want a professional to install the wireless in an area like a park. What our technical person does, they walk around, they find dead spots, they adjust the antennas, um, and we probably, you know, have a couple every three years, we have to do some maintenance to them, but a significant difference is that we don't have any dead spots with a professional doing that. So, you know, just to highlight that.

[City of Key Colony Beach] 16:34:12

Now, I can pull up mine right now, look at my boat in Ocean City, Maryland. Yeah. I'm sure people here have probably Wi-Fi and cameras in their backyard, their front yard, their side yard. Um... Probably look in your yard. So they're there.

[City of Key Colony Beach] 16:34:30

All right, so we'll table that until we got more data and price.

[City of Key Colony Beach] 16:34:35

All right, uh... I think that was it on that one. Anything else to add to number.

[City of Key Colony Beach] 16:34:42

Oh, we're done. All right, next one. Item D.

[Foster]

Discussion, approval, recommendation by utility board for monthly sewer charge for the marina. Tom, I still don't understand this. Can you help me. I'll tell you what my question is, is there 2 boats over there that we're paying? Who pays to pump out? Is that a separate fees already being paid?

[Harding]

Yeah, sir. So let me just go back to page. I'll start with page 71. So... Um, I set up a meeting with, let's see, Tony, myself, Jim, the owner, set his property manager there, um, and then, you know Shane was there with us. So we did verify that there's one sewer connection from all the marina that goes to our system. There's one. There's a new one that's been added in for the restaurant. Obviously, that's not functional yet, because there's no toilets and sinks and stuff running. Um, so to everybody clear that the shopping center is separate. Everything in the shopping center is separate. So there's one outlet that goes to our sewer system. That's all connected to a pump-out station. Jim has to document from the state every time he pumps out, and the volume he pumps out, and that has to be reported to the state. So that's why we got the data so easily over six months. We got data, which he already has. And there's no boat connected directly. Everything has to be the request to pump out and a pump out is done. So that's the status. A lot of confusion with that. And then we did collect data over 6 months, which Jim provided. We only had one month in August that there was 200 gallons pumped out, and those were both of those pump outs were the houseboats. So, the education I got, which I validate it with a few folks that have larger boats, is with Florida Keys, you can go out to the ocean and dump 13 miles out, you can dump whatever you want. So the large boats, they never pump out. It's tassel for them. They have to pay \$5 for that pump out. But it's a hassle for them. So what they do is they just wait till their next fishing route. They just pump out out there. And, um, so the only ones that they're pumping out right now are those two little houseboats, and they're not rented very much, that's why the volume's down quite a bit. So, to clarify your question, there's only the 2 little boats, houseboats. Those are connected up as needed when there's usage. What Robert told us is that based on the limited usage, you know, they pump out 100 gallons here and there. They're not used as much as they are in Marathon. Marathon, they're used much more. So that's, you know, the quantity that's being used. I did compare other marinas up and down the Keys. I'll show that plot in the next page. And then I did a lot of usage of water usage, so it's what's great on the internet, you can find out how much you use in a sink, how much you use in a toilet. So what I thought was fair to compare... into a boat was a one bedroom, one bath condo house, without a washing machine. So if I took the kitchen, bathroom, I felt that was fair to compare to. And so when you look at that one bedroom, one bath house or condo for two people, um, generates about 1,600 gallons a month and that would be typical for that. And then, if you look at the average usage of a boat for two people, it's about 450 gallons a month, and uh... 4 people, it'd be about 900. On the houseboats, what Robert said is they typically rent to two people. Very rarely have they had any more than that, it's usually just children. So, um, you know, that's why the usage is so low. And then if you compare the rates, um. Key West, the average for Key West boat is \$38. Key Largo, and these are liveaboards. 53. Us. Average is about \$39, and then, you know, my recommendation from all this was \$37. Um, and what you'll... what you find in the frustration with all these rates is Key West has a base rate that you have to pay, and then you pay for water usage on top of that. So the... but it comes out to about \$38. So you can see that which makes sense is the marinas are charging less than you would charge for a house because the water you don't use as much water. And then obviously ours here. You're basically pumping out. So the recommendation I would have to just one that we

add to the monthly rates is one pump out for the marina. I did have an error in my my slide here. I said it'd be \$37 a month or \$111 per quarter. So basically half of what, uh a house would be. And I felt that was justified with, you know, it was those 2 houseboats turn up a little bit more in volume, um, and then the other... About 12 boats are not connected. Now, Jim does have a long-term plan to offer each one of those boats could be connected, but that hasn't been implemented yet. So, um, every time they... any kind of sewage goes out, they have to call Robert. Robert comes and actually pumps it out, measures it by flow meter, and then keeps that data for the state. So my recommendation today would be we change our Utility rates to show one Marina pump out at \$37 a month.

[Foster]

For the sake of my head hurting. Okay.

[City of Key Colony Beach] 16:40:55

All right. Commissioner Harding, may I? So the utility board approved your recommendation with a small change in verbiage. The recommendation was per houseboat.

[City of Key Colony Beach] 16:41:11

There was a recommendation from the utility board. So just want to let you know. If I can add to that. Yes, yesterday I did vote, and I with all the research here and data we're talking about marinas.

[City of Key Colony Beach] 16:41:19

We have several houseboats. House boats, small.

[City of Key Colony Beach] 16:41:25

apartments. Yeah, if you want to look at it, you know, apples to apples.

[City of Key Colony Beach] 16:41:30

I'm hearing they did not rented much. Well, okay, it doesn't make a difference if somebody owns the golf course condo next door, or a.

[City of Key Colony Beach] 16:41:37

or one of these floating boats. If the person that owns a golf course condo only gets a few rentals or a half, you know, whatever, they're getting charged the whole year. I don't see why this individual is not being charged the full \$74 for both of those rentals. They're houseboats.

[City of Key Colony Beach] 16:41:56

It's a house. It floats on the water. There shouldn't be any, you know, any separation between. Oh, it's just a boat, and it's not used much. It's just, you know, it's not fair to the other citizens in this community that have a smaller one two-bedroom apartments, or one two-person rentals that this is being cut in half. I believe in past conversations, the actual owner said that he was okay with the \$74 a month, so I don't understand why we're

putting so much emphasis on trying to save this individual money when you have one, two-person rentals throughout, you know, the community that we.

[City of Key Colony Beach] 16:42:35

live in here, so just... just throwing that out there as my perception. Yeah, you know, that's... that's why I put together that plot of average usage of a house versus a boat. And, you know, the bottom line is, if they were to run it for weeks, a month, they would still only be able to put out.

[City of Key Colony Beach] 16:42:52

400... actually, you know, Robert Valade at the Marathon, 440 gallons a month is what he sees. When they fully run at 440 gallons. So, the thing that I... People should think about is you're looking at something that's using 440 gallons for treatment versus 1,600. And that's the reason for the half amount. And, you know, I think obviously it makes sense. You know, a condo could have a dishwasher, it could have a washing machine.

[City of Key Colony Beach] 16:43:21

And usage, though. So that's... and I think the reason I wanted to make sure it was fair, um, you know, there's a lot of good scrutiny from the state of Florida to look at these kind of rates, and are they fair? So I think looking through the data.

[City of Key Colony Beach] 16:43:37

I couldn't justify. Especially when you compare it to the other marinas up and down the Keys to go all the way up to \$74.

[City of Key Colony Beach] 16:43:47

I have a question for you. Is there a reason why?

[City of Key Colony Beach] 16:43:52

A boat only uses 200 gallons for 2 people when a condo uses 15, 1600 gallons. I mean, do they have a black water brown water system? Yeah. So what you got one of the things that I got educated on is that brown water obviously would be toilet only.

[City of Key Colony Beach] 16:44:08

And then anything from the sink or the shower can be dumped strictly in the ocean.

[City of Key Colony Beach] 16:44:13

So, um, so really what they're pumping out is just the toilet.

[City of Key Colony Beach] 16:44:18

And, you know, the other, I think the other usage is, um... Typically, as we see with boats, is you're not going to be using the shower, you're not going to be using, um, you know, the dishes that you would typically say. So it was... it was beneficial reading through a lot of the people that actually live on a boat, how they're so careful about conserving water, because obviously they... besides, um.

