



**ISLAMORADA, VILLAGE OF ISLANDS
REGULAR VILLAGE COUNCIL MEETING**

Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036
Thursday, November 17, 2022

The Village Council has resumed the in-person regular meeting format. Virtual participation is still available to the public. Please see the last page of the agenda for participation details.

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. AGENDA: Requests for Deletion / Emergency Additions

V. PUBLIC COMMENT—(This is general public comment. It provides an opportunity for the public to speak about matters not scheduled elsewhere on the agenda. The mayor opens public comment on action items throughout the meeting.)

VI. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Freebee Contract, FDOT Service Development Program Funds

TAB _1

VII. CONSENT AGENDA

(All items on the Consent Agenda are considered routine by the Village Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event, the item will be moved to the Main Agenda. Public comment will be opened regarding all items on the Consent Agenda after a summary by the Village Manager.)

A. Resolution Approving Change Order No.1 with Aqua Waste Repair Inc. for Canal 114 Project

TAB _2

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS AND AQUA

WASTE REPAIRS, INC. RELATED TO THE CANAL 114 INJECTION WELL RESTORATION PROJECT; AUTHORIZING THE VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF CHANGE ORDER NO. 1; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS AND PROVIDING FOR AN EFFECTIVE DATE

- B.** Resolution Approving Subaward and Grant Agreement between the Village and the Florida Division of Emergency Management for a Watershed Management Plan

TAB _3

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT BETWEEN THE VILLAGE AND THE HAZARD MITIGATION GRANT PROGRAM (HMGP); AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE EXPENDITURE OF THE AMOUNT OF 25% OF THE PROJECT COST; APPROVAL OF A BUDGET AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** Resolution approving the Purchase of One BC100XL Brush Chipper

TAB _4

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF ONE (1) BC100XL BRUSH CHIPPER FOR THE VILLAGE PUBLIC WORKS DEPARTMENT FROM VERMEER SOUTHEAST BY PIGGYBACKING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA20-EQU18.0; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

- D.** Resolution Approving the Purchase of One (1) Enclosed Cargo Trailer

TAB _5

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF ONE (1) ENCLOSED CARGO TRAILER FOR THE VILLAGE PUBLIC WORKS DEPARTMENT FROM TEXAS TRAILERS BY PIGGYBACKING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA20-EQU18.0; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

*****End of Consent Agenda*****

X. ORDINANCES

(Public comment will be opened for each Ordinance after an introduction by staff and Council discussion and debate.)

- A. Ordinance Amending Comprehensive Plan Policy 1-2.4.7 "Limit Transient Rental Use of Residential Properties

TAB_6

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-2.4.7 "LIMIT TRANSIENT RENTAL USE OF RESIDENTIAL PROPERTIES" OF THE VILLAGE COMPREHENSIVE PLAN TO REVISE VALUATION CRITERIA FOR TRANSIENT RENTALS; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

- B. Ordinance Amending Land Development Regulations Section 30-1295(b)(2) to Revise Valuation Criteria for Vacation Rental Registration

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS," ARTICLE VI "SPECIFIC USE RESTRICTIONS," DIVISION 6 "VACATION RENTALS," SECTION 30-1295(B)(2) OF THE VILLAGE CODE TO REVISE VALUATION CRITERIA FOR VACATION RENTAL REGISTRATION; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

XI. QUASI-JUDICIAL

(Quasi-judicial hearings provide an opportunity for the public to provide testimony after the applicant and staff have made their presentations on each item. Persons who give testimony are subject to cross-examination. The public is not permitted to cross-examine witnesses.)

- A. Property Owner, Islamorada Realty Investment Trust, is seeking administrative relief of one Building Permit Allocation for property located at 36 Park Rd, Upper Matecumbe Key. The property is zoned Residential Single Family (R1).

TAB_7

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY JACQUELYN EKBLOM FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 36 PARK RD, UPPER MATECUMBE KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

- B. Property Owner, Tommy Wrenn, is seeking administrative relief of one Building Permit Allocation for property located at 137 Indian Mound Trail, Plantation Key. The property is zoned Residential Single Family (R1/R1M). **TAB _8**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY TOMMY WRENN FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 137 INDIAN MOUND TRAIL, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

- C. Property Owner, Islamorada Realty Investment Trust, is seeking administrative relief of one Building Permit Allocation for property located at 161 Mohawk Street, Plantation Key. The property is zoned Residential Single Family (R1). **TAB _9**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY TOMMY WRENN FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 137 INDIAN MOUND TRL, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

