# ISLAMORADA, VILLAGE OF ISLANDS
# REGULAR VILLAGE COUNCIL MEETING

Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036
Thursday, November 18, 2021
5:30 PM

## CALL TO ORDER / ROLL CALL

Mayor Buddy Pinder called the meeting to order at 5:31 p.m. The following Councilmembers were present on roll call: Mayor Buddy Pinder, Vice Mayor Pete Bacheler, Councilman Mark Gregg, Councilman Henry Rosenthal and Councilman David Webb. Also in attendance were Village Attorney Roget Bryan, Village Manager Greg Oravec, Village Clerk Kelly Toth and other relevant staff.

## PLEDGE OF ALLEGIANCE AND INVOCATION

Monroe County Mayor David Rice led the Pledge of Allegiance. Mayor Buddy Pinder requested a moment of silence.

## REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

Mayor Pinder invited Monroe County Mayor David Rice to the podium to address the Council. He commented that over the next few years, the Monroe County Board of County Commissioners would be developing solutions to problems that were created by decisions made decades ago noting that Islamorada was in a similar situation. He stated that about 25 years ago, David Horan said to him, with regard to the Rate of Growth Ordinance (ROGO), that we were writing a check that our grandchildren will not be able to cash; noted that there were about 8,000 lots in Monroe County that would not have building rights as things currently stood; commented that Islamorada had their fair share of vacant lots; that over the next few years Islamorada and Monroe County would be looking for solutions to the buildout issue; and suggested sharing solutions noting that there was no perfect solution.

Mayor Rice commented about Islamorada's traffic problem which was also the County's problem because the US-1 Highway was the main street and thoroughfare. He commented about the efforts of the Monroe County Florida Keys Transportation Coordination Committee; noted that there were requests for improvements that could be made to the Florida Department of Transportation (FDOT) that would facilitate the flow of traffic on the US-1 Highway; and asked the Council to consider the results of the US-1 Master Plan Study and identify and prioritize items. Mayor Buddy Pinder thanked Mayor Rice for providing Kimberly Matthew's contact information and for the assistance she provided.

**TAB 1:** Presentation by Monroe County Addressing Buildout of the Florida Keys

This item was heard at 5:41 p.m. Emily Schemper, Senior Director of Planning and Environmental Resources for Monroe County began the presentation regarding "Actions, Policies and Programs to Address Potential 2023/2026 Exhaustion of ROGO Allocations and/or Build-out of the Florida Keys. She provided background information about the formation of ROGO and the Village's Building Permit Allocation System (BPAS); noted the significance of the 2012 Department of Economic Opportunity's (DEO) hurricane evacuation clearance time modeling task which found that with ten years of building permits, the Florida Keys would be at the 24-hour evacuation clearance; based on this modeling 3,550 additional permits were allocated countywide with 280 assigned to Islamorada; and in 2018 they estimated the number of vacant parcels that would be remaining. Ms. Schemper explained that based on the 2020 Census, the DEO and Florida Division of Emergency Management would run an evacuation model based on the updated census information perhaps sometime in 2022; and that once the model was completed, a new Memorandum of Understanding with DEO, DEM, Marathon, Islamorada, Key West, Key Colony Beach and Layton would be required. Ms. Schemper identified actions taken by Monroe County to address the issues which included

- Adopting ordinances that allowed them to extend distribution of ROGO allocations through 2026. The extension allowed more time to update their Code and Comprehensive Plan and it allowed more time for land acquisitions.
- Added new categories for extra ROGO points for land dedication and lot aggregation.
- The Code includes up to two (2) points for payment into the Land Acquisition Fund which was currently at $35,000 per point.
- In 2016 opened up Transfer of ROGO exemptions to Market Rate Units, subject to certain requirements.
- Adopted Ordinance 0005-2021 which accepted the 300 Workforce Housing early evacuation units. The units had to be exchanged for existing affordable housing ROGO allocations at multifamily sites and exchanged ROGO allocations would go into the County Administrative Relief for future use.