[City of Key Colony Beach] 16:44:41

They're paying for sewage, they're also paying for water. How much is this a month we're talking?

[City of Key Colony Beach] 16:44:48

\$47. 37. I'll give you the money just to stop the conversation. All right. Well, and and to your point, we're talking \$500 a year, right? It's like, yeah, right. One clarification. It's \$37.

[City of Key Colony Beach] 16:45:04

per houseboat per month. Well, would my recommendation was \$37 for the one station. Now, what the utility board said per houseboat, so that would mean now we're going to be talking \$74 total that we collect from the arena per month.

[City of Key Colony Beach] 16:45:19

Okay. And as they add also to up it by \$37 per boat.

[City of Key Colony Beach] 16:45:24

Correct? Correct. And what I would what I would expect from everything I've dealt with and talking to Robert, I don't think they're going to be at any more houseboats because they're losing money. So if there anything, they're going to get the big boats come in and charge the big boats, and then again, they're not using the sewage.

[City of Key Colony Beach] 16:45:43

Okay, where are we? Do we even do a personalness?

[City of Key Colony Beach] 16:45:46

Not yet, no. All right. I recommend we approve it.

[City of Key Colony Beach] 16:45:51

Second. No more discussion. Roll call. Commissioner Hardin. Yes. Commissioner DeFencico. Yes. Vice Mayor Colonel. Yes. Commissioner Deal? No.

[City of Key Colony Beach] 16:46:01

Yes. Motion approved. Thank you. And this, um, with this, the Commission approves for legal to do an ordinance for the amendments to bring back to you for 1st reading. Do we need legal to do it, or can we do it?

[City of Key Colony Beach] 16:46:14

Give it a shot. We certainly ask for a review anyways, if you could do it for \$47.

[Foster]

All right. Next one. Item E discussion, approval, recommendation by planning and zoning Board for the implementation of an ordinance of seawall compliance. Um, we got two clar- or two... corrections make on that, correct? Yeah, I really a corruption and then a or an amendment, and then a clarification. So under item 2 B, we just clarified some of

the wording with regards to who can make a determination as to the deteriorated seawall for the new reading would be upon determination by the building official or city engineer that a seawall is deteriorated, damaged, failing, or otherwise unsafe. Written notice shall be issued by the code official to the property owner. So, we just amended that language to confirm that the notice would go by the code official, the determination by the building official or the city engineer. Okay, and how about the cost? As far as the cost, what that was, that was a maximum, um, up to 500. So the any fines that would be issued would be according to your current fine schedule. So that was a maximum, so that's not a minimum. Okay. So we could go above 250. We go to 500.

Yeah, you'll be going according to your fine schedule.

[Foster]

Well, there was something a couple years back that we had to change to 250. Yes, let me, let me give background. So, a couple years ago, we went through all everything, and the one that stuck out to me was... Dumping in the canal. And I thought, let's just be \$2,000 a day, right? And so, at that time, we changed everything to \$500 a day. At the last minute of approval Dirk came back, said, nope, nope, for first offense, you can only go to 250 by Florida statutes. Second offense, you can go higher. So we had to edit that sheet. That's what I asked Scott. I said, can you look at that? So the only my experience with Dirk was the max was 250 first offense. Right, and that's why this isn't... this isn't clear, this isn't a first offense violation. This is just saying you could be fined up to \$500. Okay, so we're not setting the fine at 500 for a firm. Okay, so that's it. The only change was the first one you just talked about. Yes.

[Foster]

Alright, great. So when I read it, Sylvia, when we get to it I'll make sure... I think I know what the words are. So... How are we doing this? Because I still got to read the ordinance, uh, down below. So it always confuses me why we have it in place.

[City of Key Colony Beach] 16:48:57

Yeah, I mean, you can you can go to vote to approve going forward on it. Yes, you're going to do. You're going to do a reading on

[Foster]

all right so all right. So we need a motion to approve this ordinance. I'll make a motion. Discussion afterwards. Good. All right, any discussion?

[Diehl]

When the timeline for the violators, I think we need to tweak that a little bit. Number three, on page 75, number three, within 120 days. Notice that the property owner shall submit all required permit applications. By the time this passes, Army Corps of Engineers and Florida, whatever the other agency is, it takes anywhere from 4 to 6 months. That was my last one, the one on 10th Street, it took me almost 9 to 10 months to get approved. I think we need to look at that and maybe change that, extend that.

[City of Key Colony Beach] 16:50:01

Within 12 months notice of seawall repairs or replacements should be fully completed.

[Diehl]

Or my last one on 12th Street that just finished this past the time frame was 14 months between start and start of construction. When you get the stuff back, and the lady that does the permit running, she submits everything, it takes you then. Then you got to reach out to the marine construction companies, whether you meet Marine Marathon Seawall or Southeast Marine. And it takes... their marathon seawall is usually... has a backlog of 8 months. We're South East Marine, maybe only two to three months. So, you know, that you got... when all that compiles up, it's almost a year and a half before they can even break ground, so that 12-month complete is... is not... is not a real, realistic figure, I would think, to go by, unless they're, as you say, they're showing an intent to try to get the thing rolling and you can extend it from your timeline, though, was not based on a deficient seawall that you got notification. Your time was based on the time you took to do it. No, as soon as I got it, as soon as you bought the house, did you start your permit? No, but I started the permit process.

[Diehl]

When I started, I kept track of it, and from start to finish, it took that many months.

[City of Key Colony Beach] 16:51:20

Well, let me add something. This... this says the property owner shall submit the required permit. Why? Why would it take him more than 4 months to submit a permit? Army Corps of Engineers, and I think Florida Water... not get approved, but to... for him to... to leave his comfort of his couch and submit the application.

[City of Key Colony Beach] 16:51:20

The homeowner doesn't submit the building permit, it has to... the marine engineer has to go through everything and submit either electronically or hard copy to the building official before the permit is even approved. This Kirk says the property owner shall submit.

[Foster]

But once we submit, the process starts. I think what Kirk's saying is you. Tony, before we we just go down the rabbit hole on this. Walk the process. So, can I me, Mr. Homeowner, submit.

[Loreno]

A permit request you while DEP, Army Corps engineer, whoever else is out there doing the review of it. So yeah, homeowner can submit an application for the permit. They can start the process, but it has to be finished with all the approvals and everything before we approve it. So what we're looking for is the homeowner to or the for the contractor to start the permit process. So we know that this is happening. Now, when they submit to you, does that show that they've also submitted to the Army Corps of Engineers at the

same time. They don't have... they can submit to apply for the permit. But they can provide all that information later.

[Foster]

Okay, so here's the problem. If I submit to you, and I settle my laurels for 3, 4, 5, 6 months, and I never submit to the Army Corps, and just as you get ready to ask, they say, okay, now we'll submit, and I'll come back to you and say I'm waiting for Army Corps. So how do we protect against that? So we're looking for compliance within the year that all this is in order. Well, that's the second conversation. That's going to be we'll have to look at that second.

[City of Key Colony Beach] 16:53:19

So Kirk's got a good point that. there's got to be something in there that makes... that tells us that they've actually got the hook into the process so that you know that they... because I could just come up and submit a permit request to you tomorrow, and not even do anything with Army Corps for 3, 4, 5, and that permit wouldn't be approved, it would just be submitted.

[Loreno]

Correct, yes. So... And ideally, what we want is that permit to be applied to us by the contractor.

[Foster]

All right. So this is important because we're gonna we're going to use this. And we... this is a brand new area that we have not... that was done before in the city and how they pulled it off, I don't know. One day, your law firm's gonna have to explain to me how they did that one. But, um... We gotta make this right, and if Kirk's right on this, or Doug's right on this and needs to reflect that. And if you're telling me that it takes more than 12 months, which, when I was here, it didn't.

[City of Key Colony Beach] 16:54:22

Then there's got to be, it's got to be in a process that they have to show that they check the boxes. Right. And then if they check the boxes and their engine or their contractor says, look, we're doing everything we can. Our schedule puts us in at your wall in 14 months.

