

**Summary Minutes of the
ISLAMORADA, VILLAGE OF ISLANDS
REGULAR VILLAGE COUNCIL MEETING**

Founders Park Community Center
Thursday, August 19, 2021
5:30 PM

The Regular Village Council Meeting was open to in-person attendance and also utilized the Zoom video conferencing application for public participation.

CALL TO ORDER / ROLL CALL

Vice Mayor Pete Bacheler called the meeting to order at 5:30 p.m. Village Clerk Kelly Toth called the roll with the following Councilmembers being present on roll call: Vice Mayor Pete Bacheler, Councilman Mark Gregg, Councilman David Webb and Councilman Henry Rosenthal. Mayor Buddy Pinder was absent. Also, present were Village Manager Greg Oravec, Village Clerk Kelly Toth, Village Attorney Roget Bryan and other pertinent staff.

PLEDGE OF ALLEGIANCE

Councilman David Webb led the Pledge of Allegiance.

REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

COVID 19 Update by Bob Eadie, Administrator and Health Officer for the Florida Department of Health in Monroe County

Bob Eadie, Administrator and Health Officer for the Monroe County Florida Department of Health reported Monroe County was experiencing a surge in Covid 19 cases; school children were testing positive; encouraged the public to get vaccinated; noted there were very few vaccinated people hospitalized; there were recommendations that certain people receive a third shot; and at the end of September, it was recommended that everyone else receive a booster shot. He reported Monroe County was experiencing the Delta variant which had a higher viral load and was much more transmissible; hospitalizations had increased; hospital administrators were having issues finding enough staff in Monroe County but had sufficient staff and equipment to handle the current situation; noted the advancement in treatments since the onset of the virus specifically that when the virus was caught early enough the patient was often cured; the monoclonal antibody treatments had proven to be very effective as patients often left the hospital in three to four days; emphasized that the treatment needed to begin quickly as the virus could move swiftly; and noted that if an infected person delayed, they might not have a positive outcome with the treatment. Mr. Eadie commented that there were more people going into the hospital, but that there were also more people coming out; he stated everyone that was 12 years old and older should be vaccinated; recommendations to prevent Covid were good for any transmissible disease; noted that individuals that were not vaccinated were impacting their family, friends and other people they cared about and urged the public to get vaccinated.

Councilman David Webb noted the CDC was waiting on FDA approval for the booster shot for the Moderna and Pfizer vaccines which they were expecting in September. He asked Mr. Eadie if

distribution was more stable than before. Mr. Eadie replied yes and commented that the State informed the county health department that they were in a stand-by position as there were enough outlets with enough vaccines; and that it was not anticipated that Monroe County Department of Health would have to host vaccination events. He reported that he was working with his staff and other entities to establish permanent testing and vaccination sites which may or may not be used. Councilman David Webb asked for advice about the upcoming holiday season events. Mr. Eadie commented about the spike in cases in Monroe County following the Fourth of July and Lobster Mini Season and noted that with these events you had more people from varied places introducing more of the virus into the community. He stated that he thought that we were in for this at least until after the first of the year.

Vice Mayor Pete Bacheler opened public comment.

Elizabeth Jolin commented about underage school children that could not get vaccinated and were not required to wear masks. She asked the Council to draft a resolution in support of a mask mandate noting the Monroe County School Board would have the opportunity to implement a mask mandate on Tuesday.

Vice Mayor Pete Bacheler closed public comment.

The Vice Mayor expressed well wishes to Commissioner Mike Forster.

Update Regarding the Florida Keys Area of Critical State Concern Work Program by Village Consultant Rebecca Jetton and Update Regarding the Village Canal Restoration Program by Consultant Greg Corning

This item was heard at 5:50 p.m. Environmental Resources Manager Peter Frezza introduced Rebecca Jetton noting she was the prior Florida DEO Administrator of the Area of Critical State Concern. Ms. Jetton provided an overview regarding the designation of the Area of Critical State Concern.