Monroe County Land Authority Executive Director Christine Hurley addressed Monroe County's land acquisition efforts. She reported about Monroe County's efforts to lobby the State for more land acquisition and noted that the State of Florida passed the Florida Keys Stewardship Act which focused on water quality projects and had a target yearly goal of $5 million for land acquisition. Ms. Hurley reported that Monroe County budgeted about $6 million in the 304 /Infrastructure Sales Tax Fund for land acquisition which focused on density reduction buying lots that had a Transferable Development Right (TDR). The Monroe County Land Authority purchases primarily conservation land and affordable housing land purchases; that they do not focus on properties that do not have at least one full dwelling unit; and focused on property typically located in Improved Subdivision (IS) or Urban Residential Medium (URM) zoning categories. She commented that the Monroe County Land Authority ROGO Reserve Fund was funding set aside for takings claims. Ms. Hurley reported that the Florida Keys Stewardship Act was averaging around $1 million a year in land acquisition since the Stewardship Act bill was passed in 2016; and that communications with the DEP revealed that they were not meeting their $5 million goal because we did not bring them willing sellers and noted that it was the community's job to advise DEP of what was for sale and what they wanted DEP to focus on. She reported that another source of funding being utilized was the post Hurricane Irma HUD/ DEO Community Development Block Grant (CDBG) disaster recovery program which provided $15 million in grants to purchase destroyed houses and noted that the ROGO allocations captured from the buyouts would be placed in administrative relief.

Ms. Hurley explained some of the land acquisition programs which included:

- The FEMA Flood Mitigation Assistance program which was a Keys-wide program that purchases homes from willing sellers to eliminate future flood risks.
- The Less than Fee program purchases the development rights from the lot adjacent the seller's primary residence; the seller keeps the land, receives money for the sale of the development right, and can build an accessory structure on the property. The program has been very successful and currently has a waiting list due to funding limitations and having been on hold during COVID.

Ms. Emily Schemper reported on potential future policies, programs, and actions that Monroe County had identified to address the impending end of ROGO allocations. She reported the following ideas:

- Establish an Urban Service District which discouraged and disallowed development of land outside of a designated area by eliminating the extension of infrastructure, facilities, roadways, sewer, and water.
- Create climate change adaptation areas and disallow development in certain areas where sea level rise would put the land under water in the future.
- Rezone land from residential uses to other uses and provided an example of residential zoning on the highway where it was not so desirable to build a residence.
- Add nonresidential uses to residential zoning districts such as community gardens, small businesses, and boat trailer parking.
- Contiguous land merger is being researched.
- Create another commercial zoning category for smaller, less intense uses to provide service to immediate vicinity of a residential neighborhood such as a corner store.
- Eminent domain of unimproved platted rights-of-way which would change the development potential.
- Lobby State Legislature to adopt a bill requiring the court to split the bill equally on a regulatory takings claims. The bill lacked sufficient leadership support during the 2020 Legislative session, however the State has appropriated funding for takings claims.
- Pursue Code liens and foreclose where appropriate.
- Raise taxes by increasing the one-cent Tourist Impact Tax.
- Explore a toll on the US-1 Highway with a portion of the funds going to acquisition, restoration, and maintenance of conservation lands. Requires Federal and State legislation to authorize the imposition of a toll on US-1.
- Dedicate 10% of the current 1% infrastructure sales surtax for "other purposes" specifically for land acquisition.
- Increase sales tax and dedicate 100% of the additional revenue to land acquisition.

- Establish a special taxing authority, a dedicated revenue stream and corresponding bond issue, by referendum for an ad-valorem tax to be dedicated to land acquisition.
- Develop purchasing tax deed programs.

She concluded by noting some of the ideas they are currently pursuing while others were not favorable to the Monroe County Board of County Commissioners.

Councilman Mark Gregg inquired about the affordable housing initiative that provides for an existing affordable ROGO allocation to be exchanged for one of the 300 affordable units and asked what motivated someone to do this. Ms. Schempler explained that when the ordinance was adopted there were a few developments that were interested, but that it was yet to be seen as to whether that would happen.