[Foster]

We gotta... we gotta be right about this, because I'm not going to put an ordinance out there that says, well, don't worry about it. We'll work with you if we know that you're right, because then you're asking them to trust us to do that, and I'm sorry. I just needs to be to be bulletproof, so that if somebody else changes this position. Tony, question.

[Loreno]

So yeah, I can walk you through. I I understand both sides of this. So to give this teeth. So, for example, Marathon, they have two years. that they allow for this to be done. So we put together a year just to get someone going. So knowing that we could extend this if they do proper permitting, proper approval. When someone applies for a permit for a sea

wall. We expect to have engineer improve engineer plans. We expect to have DEP and Army Corps approval which takes which truly takes. There's 2 kinds. There's DEP self approval. It can take a week or two, there's Army Corps that's required up to 45 days. Contractors may say it takes longer, but it's it's standard 45 days, and they're usually right on top of it. It's just it's standard turnaround. And so, we're hoping to get all that in order, that when they apply for that permit, we approve it. They're good to go within a year. If the contractor can't get them scheduled for... 4, 6, 8, 10, 12 months at least we know that they're approved and we can ideally give them an extension to get that installed.

[City of Key Colony Beach] 16:56:25

Can I ask you a question? Yeah, so I'm getting confused. Okay. So you submit a permit application for your seawall to the city, and that's step one.

[Loreno]

Right. When the application, usually ideally when we get the application, we want it done.

[City of Key Colony Beach] 16:56:25

Okay, hold on. So you submit to you step one. Then he submits separately to the Army Corps.

[Loreno]

Yeah, this is a marine engineer that's doing this.

[City of Key Colony Beach] 16:56:25

Yeah, homeowner, if there's to make a permit application for anything, it could be a minor repair. If this is for a major seawall repair, it's... we find it critical. That's the important thing. If this is a critical repair where it's failing and it causes a life safety issue. This is what we're looking to try to speed up to give us teeth. I'm just worried about the problem. I'm just wondering about the process. I'm not worried about all the other.

[City of Key Colony Beach] 16:56:25

Okay. So if you submit to the city and then you submit to the Army Corps. Now, does the city need the Army Corps approval before you look at the plan?

[Loreno]

Yeah, my confusion.

[City of Key Colony Beach] 16:56:25

Well, then then 120 days may not be right. Kirk would be right.

[Loreno]

Yes, It's a little confusing. So when we get a permit for a seawall, for, like, rebuilding the entire seawall, or rebuilding a dock, We need engineer approval, engineer plans. We need Army Corps and DEP approval.

[City of Key Colony Beach] 16:56:25  
Is that possible to do in 120 days?

[Loreno]  
So they need to read the writing.

[Foster]  
Okay, the writing is real simple, guys. read it says within 120 days of notice, the property owner shall submit all required permit applications comma, including city permit, and, if applicable permits from the Florida Department of Environmental Protection and or U.S. Army Corps of Engineers. That's well within 120 days available. The one that I think bothers me is it's within the 12 months, all seawall repair replacement shall be fully completed. I would make that I would suggest 248 days after final approval. Okay, perfect.

[City of Key Colony Beach] 16:56:25  
12 months after approval of the permit, not only once they finish the approval, you've got to send your approval to your various marine contractors. They just don't respond. In fact, the next day. It took me almost 2 months to get Marathon seawalls back and then they find out they're 8 months behind. So, you know, of course I didn't go with them, but it's just that there's and then you got a marine biologist that comes and dives around the vicinity and sees if there are any coral formations. So, you know, that's another scheduled event that you have to do. So when you add up all the events.

[City of Key Colony Beach] 16:59:00  
you know, once you dot all the I's and cross the T's on this remodel or this renovation on your seawall, it's quite timely. So, 12 months, I just... You know, so if you look at, I like everything right up to number 4 because, number 4 may be improbable. Everything up to that point. It makes perfect sense. It doesn't. There's no reason anybody can't do that. But if you change number 4 and say 12 months after a permit approval the seawall replacement shall be fully compliant. That gives them about a year and a half. Maybe a little bit more. Does that make more sense?

[City of Key Colony Beach] 16:56:25  
Yes. That make more sense.

[City of Key Colony Beach] 16:59:48  
because everything else, if we don't do the other stuff, they're dumping stuff into the canal actively. They have to. They have to mitigate. They have to get an engineer to make sure it's right, especially if it's a rental property. They have to do all this stuff.

[Foster]  
The only one I think the hang up is that the amount of time to do it after your permits are approved.

[City of Key Colony Beach] 17:00:13

That's a good point, Mr. Mayor. The is there any temporary measures that would have to be made if there is a seawall that is really in trouble.

[City of Key Colony Beach] 16:56:25

Okay, good. Yeah. So if we found if you find a compromised seawall that we know that an engineer is looking at, we've looked at, that it is compromised and dangerous we will require someone to, you know, board that off that they can't use it. If not, ask Mr. Schmidt about it. His whole wall was collapsed at the end of night. And we had no. And really, we didn't force anything. That was before my time. So, let me ask you, Scott, because everything else, I think, makes sense. The only thing we would have to do is change 4 and say within our, uh, within 12 months after permit approval all seawall repairs shall be fully completed and approved by the city, and then it's got a little caveat there, extensions. The building official may grant reasonable extensions where owner demonstrates. But that on writing gives them about 16... let's see, 15, 160. That's... That gives them more than enough time.

[City of Key Colony Beach] 17:01:27

Yeah, you would just change from notice to permit approval. Yes.

[City of Key Colony Beach] 17:01:30

And then that's about a year and a half. So that's... Yeah, I think that's still. Okay. Especially in light of number 5.

[Foster]

Yes, correct is doable. So, Scott, do the little annotation there, and then when we get to it, we can go ahead and read it. Good pickup, Kirk. Thanks. Although you should be able to do it here. Rome wasn't built in the day. Not my room. All right, so where are we? Yeah, and we had the first Vice Mayor Culenell and the second by Commissioner Harding.

[Foster]

So I think with the discussion period's done, we'll read it when we do the ordinance and we'll make it work. All right, go ahead and do roll call, Sylvia.

[Silvia]

Commissioner Dia? Yes. Commissioner Defense Eco? Yes. Vice Mayor Colonel? Yes. Commissioner Harding? Yes. Mayor Foster? Yes.

[City of Key Colony Beach] 17:02:33

Nice rate. If I may, just to add in my closing statements today, I'll give a little feedback on our seawall inspections of last week. Okay, good. All right. You want to do that? When we close our statements. Hi. All right. Next.

[Foster]

First reading of ordinance 2026-508 An Ordinance Of The City Of Key Colony Beach, Florida; Amending Ordinance 2025-497 Future Land Use Policy 1.5.1 For A Scrivener's Error Regarding Plan Densities For Commercial, Resort, And Public Buildings The

Intensity Shall Be At Least 20% Of The Lot; And Providing For Codification; Repealing Any Inconsistent Provisions; Providing For Severability; And Providing An Effective Date. Basically, it's an error in the document that we approved that we had 25%, it should have been 20.

[Bartus]

Mr. Mayor. What's the result of having submitted this or transmitted the plan to Board of Commerce. This is the only thing they saw, and the first and the department didn't have problems with the 25%, but because of Sb. 180, they sent this back to us to change this back to 20%.

[Foster]

Okay. Well, either way, we made an error and we should have been better at it, but... All right, do I have emotional proof? I'll make a motion to approve. Second. Second. Any further discussion roll call. 5. Yes, Commissioner Harding. Yes, Commissioner Dia. Yes, Commissioner DeFencico. Yes, Mayor Foster. Yes, and this will come back for a second and final reading in March, and then we'll get it up to the State.

[Foster]

All right. First reading of ordinance. 2026-509, the Ordinance Of Key Colony Beach, Florida, Adding Section 6-45 Seawall Conditions; Compliance Requirements; Enforcement To Chapter 6 Buildings, Article II Dangerous Structures; Adding Section 9-13 Concerning Violations Of Section 6-45 For Business Tax Receipts Purposes To Chapter 9 Business Taxes, Permits And Business Regulations, Article I In General; Amending Section 9-28 Concerning Violations Of Section 6-45 For Residential Rentals To Chapter 9 Business Taxes, Permits And Business Regulations, Article II Residential Rentals; Providing For Codification; Repealing Any Inconsistent Provisions; Providing For Severability; And Providing An Effective Date, and this makes my head hurt. Do I have a first? First, do I have a second? Second. Any discussion

[City of Key Colony Beach] 17:05:54

on page 139. I think the within the 12 month of notice needs to be changed, as we just discussed. Yeah, he's got it written, and he'll read that already.