She reported that in 1972 the Environmental Land and Management Act was adopted by the State Legislature which provided the basis for the State to designate areas of critical state concern. To be designated, an area had to have significant natural resources of regional or statewide importance where uncontrolled development would cause substantial deterioration of the resources. The legislative intent of the designation was to establish a land use management system that would protect the environment, improve water quality, support a diverse economic base that promoted balanced growth in accordance with the capacity of public facilities, promote land acquisition, ensure the population of the Florida Keys could be safely evacuated, protect property rights, promote coordination among governmental agencies that had permitting jurisdiction, and provide affordable housing in close proximity to employment centers. Ms. Jetton reported that of particular concern was the declining water quality of the near shore environment due to a lack of central sewer facilities, the loss of habitat for State and Federally protected species, the ability to evacuate the public in the event of a hurricane, and the deficit of affordable housing. Ms. Jetton reported administrative proceedings and approximately six years of litigation specifically highlighted the concern and the limited capacity to sustain additional impacts from development. It established in the Florida Statutes the requirement to evacuate the permanent population within 24 hours of landfall of a Category Three thru Five hurricane event.

Ms. Jetton reported that in 2000, countywide there were approximately 23,000 septic tanks, 2,800 cesspits and 249 small private package plants. Since then, there has been almost 100% connection to the central sewer facilities and to require updated, advanced onsite sewer systems. The Work Program for Islamorada was adopted under Florida Administrative Code (FAC) 28-19; and the progress in accomplishing the Work Program tasks was reviewed by the Governor and Cabinet in its capacity as the Administration Commission each year usually during Florida Keys Day. Failure to make progress on the tasks could result in a 20% reduction in building permit allocations.

Ms. Jetton provided some of the annual tasks that were required of the Village. She stated the Village should evaluate its land acquisition needs and apply for State or Federal funding opportunities each year. This year Environmental Resources Manager Peter Frezza applied to the Florida Communities Trust requesting funding for recreation lands. She stated each year the Village was required to identify funds for wastewater treatment improvements in the Village's capital improvements element. She stated the Village identified \$850,000 in that element and had spent over \$10 million in federal and state funds. Ms. Jetton stated the Village was also required to apply to a State or Federal agency for wastewater funding and that the Village had utilized \$100,000 from the Stewardship Act and would submit a reimbursement to the U.S. Army Corps of Engineers for \$1.7 million. Ms. Jetton turned the presentation over to Peter Frezza to begin addressing the Work Program tasks associated with canal restoration.

Environmental Resources Manager Peter Frezza displayed a brochure, created by Public Information Officer Mary Swaney, that provided information about the Florida Keys Area of Critical State Concern designation noting the information could be found on the Village website and at Village Hall. Mr. Frezza introduced Greg Corning, Senior Engineer with Wood Environment & Infrastructure Solutions, who had worked on the Village's canal restoration projects for the past few years. Mr. Frezza stated the Village had made good progress with canal restoration but that he felt the Village was just getting started. He noted that the Work Program had transitioned from wastewater implementation issues to canal restoration issues; that the Village had a ten-year work plan for canal restoration; with the change to canal restoration comes tasks that have to be completed each year; reported that over the last year they completed all of the tasks which Mr. Corning would elaborate on.

Greg Corning, Senior Engineer with Wood Environment & Infrastructure Solutions, provided a history of the canal restoration program. He reported that there was a big push to begin looking at the issues associated with the near shore water degradation; that in 2008 the Florida Keys Reasonable Assurance Document (FKRAD) was developed which addressed stormwater and wastewater; and noted stormwater master plans were implemented; and there was a switch from septic to sewer wastewater systems. Mr. Corning reported in 2011 DEP updated the FKRAD identifying the lack of dissolved oxygen quality within canals and recognizing that the stormwater and wastewater elements were not enough to address the issues which gave rise to the canal restoration program. In 2012 the Water Quality Protection Program (WQPP) approved a Canal Management Master Plan (CMMP) which was the framework for looking at the 500 canals throughout the Florida Keys and developing a solution to restore the water quality. During phase one and two of the CMMP, which occurred between 2012-2013, they collected bathymetric and water quality data for all of the canals and summarized the water quality for each of the canals. In 2014 Monroe County, Marathon and Islamorada initiated canal demonstration programs that considered the five available technologies which included organic removal, backfilling, culverts, air curtains or weed barriers, and pumping. He noted pumping was not utilized in the demonstration