Councilman David Webb asked why the Less than Fee was limited to unincorporated areas of Monroe County. Ms. Schempler explained that it was funded by Monroe County from the 304/Infrastructure Sales Tax funds; that all the local governments have a portion of the 304 funds that they receive; and that if Islamorada wanted to fund the Less than Fee program Monroe County would work with the Village to implement the program. Councilman Webb inquired as to whether the FDOT improvement projects would be taken into consideration when the updated evacuation modeling was conducted. Ms. Schempler stated that she believed it would be considered and noted that they were taking into consideration sea level rise. He inquired about the Stewardship Act funding for land acquisition specifically whether the unused monies were set aside. Ms. Schempler stated that the unused funds were absorbed back into the budget as there was no set aside; noted the importance of working with DEP and willing sellers; noted that there were a lot of willing sellers but not necessarily inclined to accept the price DEP was willing to pay; DEP has specific formulas that they use, and that Monroe County was experimenting with a cost-share idea.

Mayor Buddy Pinder opened public comment.
Van Cadenhead commented about the Carrying Capacity Study and spoke in opposition to extending the 2023 buildout issue; and noted the State's involvement and that their help was needed.

Councilman Henry Rosenthal thanked Monroe County Administrator Roman Gastesi, who was not present, for his involvement in the County's effort to address buildout; and expressed that he felt good that the issue was going to be addressed.

Monroe County Mayor David Rice commented that 2026 appealed to him because they had several land acquisition programs that were accelerating and the additional three years gave them more time to purchase more property and they would not have to defend legal actions related to those properties.

Mayor Buddy Pinder closed public comment.

**TAB 2:** Presentation: Monroe County US-1 Transportation Masterplan Study

This item was heard at 6:30 p.m. Emily Schemper, Senior Director of Planning and Environmental Resources for Monroe County began by presenting the overview process for selecting projects from the masterplan's Potential Solution List of Projects. She provided background information about the Transportation Masterplan Study noting it was a 700-page document with 183 potential projects of which 58 of them were included in the FDOT 5-Year Work Program; noted that not all of the projects would move forward; that the idea was for Monroe County and the municipalities to review, evaluate and consider the opportunities and constraints and decide whether the community wanted these types of projects. She stated that on November 3, 2021 the Monroe County Board of County Commissioners (BOCC) adopted a resolution recommending 15 projects that they would like the FDOT to incorporate into the 5-Year Work Program; in December Monroe County was hoping to receive similar resolutions from each of the municipalities with approximately ten projects from each jurisdiction and noted Kimberly Matthews was coordinating the effort with the municipalities; explained that the Florida Keys Transportation Coordination Committee would prioritize the municipal recommendations and make a recommendation to the BOCC as to what the BOCC should provide to FDOT as the County's priorities for the 5-Year Work Program. She noted that they discussed sending the entire list with prioritized projects and that statutorily Monroe County was the government body that was to relay the projects to the FDOT. Ms. Schempler identified the study limits, tasks completed, and the major findings from public input. She commented that the consultant collected data to analyze travel patterns, identify hot spots and potential opportunities for improvements. Ms. Schempler identified the seven goals which had corresponding objectives. The goals included:

- Goal 1: Create a balanced multimodal transportation system that provides options for and promotes non-motorized travel along the US-1 Corridor. This includes providing space and infrastructure for all modes of transportation.
- Goal 2: Address congestion through improved traffic management.
- Goal 3: Enhance traffic safety.
- Goal 4: Preserve the beauty of the unique Scenic Byway.
- Goal 5: Improve infrastructure to meet the needs of tourists while providing for local traffic.
- Goal 6: Preserve/maintain existing infrastructure.
- Goal 7: Emerging technology applications.

Ms. Schempler summarized the project noting 58 of the projects were included in the FDOT Work Program, 24 were currently under review, and the remaining 99 were potential solutions and were the items that needed to be prioritized and sent to FDOT.