[Foster]

Okay, we got a 1st and a second. I read the edit. Right. So section, section 2B shall read notice of unsafe or deteriorated seawall upon determination by the building official or city engineer that a seawall is deteriorated, damaged, failing, or otherwise unsafe. Written notice shall be issued by the code official to the property owner identifying deficiencies and required corrective actions. The only other change will be section 2 c. Number 4 will read within 12 months of permit approval. All seawall repair repairs or replacement shall be fully competed and completed and approved by the city. Perfect. Okay. Nice job putting this together, Tony. I appreciate it. All right, Sylvia.

[City of Key Colony Beach] 17:07:00

Commissioner Harding? Yes. Commissioner Defencico? Yes. Vice Mayornell? Yes. Commissioner Thier? Yes. Mayor Foster? Yes. And this also will come back for a second reading on March 19th.

[Foster]

Great. Thank you. All right. Item C. 2026 taco one, a resolution by the City of Key County Beach Board of Commissioners amending resolution 2024 Tech 13 fee schedules for building department permits and services and providing for an effective date. Do I have a motion to approve motion? Second. Any further discussion?

[City of Key Colony Beach] 17:07:21

Just a comment, no changes from last time on this one.

[Foster]

Okay. Roll call.

Yes. Commissioner Defenseker? Yes. Vice Mayor Colonel? Yes. Commissioner Harding? Yes. Mayor Foster? Yes. Resolution adopted.

[Foster]

All right, next one. Resolution 2026-2, a resolution of the City Commission of the City of Key Colony Beach, Florida, amending Resolution 2024 tax 15 miscellaneous fee schedules and providing for an effective date. Do I have a motion to approve? Motion. Second. Any discussion?

[City of Key Colony Beach] 17:08:13

One comment on boat trailer parking temporary basis. We had intended to make a small change of that. So that was an error last time. So that's updated in this one.

[Foster]

So we're going up \$25. And the per week, you know, \$50 on the per month, so just... And that's reflected in that? That's reflected in the current document. Okay, perfect. All right, roll call.

Vice Mayor. Yes, Commissioner Hardin. Yes. Commissioner Dia? Yes. Commissioner DeFencico? Yes. Mayor Pasta? Yes. Resolution adopted.

[Foster]

Does anyone need five minutes?

[City of Key Colony Beach] 17:08:36

We're almost done. Okay. That means we're almost done, then.

[Foster]

Secretary Treasurer's report.

[Harding]

Okay, it's 150. So, we're in the fourth month of the 2026 fiscal year. You can see the revenue that came in. We're at the end of the at Valyrian tax income coming in, and we have a running balance of about \$1.5 million, um, to take us through the end of the year. And year-to-date revenue is on target with expectations, no concerns. That's including what we expected for a little bit additional with that valerian taxes. I do want to make a couple comments that the Department of Homeland Security Service Agreement funding was received for \$107,000. Based a lot of resonance feedback couple recommendations. Um, I would start with the contract with the cameras. I'm question... I would question if we should have legal review the contract. I saw just some comments, concerns. I would, you know, like to maybe we put that on next month's agenda, not to say we're not going to do it, but I think we should just review the contract. Um, the one thing I'd like to ask Jamie's help on is, you know, I think a lot of us need an education and Monroe County has been doing this for a while, right? What I would like to see, and I think the residents would like to see, what have they seen and used it for? Monroe County Sheriff. They've been doing it a few more years than us, right?

[Foster]

Can I ask you real quick, Tom, if it's going to be a while, I'm taking a 5. Okay, great, okay. And then I'm getting the opinion it is. Yeah, it's going to be a little bit. You're just on finances, I'd be okay.

[Harding]

Well, yeah, you're right. Yes, sir. Okay.

[Foster]

All right. Tom has promised he would state to his script and stay on the finances. Yes. All right.

[Harding]

So so my suggestion we put on next month's agenda review the contract for those license plate. I think... I think we get some expert help from Monroe County, say, you know, what have you learned from this? Right? And I think there's probably some really positive police activity that they found. So, like, that's what I would expect. And Jamie, I'd love to work with you on that. That's my guess on point on that. On the, um... Just just for clarification, it was reviewed by label. Anyway, keep going. I'd like to ask a few questions, whoever reviewed it. And then the second thing was the service agreement. Again, I think just to review with legal. Again, I found some issues I would like to ask some questions on. And I think we probably need clarification of the extent of the involvement that we have, and I think, again, to do justice for us, for allow time to look at it, and then also for the residents to put on next month's agenda. So it's my opinion on both of those. Now finances. Yes. Expenses, no concerns at this point. Year to date. Um, city hardening, city hall hardening reimbursement was requested for 450,000. It doesn't show in January financials. It was just received 18th of February. So the good news is the check came. Um... Building fund year-to-date remains in good shape. Revenue is lower than planned budget, and expenses are also lower, but net, we're in good shape on the

building fund. Okay. Next page is 151, which is the fourth month of the wastewater monthly plot. Quarterly revenue came in. So revenue and we're in good shape year to date, we're at \$114,000. We're slightly above last year's revenue at this time, no concerns. Overall expenses are under budget at this time, no concerns reimbursement for \$188,000 was received the 2nd of February for the Digester stairs and tank, and then another \$122,000 was received, again, for digester stairs and tanks, so... good shape when getting reimbursements back. Stormwater, the checking account balances at 101,000 prior to some good news here. We're at about 88% of the budget has been received with a lot of front-end loading of revenue and then 2 reimbursement requests have been now received for a total of \$567,000. So, the balance after all that is \$668,000, and then if we subtract what we just approved today, that will take us down to \$376,000 after we pay that bill. And then we still have potential reimbursement of that. So the net, after we're all done with the permeable pavers I would estimate be around \$600,000. Good. Okay. And... let's see. Okay. Update on city hall financing. So this is page 152. Last month, I was asked to provide the first Horizon legal representation to our city attorney, which I did. By the way, it's the same person that was there multiple years ago, and I did review our current active loan agreement with First Horizon, which is approved on a budget process of funding every year. So it's the... every year we make sure we have funds available, we demonstrate that to First Horizon, and then make our payments. Um, and that's from non-add valerian taxes. So that's I did validate that with Michael Wiener, who is from Holland & Knight, which is an independent law firm that First Horizon uses. I had a conference call with him and he said, "Tom, everything you've done, everything. He set up his accordance with Florida law, and there's no concerns with that. And then we did talk about differences of COP versus what we're doing today. What he did validate was COPs is mainly set up for schools, because they don't have very much non-advillarium income coming in. So, um, he said in cities, it's extremely rare that they would use that as a proposal. And then I did discuss with Jen, um, that we have the revenue streams for non-add valerium. We agreed. She actually came up with one that I missed, so she gave me a more complete list. So then if I move to 153, I thought it would be a good education, non-add valerium taxes is about 32% is what we bring in every year. And it's consistent 31 to 32%. What we bring in ad valerium is 68%. So if you look at that blue area, that's what we'd have to try to make a payment of a loan from add valerium non-advallarium. There's a lot of state funding, infrastructure revenues from the State. Thank you. State shared revenue from the State, road funding from the State. We obviously make interest on our own business tax licenses, fees, internal transfers, boat trailer, parking, and miscellaneous. So majority of the funds we get For non-advallarium is from the state. Um, so the current active loan for Sunset Park is \$161,000. We pay per year. Estimated loan that we would need for City Hall would be \$285,000 per year, and that's the total commitment is \$446,000. Now, both lawyers and loan folks have said that what they're going to look at your revenue stream, Tom, you have to have a safety factor. So our revenue stream is 1.7 million with a commitment of \$446,000. So we have a very strong safety factor there. Um, so what I would recommend that we pursue the same type of loan we're doing today, covenant to budget and appropriate debt. And Michael agreed with that. That would be the lowest cost and the least risk to the city, city residents. And I would suggest, I think Dirk had a draft to send out that we send that out, get competitive quotes, see who comes in the

lowest, and then execute that. And I think to help save costs, I think I think we're all set. We don't need to use Ford and associates anymore is my opinion. Um, so I think we got ample resources. And by the way, Michael was an excellent resource. He does this full time for his living. And he answered all the questions. He's very capable. So I feel confident that we have somebody that we can lean on if we need any help. So that would be my recommendations on the city loan status.