program due to high concerns around operations and maintenance. Mr. Corning stated the other four technologies were implemented and from 2014 – 2017 Florida International University (FIU) measured the water quality and benthic habitat improvements to determine the effectiveness of those technologies. He reported that phase three of the CMMP occurred in 2017 which involved collecting additional water quality data and the sediment characteristics. He stated that Hurricane Irma hit in 2017 shifting priorities to cleaning marine debris and sediment from the canals; and noted the Village and local partners obtained a fifty-million-dollar grant from the USDA Natural Resources Conservation Services (NRCS) Emergency Watershed Protection (EWP) program to remove sediment and marine debris from the canals which was completed in 2021. In 2020, the Governor instituted the canal restoration Work Plan putting it into the Comprehensive Plan to make the program actionable in improving the water quality.

Mr. Corning reported on the canal restoration progress noting that Canals 148, 145, 137 were completed using air curtains or a combination of air curtains and weed barriers; and canal 114 was completed using a gravity injection well which they referred to as a vertical culvert. He reported that Village Environmental Resources Manager Peter Frezza applied for and was awarded an EPA grant to monitor the effectiveness of the technology for canal 114. He reported that they would be presenting an update to Council in September regarding the Lower Matecumbe culverts project.

Mr. Corning reported on the Work Plan task requirements one of which was creating the Canal Restoration Guidance Document which explained the processes and steps to be taken for successful completion of a project. The next task was selection of the canals which was done in 2014 with the canal demonstration project. He stated the Canal Restoration Guidance Document was updated in 2021 looking at the different revised ranking criteria and ranked the sixty-three canals. He identified and explained the various scoring criteria used in ranking the canals; and provided a ranking summary noting there were 63 canals in the Village at an estimated restoration cost of \$319 million.

Councilman David Webb suggested the most effective and reasonable approach was a combination of culverts and backfilling. Mr. Frezza agreed and noted that they were also the most expensive. Discussion ensued between Mr. Frezza and Councilman Webb regarding funding sources for the projects. Mr. Frezza stated the canal ranking was not a static list that it would change based on updated water quality information and other changes. Mr. Frezza stated another Work Plan task was to identify how they would monitor conditions in the canals for the next ten years and on. He stated they hoped to start a project this year monitoring dissolved oxygen and water quality in all canals moving forward, which would provide needed data. Mr. Frezza stated the ranking report would soon be available on the Village's website.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Legislative Update from State Lobbyists Peebles, Smith & Matthews, LLC and GrayRobinson

This item was heard at 6:18 p.m. Ryan Matthews with Peebles, Smith & Matthews, reported on the effects Covid had on communications from an advocacy standpoint; that there were 3,100 bills filed in 2021 of which 275 passed; opined that bad policy was the highlight of the 2021 legislative session particularly as it related to home rule; a bill was passed that dealt with home-based businesses allowing multiple employees to work from a home and preempted the local government from regulating smoke, odor, noise and other things. He commented that there was significant uproar throughout the state. He reported a bill was passed that modified the Bert Harris Act which allowed a citizen to file a claim against a local government if they adopted a rule, law, policy or ordinance

noting the local government did not have standing like it would with the denial of a permit, making the entry point a lot easier and resulting in an influx of Bert Harris claims. Mr. Matthews reported the amount of money from doc stamp revenue that would be appropriated to the Sadowski Trust Fund was capped at roughly \$111 to \$116 million which was split in thirds. One third would go to the Sadowski trust fund for affordable housing, one third would go to the water protection and sustainability trust fund, and the remaining third would go to the new Resilient Florida trust fund. Mr. Matthews stated one of the larger policy fights dealt with emergency management which capped a local government's emergency order to a duration of seven days which could be extended up to 42 days and noted there was an exemption for weather related emergency orders. Mr. Matthews stated there was a significant effort to undercut the Village's ability to designate swim zones. He commented that there was a massive battle the last three days of the session, which took up most of their time and State Representative Jim Mooney's time, and noted they were able to at least obtain an allowance for the rope and buoy system the Village had recently put into place.

Joseph Salzverg with GrayRobinson reported that with regards to budget, the Village had an incredibly successful session. As a coalition, they garnered \$20 million in Florida Keys Stewardship Act Funding noting former Representative Holly Raschein had obtained \$10 million in Stewardship Act funding her last year in office. In addition, \$5 million was approved for land acquisition for the Florida Keys; \$3.6 million was approved for derelict vessel removal; and the legislature allocated \$500 million to the Resilient Florida trust fund which was in addition to the funding approved through doc stamp revenue.