Mr. Vivek Reddy, AECOM Traffic Engineering Department Manager, addressed the types of solutions (projects) that were included in the master plan. He explained that the projects were categorized into project themes and goals and objectives were defined; provided examples of potential solutions that were considered for pedestrian/bicycle improvements, traffic signals/turn lane improvements, roadway access management improvements, transit related improvements, long-term automated buses, water-based transportation options, new bridges, aerial gondolas, and emerging technologies. Mr. Reddy explained the emerging technologies which included intelligent transportation systems, transportation systems management and operations, connected vehicles noting the Keys COAST pilot project, future transportation technology trends, and Electric Vertical Take Off and Landing (EVTOL). He noted that having a Traffic Homicide Investigation (THI) officer in Monroe County would also help alleviate traffic noting the current THI officer came from Miami-Dade County. Ms. Schemper concluded the presentation by identifying Monroe County's top 15 projects.

Mayor Buddy Pinder opened public comment.
Van Cadenhead commented about the previous Snake Creek bridge structural design; expressed opposition about a potential fixed bridge to replace the existing Snake Creek bridge.

Jill Zima Borski encouraged the Council to support Monroe County's list; and expressed support for the potential changes to the weigh station.

Mayor Buddy Pinder closed public comment.

Councilman Henry Rosenthal inquired about Islamorada's representation on the Florida Keys Transportation Coordination Committee (FKTCC). Vice Mayor Pete Bacheler stated he was a member of the committee. Monroe County Mayor David Rice commented that there were some good ideas in the master plan and there were some "stinkers" and suggested the Council approach it as a lot of potential ideas from which to choose from.

Village Manager Greg Oravec noted the complexity and issues that evolved when the Village switched from septic to sewer; and asked, with regard to buildout, how it would benefit the Village to be on a different timeline than Monroe County. Councilman Mark Gregg noted a suggestion made by Councilman Henry Rosenthal at a previous meeting which was to suspend BPAS allocations for a specific period; explained that at the December meeting the Council would have an agenda item before them that addressed the number of BPAS allocations that would be distributed for the next year and stated that that number was up for consideration by Council. Councilman David Webb suggested that staff prepare some alternatives to the number of annual allocations in response to the information provided this evening.

At 7:11 the mayor called for a brief recess. The meeting reconvened at 7:28 p.m.

## PUBLIC COMMENT

Mayor Buddy Pinder opened public comment.
Van Cadenhead commented about the zoning and land use map amendments requested by Mike Murphy for property fronting the US-1 Highway, which was heard and denied by the LPA and contrasted that development with the two parcels owned by the Village that front US-1 that would be used for affordable housing development.
Mayor Pinder closed public comment.

## AGENDA: Requests for Deletion / Emergency Additions

Tab 20 was formally added to the agenda.

## CITIZENS' ADVISORY COMMITTEE UPDATES

### Local Planning Agency Update

This item was heard at 7:31 p.m. Local Planning Agency (LPA) Chair Deb Gillis reported that the LPA heard the Zoning and FLUM amendment items by applicant Mike Murphy; the committee voted unanimously to recommend denial and identified the various reasons that committee opposed the request. She reported the committee voted 7-0 in favor of the Comprehensive Plan Property Rights Element; and noted that the committee discussed the proposed amendment to the noise ordinance and provided details of the committee recommendations which she had reported to Council at the previous Regular Village Council meeting. Vice Mayor Pete Bacheler complimented the LPA on their meeting.

## CONSENT AGENDA

**TAB 3:** Minutes of the September 30, 2021 Regular Village Council Meeting and the October 14, 2021 Regular Village Council Meeting

**TAB 4:** Resolution Approving Work Authorization No. 2 with M.T. Causley, Inc. for Building Services Department Support Services

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 2 BETWEEN M. T. CAUSLEY, LLC, AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE GENERAL SUPPORT SERVICES TO THE BUILDING SERVICES DEPARTMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 2; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 5:** Resolution Approving Fire Station Floor Coating Services

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE PROPOSAL FROM 24 HOUR FLOOR LLC FOR STATION FLOOR COATING SERVICES FOR THE VILLAGE FIRE RESCUE DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 6:** Specialized Professional Services Agreement with Government Services Group, Inc. (GSG) for Fiscal Year 2022-2023 Wastewater, Stormwater and Solid Waste Assessment Programs