[City of Key Colony Beach] 17:27:12

Now he's going to give you an NTP, correct? You tell me. I thought it was a notice to participate. Yeah, I think it was already an itm. Got it. Yeah. Whatever it is, make sure I know it wasn't an NTP. Go ahead and get it out there. And and what Dirk suggested, we have a you know, it's a casual meeting that we haven't actually come in and start bidding against each other. I mean, yeah, yeah, don't wait. I'd get that one. Okay.

[Foster]

All right. I don't think we need a... I don't think we need a vote for that, right?

[Harding]

No, you've already got you've already got the end of the virtual because we'll vote on it when they come, we'll vote on it when it comes in.

[Foster]

Yeah, right, right. Rock and roll on that one. All right. That's it for Tom. City authority.

[City of Key Colony Beach] 17:28:23

Just briefly. I mean, just listening to some of the some of the questions and comments. It's more just a reminder to all commissioners. If you have any questions or anybody wants to reach out for any clarification on any current contract. It doesn't just go to agenda items, because we'll reach out on the agenda items. Any questions on any of the contracts? I mean, that's you guys have access to us. It's no additional charge. It's included in your retainer. So whether it's by phone or by email, reach out, use it. Most things are going to be, you know, it's it's going to be if it's a clarification and a simple review. There's no additional charge for that. If it's something that's going to require a legal undertaking, I mean, we'll let you know. But but don't hesitate to reach out, you know, whether it's whether it's the contracts on the cameras, whether it's, you know, any of that, whether it's, you know, on the construction stuff, call us, use those and we'll let you know if we're going to charge you. Most of the time it's it'll be resolved without just a clarification. Scott and I've had this conversation and However, we ended up where we ended up. I think there was confusion in where it was. But either way.

[City of Key Colony Beach] 17:29:12

So I've already got your word. If he's got questions on this contract, or any of us do, that it is no charge to us.

[City of Key Colony Beach] 17:29:22

Yeah, unless it's going to be a deep dive into something, and then you'll notify us. Correct. So if we're gonna... yes, if it's gonna cost you, we will notify you that it will cost you. Otherwise, clarifications, things like that, we're happy to do. So if it requires legal work, we'll let you know.

[City of Key Colony Beach] 17:29:38

So for clarity, though. If you have questions on this place, he's probably your guy, because I don't know that they all had that understanding. Absolutely.

[City of Key Colony Beach] 17:29:50

Brandon did this last week. I guess we're jumping ahead. I have a... I have a note that I wanted to discuss.

[City of Key Colony Beach] 17:29:57

under my category, which I'll do, I guess, but I guess we're jumping ahead here.

[City of Key Colony Beach] 17:30:03

So we might maybe just address it since we're talking about it. Well, I think, I think what he's telling you is addressed and he understands it and you can.

[Foster]

You can still cover it under yours.

[Colonell]

Yeah, I'd just like to add. Okay, fine. That's how I do it. Discover it under yours. Um, but... your entire staff needs to understand it, and I'll have that conversation with Dirk, too.

[City of Key Colony Beach] 17:30:27

All right. What else did you have? That was it. I mean, everything else is everything else been covered, and I'll address once we get to that portion. Okay.

[Foster]

All right. I think that covers that one. So, Tom, you're back up again. Okay. I promise you're gonna be quick.

[Harding]

Next subject is wastewater sampling. Summary is COVID is still hanging around at low levels, but it's there. Um, the good news is we went through a cycle in February where, um, we had some peaks of influenza A and A2, and it actually AH3. So it looks like all those peaks have come down, which is consistent with the state of Florida. We actually picked up a little bit of influenza B during the month of February, and then RSV is still hanging around too. I think the message is influenza A is reduced significantly, and we got low levels of COVID, low levels of RSV. That's all for wastewater. The next one is should be simple is. Everybody should be aware that we're in a water shortage warning, which means that South Florida water management, and by the way, they do an excellent,

excellent job. I've been very impressed with all the people in South Florida water management that watch over our water. We're in one of the worst droughts in about 10 years, which is... was surprising to me until I saw the data. So part of the plots we have is some data that shows we're in the... one of the worst droughts right now. A lot of us know the west coast of Florida, Tampa is much worse. So right now the request is a voluntary request that we go down to irrigation once a week and we minimize any other water usage that's not necessary. And then, if they feel that's needed, they'll go down to... it's a requirement. So right now, it's just a voluntary. They're monitoring our water usage. Key West is ready to turn on some of their recycled water, but that hasn't happened yet. Um, and then this would be through the end of May, typically, is where we're in the dry season. So, just for awareness. And that's all I have.

[City of Key Colony Beach] 17:33:03

One question for you on your... and by the way, his up his his report on the wastewater sampling is in the addendum package. The influenza influenza A1A2. That was a really big spike last last yes yes. Is that consistent with the rest of the state?

[Harding]

Um, no, actually, the rest of the states come down. What you'll find with wastewater, the state data is about 2 or 3 weeks later than what we would see. So the wastewater, actually, you see it immediately. So we saw a big spike in February. Um, and the good news is come down. I just got some data this morning, it came... it's still down, so it looks like our spike has passed through the city now. It almost correlates to when the, I guess the residents all came back. Yeah, and and and you know, that's a good point, because CDC was really interested in getting our data because they said, boy, I love this, Tom, because as residents come in or vacationers come in. It spikes and goes away, spikes and goes away. So you can see it's starting to come down there. Wow, that's good news. Very good.

[Foster]

All right. Commissioner Deal.

[Diehl]

Okay. First off, I've got a few items I'll talk about. The first one will be a seawall inspections that we performed on February 12th. The first phase of it. We went building official Tony and myself and of course the marine engineer had a family illness, so he wasn't able to accompany us on that go around, but hopefully in the one in March that we've... Schedule for... to do the final canals. He'll be available. We started at 7th Street and ended up at the 12th and 13th Street Canal. Just to give you a brief scenario, and I'm sure Tony will kick in in a minute. The worst canal was the 10th and 11th Street canal. There was quite a few, uh... quite a few issues in that canal. One yeah I believe it was 161 10th Street, a person could crawl in the hole on a low tide. That's how much of a blowout the seawall was. The next worst canal was the 9th and 10th Street canal observed quite a few failing seawalls. They were pitching inward, which shows that the entire need of repair. A lot of seawall cracks, which are not identified at this point in time as severe. With the collapsing seawall caps is definitely a dead giveaway that all the backfill has

eroded. And it's going to cause issues not only to the surrounding or the actual address, but the surrounding addresses to the left and right. So in March we're going to pick another good day of a low tide, and hopefully the weather cooperates, and we'll we'll finish the inspections. But before I continue, Tony, if you had anything to add on our observations.

[Loreno]

I can just add some numbers for you. So we, uh... Of all the seawalls we looked at from 7th Street up to 14th Street. There's about 50, of course, need repairs, and that could be from minor spalling to, you know, spalling that homeowners don't even see. The fact that we see it, we can help them address that to prevent any future failures. Um, we found 22 that we feel are critical, and those are the ones that we're sending out notices to everybody on that list, but we're those 22 are the ones who are looking to follow up with and get letters out and get your make sure they get an engineer to look at that so we can start the process.

[Diehl]

Good. Good. And like when I check the March tides, we'll zero in on a few days, and like we did the first time, if everybody's on board with a certain date in a time that is accordance with the tide, low tide will head on that there and finalize the inspections.

