



# VILLAGE OF KEY BISCAYNE

## Office of the Village Manager

*Village Council*

### MEMORANDUM

**Michael W. Davey**, *Mayor*  
**Allison McCormick**, *Vice Mayor*

DATE: August 27, 2019

**Luis Lauredo**  
**Edward London**  
**Brett Moss**  
**Katie Petros**  
**Ignacio J. Seguro**

TO: Honorable Mayor and Council Members

FROM: Andrea M. Agha, Village Manager

*Village Manager*  
**Andrea M. Agha**

RE: Establishing Kiteboarding Registration Family Fee

### **RECOMMENDATION**

It is recommended that the Village Council approve the attached resolution amending the Kiteboard Registration fee schedule to include a family fee in the amount of \$350.

### **BACKGROUND**

On March 6, 2018, the Village adopted an ordinance, which created kiteboarding regulations within the Village in order to prevent injury and to protect Village residents and visitors. One of the regulations was the requirement to register with the Village and acquire a permit. At this meeting, Council adopted a resolution establishing a registration fee in the prorated annual amount of \$250.

On May 21, 2019 the Village Council directed staff to introduce a family fee. The Village has incurred costs in implementing the program, processing the registrations, police enforcement and monitoring of the kiteboarding program.

The family rate shall apply to adults living in the same household, all dependent children under 18 years of age or still in high school and dependent children who are full-time students with college ID.

The kiteboarding registration fee for an individual remains at \$250. We are introducing a family fee of \$350 with a retroactive effective date of June 1, 2019.

Reviewed by Ms. Haydee S. Sera from Weiss Serota Helfman Cole & Bierman, P.L. as to form and legal sufficiency.



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**RESOLUTION NO. 2019- \_\_\_\_\_**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAVNE, FLORIDA, AMENDING THE KITEBOARDING REGISTRATION FEE APPROVED BY RESOLUTION NO. 2018-06; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (the “Village”) regulates kiteboarding within its jurisdiction; and

**WHEREAS**, pursuant to Section 4-33 of the Village Code of Ordinances (the “Code”), the Village Council is authorized to charge a reasonable registration fee in order to defray the costs of administering the Village’s kiteboarding regulations; and

**WHEREAS**, on March 6, 2018, the Village Council adopted Resolution No. 2018-06 establishing an annual \$250 kiteboarding registration fee; and

**WHEREAS**, the Village Council desires to add a family registration fee of \$350 per year; and

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

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

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

**Section 2.    Amended Kiteboarding Fee.** That Resolution No. 2018-06 is hereby amended to provide two kiteboarding annual registration fee categories: \$250.00 per adult and \$350.00 per family retroactively effective June 1, 2019.

**Section 3.** **Conflicts.** That all resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

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

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MICHAEL W. DAVEY, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER MEDINA, CMC  
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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