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE LETTERS OF AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND GOVERNMENT SERVICES GROUP, INC., FOR SPECIALIZED PROFESSIONAL SERVICES RELATED TO THE MAINTENANCE OF NON-AD VALOREM ASSESSMENT PROGRAMS FOR WASTEWATER, STORMWATER AND SOLID WASTE COLLECTION SERVICES FOR FISCAL YEAR 2022-2023; APPROVING THE WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 7:** Resolution Amending Resolution No 12-01-01 Reinstating Full Status of the Land Acquisition Advisory Committee

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING RESOLUTION NO. 12-01-01 REINSTATING THE LAND ACQUISITION ADVISORY COMMITTEE TO ACTIVE STATUS; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 8:** Resolution Approving the Purchase of a 2021 Ford Transit E-350 Medium Roof 148" Wheelbase Passenger Wagon RWD XLT

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF A 2021 FORD TRANSIT E-350 MEDIUM ROOF 148" WHEELBASE PASSENGER WAGON RWD XLT FROM DUVAL FORD FLEET SALES FOR THE VILLAGE FIRE RESCUE DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 9:** Resolution Approving an Agreement with Deckard Technologies to Purchase Access to its Rentalscape Online Application

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AGREEMENT WITH DECKARD TECHNOLOGIES, INC., TO PROVIDE ACCESS TO THE RENTALSCAPE APPLICATION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ANY AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 10:** Resolution Approving Fourth Amendment to Agreement with Attention Media, LLC for a Social Media Outreach Program and Other Related Services

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A FOURTH AMENDMENT TO THE AGREEMENT WITH ATTENTION MEDIA, LLC, TO PROVIDE A SOCIAL MEDIA OUTREACH PROGRAM; APPROVING A WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ANY AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

**TAB 11:** Resolution in Support of the Florida Fish and Wildlife Conservation Commission

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, EXPRESSING SUPPORT FOR THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND ITS LAW ENFORCEMENT OFFICERS; FURTHER SUPPORTING MONROE COUNTY'S REQUEST FOR AN INCREASE IN THE NUMBER OF FWC OFFICERS WITHIN MONROE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE**

Councilman Henry Rosenthal read a portion of the Land Acquisition Advisory Committee (LAAC) resolution related to special consideration given to applicants with certain education and experience and encouraged individuals to apply. Mayor Buddy Pinder encouraged the public to contact the Village Clerk for an application or to obtain one from the Village website. Councilman David Webb expressed concern regarding LAAC members that were real estate agents that could potentially represent a seller of property that the Village was purchasing. Village Attorney Roget Bryan explained that the LAAC members would be subject to statutory ethical conflicts of interest and that the committee members would be briefed about this during the onboarding process.

Mayor Buddy Pinder opened public comment.
Van Cadenhead commented that he would like to see a list of ten Land Acquisition Advisory Committee members.

Dustin Reilich with Deckard Technologies commented about a Rentalscape discount program that was being developed; and noted the conversations he had with Monroe County Tax Collector Sam Steele regarding the program.

Mayor Pinder closed public comment.

Vice Mayor Pete Bacheler made a motion to approve the consent agenda. Councilman David Webb seconded the motion. Council voted and the motion passed 5-0.

## RESOLUTIONS

**TAB 12:** Resolution Approving Amendment 5 to Agreement No. LP44052 between the Florida Department of Environmental Protection and the Village Relating to Funding through the Florida Keys Stewardship Act

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AMENDMENT 5 TO AGREEMENT NO. LP44052 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE VILLAGE RELATED TO FLORIDA KEYS STEWARDSHIP ACT FUNDING; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:49 p.m. Village Attorney Roget Bryan read the title of the resolution. Finance Director Maria Bassett presented the staff report noting that during the budget process staff had identified the remaining $339,221.62 as a preliminary use for the derelict vessel removal program. Mayor Buddy Pinder opened public comment; no comment was offered.