[Diehl]

Secondly, I've been tasked to keep the post office open during construction. I have a proposal to solve the post office transportation. If the plan will be... if the plan will be approved, I will send something to Sylvia so she can pass on to Vice Mayor Carnell, so he can reach out to the building superintendent, the proposal that I have is to take the 7th Street boat ramp lot and use that as the tractor trailer come and go. They would they would proceed into the north side of that lot. It's wider than the 1st entranceway, and they would make a U-turn into that parking lot. I already showed the public works Mike my idea, and he said that we could move the palm tree in the bush to make that tractor trailer radius clear when he does that U-turn. The problem with this is postal vehicles cannot back up. So I had not reached out to the head of the post office operations in Miami that has charge of all the post office for Miami to Key West. Because if I tell him some of his drivers are willing to back up, then that'll become, you know, he'll put a screeching halt to that. So I'm coming up with this proposal. It's gonna mean a few palm trees removed, but the whole intent is for it to pull in the north side of the entranceway pull around and back up between the tiki HUD here, beside the canal here, and then that'll move... that'll we'll have to move a couple more palm trees, a total of 3 palm trees and some bushes and that'll almost put the unit right up next to the alleyway and the post office next to the post office. Now, you probably ask, well, why are they backing up there? But we're going to have to put signage on this lot for postal vehicles only. I don't care who else would like to use a lot. It has to stay clear for them for them to proceed with the incoming and outgoing mail. There's 6 different dispatches that start from 3:30 in the morning until 5:50, 6:15 at night so they've got to have clear access for their drop off and pickups of the mail. So I'll send that proposal in so that can be addressed by this building official or the superintendent of construction, so we can keep that lot clear. I heard there was some

staging issues that they might want to use that lot for but for all that's going to go on with the storm drainage and the resurfacing and the striping of the parking lot, that's going to add quite a few days of non-delivery if we don't have a backup plan for the... personal vehicles. So that's my proposal.

[City of Key Colony Beach] 17:39:31

See, we already addressed the boat ramp. We're going to submit a grant proposal that'll be submitted by August, I mean, by April, and hopefully by 2027, we'll be breaking ground and improving that.

[Diehl]

Lastly, I am... I'm not sure. I'm just going to bring this out for discussion. I may follow up on it next month, but I want to possibly propose a KCB spring cleanup in April. With a restriction on the rolling trash cans that we have now, it's... you're restricted only for that one can, unless you want to pay \$14 or \$1,200 for an additional can back before this restriction went in at the end of December, you could put on as many trash cans as you want, you could put stuff on top of them, you could put stuff beside them, and they would take it. But that... that trash chain is only... for you to use for the confines inside that can, and that's it. With that said, there's a lot of people that have, you know, broken umbrellas, broken beach chairs, and they start putting it beside your house, or behind their house, or in their garage. I think a good KCB spring cleanup day, where we can get a couple dumpsters at either 7, because 7th Street Park, or somewhere in the vicinity and let the residents dump their belong the oversized belongings into these containers. In Maryland, a lot of the communities that the county government supplies these dumpsters. They're they're rather large or the big construction dumpsters that you see. They're big enough to put a lot of garage waste, or whatever that you want to put into it. So I'm just throwing that out there. I could. I could reach out to Ted Fisher or the community whatever community association, see if he wants to partake in this, but I... a person at the clam bank the other day, he's very familiar with the owner of Marathon Garbage, and he said he would reach... he would reach out and coordinate, possibly I could meet with him, and I could see if he wants to donate the dumpsters under a good cause, or... Give it to us for reduced cost. Once I get that information, I'll bring it back in for discussion, but I just want to put that out there. I think spring cleanup under the new trash can regulations would probably be a nice idea for people that can't get rid of the bulk items that they used to be able to. That's it.

He just... just one comment, Kurt, on that. Go ahead, Sylvia. Okay.

[Sylvia]

You can, so if you have extra trash that doesn't fit in your trash can, you can make a pile. Call Mgs. Actually, I have their number. If you take a picture and just text the picture to MGS, they will schedule you for pickup. It doesn't cost anything, but you can. it's free, so you just got to let them know. If you just put it by the road, they won't get it, but if you make your pie, send them a picture, and they will schedule you and pick it up.

[Foster]

No, uh... No construction debris there, Kirk.

[Foster]

But Sylvia has a good point, but I think you're limited to only two of those special requests a year, or is that just appliances that I'm thinking of? No, that's not. I did spring cleaning. Alright, well, maybe this is a... However, I'll be opposed to having a dumpster come in and throw it somewhere so everybody can throw their stuff in. And Kurt, I think it's a great idea. Just a reminder for all of us about electronic waste and hazardous, so we can't be dumped it in there. Twice a year, they have it over here. Yeah, yeah, we don't want to put it in the dumpster, though, if you do that. They will. Yeah, yeah. All right, thanks, Kirk.

[Foster]

All right, where are we at now? Uh, come.

[City of Key Colony Beach]

Uh, I have two minor things for our police department. First one is we received a couple comments from people about speeding on our streets, and uh... I know I've seen cars up and down in the West Ocean about 40 miles an hour and up up 8th Street. I would like to see if the police department can't put in place a keep the speed program and start being more aggressive and pulling over speeders. I think nothing works like some blue lights behind a car to give people the message that we don't we don't want people to speed on our streets. I know when people come to visit me, I say, go 25 miles an hour and keep KCB. Don't go 28. We mean it. And but I still see people speeding, and I think showing some blue lights. go a long way to helping in these areas. I don't disagree with you at all. The other thing is completely different, and that is when I was leaving John's concert week or so ago, a couple weeks ago, I noticed that the parking lot down there is all in disarray. People parking this way, that way. Could you figure out whether we need to come up with a method of parking cars in there to make sure that people. If we maximize its use and avoid accidents. I think I don't know whether you can line the gravel or put parking squares in, or what you can do. I don't know about it, but I think that there must be a better way to utilize the parking lot down there. Okay. I don't know if that's a police function or a city where public works function or who it is. But I think something like that would work would be beneficial. Who puts a concerts on Ted Fisher, right? His group?

[City of Key Colony Beach] 17:45:10

Yeah, maybe we shouldn't know when you put on. Well, that was the best one. But maybe we can have his people volunteer to do that. Well, but I think what they can probably do it. But I think we want our police to figure out what it is we want to do when I put mines in, we're going to put it's just starting a straight line and then keeping them in it. Well, yeah, that's and that's just how it would have to go. You have your officer who's down there direct people or something like that.

[City of Key Colony Beach] 17:45:41

If we charge \$2 a car, we won't have any cars.

What are the cars? Last Sunday's... concert was the worst I've seen. I know there was two officers in the parking lot, but I don't think they saw it down 12th Street. They were literally parking on both sides of 12th Street on the odd side, so that only allowed one car at a time to go through those shoulder parkers that were sticking on the outside, especially, there was no room to pull over, so they were... they were literally blocking half of the... of the street if anybody wanted to leave 12th Street, so... That might need to monitor that a little better. I'll let them know so they can address that? Okay.

[City of Key Colony Beach] 17:46:23

Uh... Vice Mayor calling out.

[Colonell]

Okay, the commission update number 2 on City Hall progress. Um, I gave you guys my... my notes. There's some detail in the notes. But I'll just summarize them. We're doing a lot of paperwork. The contractor is behind schedule. Um, we've had 5 progress meetings. He's doing things around the site that are fine. He's got a sediment controls in place, and he's trying to fabricate his his pile reinforcing cages now. He has begun shoring and bracing work, which is sort of nickel dime at this point, it's not a lot of... it doesn't have a lot of work. He informed me yesterday that his pile driving drilling machine is 2 to 3 weeks out From today that that should be going on right now. So that's a problem. We had a stumbling block. In the beginning, where the contractor admittedly maybe misread the demolition drawings, and now has elected to do bulk demolition instead of the selective demolition that we had planned, which is fine, and the architect is online, but he's approved that and they have done the bulk demolition, which took 2-3 days. So they're in good shape there. Um, we've got Tony and Samantha, and the mayor did a good job getting spalling work, uh, finished up, and that guy's out of our hair. Staging is, I know, a hot button around here, and it's something that we're just gonna have to live with for, I think, the duration of the job, to tell you the truth. We created a second construction entrance on Sadowski to alleviate and take pressure off of the Ocean Drive entrance, and I think that's been working pretty good for heavy trucks and dumpster trucks, etc. And following up on what Commissioner Deal said with the tractor trailers in the park over here, that that would be a fine idea. I like that idea, although under contract with this contractor, that is a staging area. And that's not our area. It doesn't belong to us under this contract. Now, we can change that by negotiating in a change order.