- D. Property Owner, Islamorada Realty Investment Trust, is seeking administrative relief of one Building Permit Allocation for property located at 206 Harbor Drive, Plantation Key. The property is zone Residential Single Family (R1/R1M). **TAB _10**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA REALTY INVESTMENT FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 206 HARBOR DR, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

- E. Property Owner, Native Rental Properties LLC, is seeking administrative relief of one Building Permit Allocation for property located at 60 Wrenn St, Plantation Key. The property is zone Residential Single Family (R1/R1M). **TAB _11**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY NATIVE RENTAL PROPERTIES LLC FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 60 WRENN ST, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

- F. Property Owner, Islamorada Realty Investment Trust, is seeking administrative relief of one Building Permit Allocation for property located at 80 Wrenn Street, Plantation Key. The property is zone Residential Single Family (R1/R1M). **TAB _12**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA REALTY INVESTMENT TRUST FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 80 WRENN ST, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE

XII. RESOLUTIONS

(Public comment will be opened for each Resolution after an introduction by staff and Council discussion and debate.)

- A. 3rd Quarter Residential Market Rate Building Permit Allocations (BPAS) **TAB _13**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM ("BPAS") RANKINGS AND AWARDED RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 3 OF 2022; AND PROVIDING AN EFFECTIVE DATE

- B. 2023 Building Permit Allocation System (BPAS) Distribution Schedule **TAB _14**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING THE TOTAL AMOUNT OF NONRESIDENTIAL FLOOR AREA AND RESIDENTIAL DWELLING UNITS, QUARTERLY ALLOCATIONS, AND THE DISTRIBUTION OF ALLOCATIONS BETWEEN CATEGORIES OF THE BUILDING PERMIT ALLOCATION SYSTEM FOR 2023; AND PROVIDING AN EFFECTIVE DATE

- C. Resolution Accepting Grant Award LPA0422 from the DEP for Stewardship Act Funding for Canal 116 Project **TAB _15**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING DEP AGREEMENT NO. LPA0422 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 AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- D. Resolution Approving Wade Trim Work Authorization No. 3 to Provide General **TAB _16**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RATIFYING AND APPROVING WORK AUTHORIZATION NO. 3 BETWEEN WADE TRIM, INC., AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE GENERAL ENGINEERING SERVICES AND WASTEWATER UTILITY-RELATED ENGINEERING SERVICES; 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

- E.** Resolution Approving Use and Occupancy Agreement with the Florida Department of Transportation for Parcel 729 (Right-Of-Way at Anne's Beach) and Establishing the Public Purpose

TAB _17

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A USE AND OCCUPANCY AGREEMENT FOR THE ANNE'S BEACH RIGHT-OF-WAY (PARCEL 729) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

XIV. ADJOURNMENT

Options for Viewing the Village Council Meeting:

The public is encouraged to watch the meeting on Monroe County's MCTV Comcast Channel 77. Alternatively, the public may view the meeting streamed live on the Village website from their personal computer, tablet or phone via the following link:

https://www.islamorada.fl.us/departments/communications/live_village_broadcast_meeting.php

Public Participation through Public Comment:

The public may provide public comment on items of a general nature or items specific to the agenda. Below are the guidelines for submitting public comments:

Option 1: Email your comments.

1. Public comment should be submitted via email to: public.comment@islamorada.fl.us
2. The email should contain "Public Comment" in the subject line.
3. The name and address of the submitter shall be included in the email.
4. Public comment should be submitted by 9 a.m. the day before the meeting. Public comment will be sent to the Village Councilmembers for consideration prior to the meeting. Public comments will not be read during the meeting.

Option 2: Call in During the Meeting.

1. If phoning in, dial 301-715-8592 and enter the webinar **ID: 911 0656 4166** followed by #. When the Mayor opens public comment pertaining to the agenda item you are interested in dial *9 to be recognized by the Zoom meeting monitor. The Monitor will call you by the last four digits of your phone number. **Please be sure to unmute your phone when you are called upon.**
2. If watching online via Zoom: Open the Zoom webinar link <https://zoom.us/j/91106564166> and follow the prompts to join the webinar. When the Mayor opens public comment use the "raise your hand" feature to be recognized by the meeting monitor. Public comments will be heard in the order in which they are received.

ADA Assistance:

These meetings are open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at (305) 664-6448 or by email at at least 48 hours before the scheduled meeting.

Verbatim Record:

Anyone wishing to appeal any decision made by the Islamorada Village Council with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.