Councilman David Webb made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

**TAB 13:** Resolution Approving Work Authorization No. 2 with Wood Environment & Infrastructure Solutions, Inc. for Lower Matecumbe Canals Restoration Culvert Project Data Collection

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 2 WITH WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS INC. FOR PROFESSIONAL SERVICES FOR LOWER MATECUMBE CANALS RESTORATION CULVERT PROJECT DATA COLLECTION PHASE; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:52 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec provided the staff report noting the expenditure was included in the budget and that staff recommended approval. Mayor Buddy Pinder opened public comment; no comment was offered.

Councilman Mark Gregg made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

**TAB 14:** Resolution to Adopt FY 2020-2021 Re-appropriation Budget Amendment

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE VILLAGE'S ADOPTED BUDGET FOR FISCAL YEAR 2020-2021; AND PROVIDING AN EFFECTIVE DATE**

This item was heard at 7:54 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec explained the reappropriation amendment noting that the Village had done better than promised. Mayor Buddy Pinder opened public comment; no comment was offered.

Vice Mayor Pete Bacheler made a motion to approve. Councilman David Webb seconded the motion. Council voted and the motion passed 5-0.

**TAB 15:** Resolution Approving Work Authorization No. 3 with Page Excavating, Inc. to Replace up to 500 Poly Check Valves throughout the Village's Wastewater Low Pressure Force Main (LPFM), Concrete Repair Work Around Vacuum Pit Lids and Creating a New Mulch Bed Odor Control at the North Plantation Key Transfer Station

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 3 BETWEEN PAGE EXCAVATING, INC., AND ISLAMORADA, VILLAGE OF ISLANDS, FOR REPLACEMENT OF UP TO 500 POLY CHECK VALVES FOR THE VILLAGE'S WASTEWATER LOW PRESSURE FORCE MAIN (LPFM), COMPLETE CONCRETE REPAIR WORK AROUND VACUUM PIT LIDS AND INSTALLING NEW MULCH BED ODOR CONTROL AT THE NORTH PLANTATION KEY TRANSFER STATION; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 3; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:55 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec stated tabs 15 and 16 were related; tab 16 was for the purchase of the check valves and tab 15 was for the installation of the check valves; and noted that the contractor would also install a mulch bed for odor control at the Plantation Key transfer station.

Mayor Buddy Pinder opened public comment.
Van Cadenhead commented about the expenses related to the projects; wondered if there was legal recourse for the check valves that were being replaced.

Mayor Pinder closed public comment.

Public Works Director A.J. Engelmeyer stated the poly check valves had a warranty of about five years and were not rebuildable; and that the stainless-steel check valves had a warranty of twenty-five years and were rebuildable. Mayor Buddy Pinder noted that FKAA used the stainless-steel.

Mayor Pinder closed public comment.

Councilman David Webb made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

**TAB 16:** Resolution Approving the Purchase of Stainless-Steel Check Valves from FJ Nugent & Associates, Inc.

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF 500 STAINLESS-STEEL CHECK VALVES FROM FJNUGENT & ASSOCIATES, INC.FOR THE LOW PREASSURE FORCE MAIN; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 8:01 p.m. Village Attorney Roget Bryan read the title of the resolution. A brief staff report was provided for this item under tab 15. Mayor Buddy Pinder opened public comment; no comment was offered.

Councilman Mark Gregg made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

**TAB 17:** Resolution Amending Resolution No. 19-12-110 and Resolution 20-10-103 Approving Extension of Reservation of Building Permit Allocation System ("BPAS") Affordable Dwelling Unit Allocations for Affordable and Employee Workforce Housing

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING RESOLUTION NO. 20-10-103; AUTHORIZING AN EXTENSION OF RESERVATION OF BUILDING PERMIT ALLOCATION SYSTEM (BPAS) AFFORDABLE DWELLING UNIT ALLOCATIONS FOR AWARD TO THE PROPOSED WOODS AVENUE DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 8:01 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec provided the staff report. Mayor Buddy Pinder opened public comment; no comment was offered.