[City of Key Colony Beach] 17:49:07

Correct me if I'm wrong, Scott, but we could do that. Yeah, safety areas identified in your in your contract already. So if we are going to change it, we would need to get that approved, and that would likely be a change order. Correct. Not a monetary, but just a a design. Right? That'd be monetary, too. Well, you also the architect of the architect will have to have to redraw it. So that would potentially involve all 3 of them.

[Colonell]

The we have in several... in our meetings we have had the contractor beef about the owner being in his way. He has said that he didn't realize that there was going to be a

fishing club meetings. No one told him that. I had asked him back in December to write us a letter telling us, what did he envision of the owner using the building, because it had never really been defined. Then we made him put the dates on the... on the project schedule that he gave us in January, January 27th. He gave us a project schedule and they're on the... they're on the the schedule. So. He's now pitching a bit of a you know what? Because he's feeling the pressure, and he's hoping that once we get past KCB Day, that he will have more access to this site. I believe we on the outside of the building. I want to change the staging so that we push the staging. We push the handicap ramp away from the building over towards the post office. We talked to the architect about it, that that would keep pedestrian people from being up next to the building where we're using a concrete saw and people are on the roof, and... uh, you know, cutting holes and doing shingles, and it's just not conducive to... I don't really think it's a good idea having people walking up the handicap ramp to get into the post office, so I'd like to move it by building a temporary ramp. So there'd be more to come on that idea. The mail truck. I happen to be watering the flowers one night. I came through here, and the mail truck was here, and I stopped and talked to the guy. I said, Hey, I noticed you backed your truck in on the seventh. He goes, oh yeah, do it all the time. I sure, do you? He said, yeah. I said, well, would you have a problem if you just pulled down seventh and wheeled in? If you didn't back in? Yeah, yeah, we could do that. So you see we're under construction? He said, yeah, I could do that. Now, I know that Kirk's right. As soon as we go and tell the chief. They're doing that. The chief is going to issue a memo saying that's against the rules, and they're going to stop doing it. So, you know, we shoot ourselves in the foot one way or the other. The other thing we saw here recently was the mail truck came in when the dumpster truck or the equipment truck was leaving a flatbed with a track hoe, and they had tied up Ocean Drive. The truck, uh... went around seventh and back all the way into the door and unload it without anybody coming. He saw that the entrance was was being utilized and it was a perfect storm for everybody. Nobody planned it that way. He came earlier and we came later and whatever, you know, so that's an issue, but I just I think everybody ought to understand that staging. is going to be an issue we're dealing with to have our cake needed, too. So we're we're gonna have to be playing with staging for quite a while in our contract.

[City of Key Colony Beach] 17:52:01

We gave them the parking lots over on 7th Street, both parking lots. We gave them the entire ocean drive all the way up to the post office encapsulated by temporary fence. This was never to be utilized. So that's what they have by contract. So we're in a situation where the contractor's been working with us and he's been helpful but just so everybody understands, that's what we're up against. Um, so I said that the pile driving and the grade beam work, which is critical, can't do anything else, can't build without that. So, um, that's three weeks out, we're going to be even farther behind. I'm saying today that he's about 40 days behind. Um, already. And it's worked. And that could get exasperated by this drilling rig. Now, we're all pushing the drilling rig to get here sooner, but it is what it is He's falling behind on structural steel and submittals. That's a critical item. You you need steel as soon as you get your piles. So you know you don't have that. He just submitted them yesterday. If they get approved timely, which they will, the architect's been phenomenal on getting submittals back timely he needs 45 days to get his seal. So I

gave you the detail in the memo. You can read it and drill down if you want. But that's where we are. Let's see, what else did I want to tell you? He's complained about the the plans. I told you the demolition. You didn't read the demolition drawings the way we designed them. He also said that he had trouble getting out of the gate with. He said there was the structural drawings didn't match the demolition drawings and therefore they couldn't come up with their control lines. So that held them up. So that's where we are on schedule. There is some remedy to this. We have asked for a recovery schedule, which we're entitled to under the specs and updates, and we've asked them for that. It may be that we need to get Ken, who is the project manager for Pedro Falcon, some extra help to help him move along. He seems to be a one-man band, which we did discuss at our last progress meeting with him, and he did admit that that he was the one man band. So we may have to get to the ownership and talk to them. Um... value engineering and change orders. He's the contractors agreed to put the patios back in that we approved last month. But he wants to put them back in as a 4 inch slab Which is okay with me, and it was okay with, uh... Brandon. So I would suggest that we accept that and move on at no cost Um, I'm waiting on the change order from the contractor. the we're also waiting on a credit for the existing windows that we already put in waiting on the change order there. The value engineering.

[City of Key Colony Beach] 17:55:07

You were still waiting on the duct work.

[Colonell]

Yeah, there was mention to change the HVAC manufacturer to save money. That was a contractor suggestion. And then, of course, the marble hall ceiling and then at the very end here, I'd like to discuss our procedures about how we do things.

I'll just read you what I wrote, because it's the easiest way to sum it up, and I'll be quick, I promise From time to time, as the owner's representative for the city, it is imperative to have access for legal advice without interference. It is a good business practice and only prudent to seek legal counsel as we navigate and manage a \$5.5 million contract. If the owner's rep is trusted to lead the city through the construction process, should be trusted to seek staff assistance when deemed necessary or required. Personally, from my experience over the years, I have found having legal guidance can be paramount in cautiously avoiding larger conflicts and disputes. Good counsel results in more timely production of the work, cost-effective savings, and a much friendlier interaction. Disagreements, misunderstandings, and arguments left unresolved lead litigation, which could cause the city substantially in time and money. The contract has legal consequences for both parties, obligations and time constraints. I believe if we hesitate to use our legal team's counsel along the way for intention of saving money, we risk detrimental implications. In simple terms, by waiting until I have a major conflict to seek legal counsel, we will fare far worse in the end. It's like waiting until it rains by the umbrella. Therefore, I seek the Commission's full authorization to engage city attorneys, as I believe necessary in relation to this contract. Only.

[City of Key Colony Beach]

I think you already have it.

[Colonell and city attorney]

Well, I ran into this last month because they called me and they didn't know what you were asking, and then... But trust me, you were talking to Ron first. Sure. Now, Jimmy. No, I talked to Dirk. Well, regardless. That's why I called. Jimmy called me back 2 days later. I had to call the law firm and say, Hey, when are we having this conference call that was supposed to be. We shut up the next day and I got Kate said, Oh, didn't they call you? They were told to stand down. So I can't. I don't want to. I don't want to fight City Hall, so to speak to move through this. And I'm a responsible person. I've handled many lawyers. I have lawyers working for me right now. I don't go and call and talk about baking, or I think you're debating something that's already been resolved. He's already told you. So I will have the authority to engage the lawyers as I see fit, especially him, because he's the one that's familiar with it. If you start engaging the others, all they're going to do is run an investigation on. Yeah. So it's listen. And part of that was was I was out, and I think the issue was was going to be addressed. But the reality is, like, said you everybody, including including Vice Mayor on on this. We've we've had that discussion also. So you have you have access to as contract clarifications, things like that. What I will tell you is and the disconnect may be if he's asking for something that requires us to do something beyond just clarification or contract review. If it's getting a notice to the contractor or actually, you know, doing something that requires some legal work, then that's when we'll let them know. That's when we're going to, you know, Scott, how would a conference call with the architect. Who's the the project? You know, administrator. Would that qualify, or is that extra cost? If we're gonna have a conference to to clarify an Rfi or a change order, or something like that. You know, that's having a conference with the architect or the contractor. Yeah, that that's outside of his his call to us. So. He's got access to us for contract review, interpretation, things like that. He's... there's not going to be an additional charge to the city. But if I engage the architect on the call, it's extra. I mean, if you're setting up... if you're setting up a meeting, it could be. If it's just to clarify something in the contract, I mean, no. I mean, so... This particular instance was a notice. Whether or not there was rise to a claim. Yeah, whether or not something qualifies as a notice or lack of a notice, that would have been resolved no charge. So what I'm saying is, if you want us to draft a letter to the contractor placing him on notice of a violation or something like that. So hang on, guys, hang on, hang on. Let's just, let's just solve this. If you want access to them, you got access to them.