Councilman David Webb made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

**TAB 18:** Resolution Approving Design for Founders Park Dog Park Improvement Project

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL DESIGN AND CONCEPTIUAL SITE PLAN FOR THE FOUNDERS PARK DOG PARK IMPROVEMENT PROJECT; AUTHORIZING VILLAGE OFFICIALS TO BID CONSTRUCTION SERVICES; AND PROVIDING AN EFFECTIVE DATE**

This item was heard at 8:01 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec provided background information. Founders Park Director Maria Bagiotti provided a visual aid that identified the various improvements to the dog park which included a double-gate entry, splash pad area with wading pool, wash station, a berm area, and an artificial turf area. Mr. Oravec noted the stormwater areas and stated staff would obtain a beach water sample after a stormwater event to determine whether the water was contaminated because of the dogs. Councilman David Webb stated the dog park improvements should get an award. Mr. Oravec stated that there were organization's that staff could apply to. Ms. Bagiotti stated the Florida Parks & Recreation Association honors certain facilities. Mayor Buddy Pinder asked Ms. Bagiotti how long she had been with the Village, and she responded 21 years.

Mayor Buddy Pinder opened public comment.

Van Cadenhead stated he would rather see a TDC grant used for something different than the dog park; commented about stormwater sheet flow to the beach and seepage into the ground; and opined that it was an incredible waste of money.

Mayor Pinder closed public comment.

Councilman David Webb made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

**TAB 19:** Resolution Approving Agreement with Holiday Lightscapes, Inc. for the Installation, Maintenance, Service and Removal of Holiday Decorations

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AGREEMENT BETWEEN HOLIDAY LIGHTSCAPES INC. AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE ENHANCED HOLIDAY DECORATIONS THROUGHOUT THE VILLAGE; APPROVING A WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ANY AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 8:13 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec provided an overview of the project's purpose. Wastewater Accountant Hatti Jenkins presented the various decorations that would be used and their locations throughout Founders Park and Islamorada.
Councilman David Webb thanked staff and Councilman Henry Rosenthal for his suggestion to increase the holiday decoration budget. Councilman Rosenthal expressed his gratitude to staff and stated he would like to increase the budget next year. Vice Mayor Pete Bacheler, Mayor Buddy Pinder and Councilman Mark Gregg also expressed their gratitude.

Mayor Buddy Pinder opened public comment.

Deb Gillis announced the Holiday Fest event that would occur on December 3rd from 4:00 p.m. to 10:00 p.m. and noted that volunteers were needed.

Van Cadenhead expressed his gratitude to Councilman Henry Rosenthal.
Mayor Pinder closed public comment.

Councilman Henry Rosenthal made a motion to approve. Councilman David Webb seconded the motion. Council voted and the motion passed 5-0.

**TAB 20:** Resolution Approving Real Property Donation Agreement between the Village and Habitat for Humanity of the Upper Keys, Inc. for Affordable / Workforce Housing Development

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING A REAL PROPERTY DONATION AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND HABITAT FOR HUMANITY OF THE UPPER KEYS, INC., FOR AFFORDABLE / WORKFORCE HOUSING DEVELOPMENT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO IMPLEMENT THE TERMS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 8:27 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec presented the staff report recommending approval. Councilman Mark Gregg asked if the donation was consistent with past Village practices regarding land donations for affordable housing. Village Attorney Roget Bryan stated that it was consistent, provided examples of previous affordable housing projects, and referenced the Village's incentive matrix for affordable housing development. Councilman Gregg stated that he wanted to make sure the financial underpinnings were consistent, which they were, and thanked the Village Attorney for his response. The Village Manager noted that when Gorman was ready to begin development the Village would bring forward a ground lease for a rental product.

Mayor Buddy Pinder opened public comment.
Lindsay Fast, with Habitat for Humanity of the Upper Keys, expressed her gratitude to Council.
Mayor Pinder closed public comment.

Councilman David Webb made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

## ADJOURNMENT

Councilman David Webb made a motion to adjourn. Councilman Mark Gregg seconded the motion. The meeting adjourned at 8:32 p.m.
Approved by Council December 16, 2021.

Kelly S. Toth

Kelly S. Toth, CMC
Village Clerk