[City of Key Colony Beach] 17:59:25

All right. Okay. Let me ask the question. What if he said it's going to cost money?

[City of Key Colony Beach] 17:59:31

Again, go forward in this. This is this is not even really worth talking about, because somebody called and didn't even know what was being asked of them asked if they could do it without them.

[City of Key Colony Beach] 17:59:42

Any approval. It was very much a communication food bar.

[Foster]

Make it what you want to make it. You got access.

[Colonell]

Yeah, right? The only clarification is, let's assume he wants. Let's assume we're going to put a send a legal notice to the contract. We've got access. Okay, make it clear. How about if you help me edit a letter, and it took some time. It wasn't just a phone call, but you helped me edit a letter that I wrote, but you helped edit it. Does that cost more?

[City of Key Colony Beach] 18:00:10

If it's not in your letter, no. I mean, if we're drafting... let's just clarify this, because there will be times during this contract, I can promise you that it's going to be more than clarification. So the question is if if Vice Mayor calls us and says, we need to get a notice to the a notice of the contractor or something that's beyond just a contract review. Is there going to be a process where we're going to need to get that pre-approved before we engage... before we actually incur those fees?

[Foster]

That's the question. I think I told you 5 times, and I'm going to tell you once more. You guys are approved.

[City of Key Colony Beach] 18:00:47

So don't need to go through the big.

[City of Key Colony Beach] 18:01:05

That's what the mayor said. Okay, understood. In 6 weeks I'll get the bill on yelling. Hi.

[City of Key Colony Beach] 18:01:06

Anything else? I have a question for Doug. I read this letter of questionable costs. Questions are \$2. It sounds to me like Mr. Falcone is saying, or Peter Falcone contracts is saying, you're getting in my way. They're slowing me down. Please let me have access to this building and get out of my way. Am I reading that right? He is saying that. He came right out. I quoted it in here. Let me read it to you. He says in the last progress meeting, Sylvia, and you were in that meeting and Tony, you were in the meeting, per Ken Baigler, the site work cannot be done as it is impossible without complete access and original staging by contract. That's what he told us. And so he's feeling the heat. So he's grabbing, you know, he's looking for the caddy. He's throwing the paint, you know, should we do something or, or can we do something to get out of his way, let him go forward and help him Go forward.

[Colonell]

Well, Tom, the first thing I did was seek legal advice and try to figure out where we are legally with it. I got to ask names. Everybody's got eyes if they watch what's going on. Do you think anybody's in this light? One I found with contractors is when they're behind, they will grab at anything.

[Foster]

So Doug managing You have it. You have access to legal, but he's already behind 40 days. I don't think anybody standing in his way.

[City of Key Colony Beach] 18:02:32

He's he's saying in his letters. If you give him the out, he'll take it, and he'll he'll say, you stood in my way. I can't finish your job on time. An extra million dollars. You can say anything. You gotta prove it, Thomas. Well, according to the contract, and as we all know, if he's gonna, if he's gonna ask for additional time, or he's going to ask for additional costs, and that's going to be a formal notice that we'll deal with at the time. So this is the backup. Yeah, well, I mean, they got us all done right. And just to clarify, I mean, it's, you know, the the city by contract in the bid and in the contract has access to Marble Hall. Unless they're given 72 hours notice for specific work. The contractor knows that it's it has to be in its schedule, and there was a 0 deduct for it. So I just so everybody's clear, it's we're not doing anything, we're not we're not allowed to do by contract, and if he is claiming... if he is going to officially claim, I need more time, or I need more money, he's gonna have to do that in writing.

[City of Key Colony Beach] 18:03:29

So one last thing, and I'll I don't want to hurt your brain. The the dates that we put on the calendar. We put commission meetings on. We put beautification on. We put utility. And we put planning and zoning. That's it. Yes. We didn't put knitting. We didn't put sewing. We didn't put yoga. We didn't put the fishing club. They're not on the that's not on the schedule. So is that Uh, something that he could... Is that... I mean, I don't know if we can get on the schedule now or not. Yeah, if I may. The schedule should be the schedule should be a written schedule, because again, this is what I recommend before a written schedule given to the contractor so we can incorporate it into his schedule. If we are going to be occupying it outside of that schedule, of course, you can put back and say You're occupying when you're not in accordance with the schedule. So the answer is yes, but my understanding is there is a written schedule now that's incorporated into his schedule. So if that's agreed to any amendments would obviously have to be brought up at the next OAC meeting, and have them approve it and incorporate it in the schedule. But my understanding is there is a written schedule that's incorporated into his timeline.

[City of Key Colony Beach] 18:04:37

Not not for the fishing club. I can see it. If I can add, I think one of the discussions of the last fishing and Boating Club meeting was, I think, starting in April, they already made arrangements for the fishing and Boating Club meeting to be held at the Moose Uh, Lodge in marathon. Well, that's a good start. So that that... Meeting is covered. Okay, if I can add to the the scope. I I looked at the timeline of of construction events, very familiar with with that.

[City of Key Colony Beach] 18:05:11

You're talking one week? A month, so let's use an example. If they cut these openings up, replace the windows, do the doors, they've got 3 weeks that we don't have that meeting.

So, you know, if they can schedule that, which I think they can, which I think the mayor has a vision of them doing as well, I think. They'll pour it off. Having these meetings at 3.30 in the afternoon seems to be working out. The trades are gone when we show up and have the meetings. But at some point in time, if it does get to be an issue, then we can decide what we do at that point in time, but I think with the way the meetings are scheduled, you know, you got one full week of meetings, and then they got 3 weeks of each month to have... each month to have at it. Maybe that's a workable situation until we see it's not.

[City of Key Colony Beach] 18:05:58

Okay. Dan? Yep. Alright.

Foster:

Um, real quick updates. the grant. Silvia, great news that we got \$455,000, or whatever it is from that grant for the city, the city hall, which means there's really money there, because I was starting to wonder if there was. You ain't the only one. The other good news is we've already got another bill in from Pedro Falcon. And I believe, based on the schedule, that we'll eat up that grant money pretty easy. So. my comfort level on the schedule and the work being done right now is much better than it was before. Now that we see that the fluorination of. I dropped me back. I I was sitting with the head of the DEP across across from saying, is there really money there? Are you guys just playing with? So we're I'm much more comfortable with the schedule. And even though we're behind we'll eat up that money, and that was my major concern. So that's 1, 2, the 2.3 million for West Ocean Drive is approved. The plan should be in tomorrow. That should be going out to bid ASAP. The appropriations that I put in with. With Mooney made it through the first cut. So now it's in committee for discussion. So that since it made it through the cut, we've got a really good chance of getting that. And we'll see how much it is. They can go up or down, but I think we'll have a good chance of getting a good chunk the conversation that you, I, and Jason had with Ovid and the Commerce Department. If you if you can, I would like you to take that and run with it. I talked to the deputy secretary. I think you're going to find that the rules one are changing right now to be more in our favor. Two, you're going to find that the Deputy secretary was very favorable to trying to help us. So I think you're going to find if you work with Ovid, Jason and Graham. I'd like you to just handle it. I can knock any roadblocks out of the way with the Deputy Secretary, but I think, Tom, you're the best suited for it. You know it the best, and you and engineers drive me nuts, but you and Jason are two engineers that know exactly what you need to put in there. So can you? All right. And just run and get as much as you can. I'll send you the e. You can email between me and the deputy secretary. He's he's asking to go for all 3.5 million plus these other items. Okay, so what he's telling us is go ask your mom. And then the third up grants feed me a form on that. But if we can build them now and then, once we get the money back. But if we can't at least get the engineering done. And I think that was it. I think we've killed it. Anything else? Maybe citizen says the Catholic. Ain't they all sleeping by now? All right, any citizen's comments? Going once, twice.