Mr. Salzverg stated the 2022 session would begin in September with the organizational session; substantive committee weeks would occur in October, November and December; and that session would commence earlier beginning in January and concluding in March. He stated they were working with the Village Attorney and Village Manager to formulate the 2022 legislative agenda for Council's consideration. Mr. Salzverg stated there were policy items that failed in 2021 but they expected to reemerge. He commented the first was sovereign immunity noting there were efforts to increase the liability to one million from the current \$300,000 cap per incident; noted it had been about eleven years since the sovereign immunity caps were revisited; that they expect reform to come back and suggested it possibly failed this year because many of the hospitals were public entities and had been in dire straits over the last eighteen months due to the pandemic. Mr. Salzverg stated vacation rentals preemptions would come back and that they anticipated being able to protect the Village's 2011 vacation rental carve out. He stated there was legislation that failed related to the opioid crisis which would have preempted a local governments ability to sue which they expected to see again in the next session.

Ryan Matthews commented about the funding allocated to Resilient Florida and the grant funding opportunities it would provide; that a State budget deficit of \$4 billion was forecasted for 2021 however the State ended up with a budget of \$100 billion and it was estimated the 2022 budget would be around \$100 billion; there was still approximately \$2.5 billion leftover from the American Rescue Plan that could be appropriated; the most recent forecast projected a \$2.6 billion surplus for the 2022 legislative session; 2022 was ripe for resiliency funding and for the Village to identify projects they would like to see; and noted the Job Opportunity Growth fund had about \$50 million appropriated with an additional \$25 million leftover. This program was administered by DEO and looked at job opportunity growth type projects.

Councilman Henry Rosenthal asked if the lobbyists would provide a written summary to the Council. Joseph Salzverg said that he would resend the 45-page summary to the Council. Councilman Rosenthal asked if the lobbyists also represented Monroe County. Ryan Matthews stated that their firms were two of the six firms that represented Monroe County. Councilman Rosenthal asked if what they did for the Village was roughly the same as what they did for Monroe County. Mr. Matthews stated that it depends noting that on some items there was equal footing such as the pursuit of Stewardship Act Funding for different projects. However, rarely had he seen Monroe County and the Village going from a policy standpoint in different directions; that the work was unique to the client but there were some things that overlapped when it came to Keys wide funding. Mr. Salzverg commented regarding the differences between Monroe County and the Village noting Monroe County was assignment driven and that the policy issues for the Village were extremely intricate especially when dealing with swim zones, the Bert Harris Act and the vacation rental 2011 carveout. These items were incredibly localized to the Village. Councilman Henry Rosenthal stated he was trying to justify the Village's cost in relation to the services they provided to Monroe County. Mr. Salzverg noted Monroe County paid six firms.

Councilman David Webb asked if the Village's historical management and use of Stewardship Act Funds factored into grant funding opportunities. Mr. Matthews stated he believed the Village had a solid reputation in Tallahassee. Councilman Webb commented that some of the funding opportunities contained narrow definitions for the types of projects that would be considered for a grant funding award. Mr. Matthews explained that their role included advising the Village Manager, Village Attorney and Council on how to craft the narrative that will fit the guidelines to make the Village financially successful regarding State and Federal funding opportunities.

Councilman Mark Gregg stated he did not think the general public had a any appreciation for the level of work provided by the lobbyists to protect the Village's interests. He commented about the last week of the legislature when the Village's rope and buoy system came up and was about to get thwarted noting there were powerful wealthy outside interests involved. Councilman Gregg thanked Mr. Salzverg and Mr. Matthews for all of their efforts in protecting the Village's interests. Councilman Gregg asked if there was a coordinated effort with Monroe County regarding resiliency funding. Mr. Matthews reported that to date there was no communication to put forth a Keys wide grant application; the grant applications were due to the DEP on September 1, 2021; county-wide resiliency planning had occurred; suggested the Village consider whether the 2015 resiliency planning exercise was sufficient; and were there critical assets that were not identified during the 2015 time period that could be submitted as a resiliency grant application.

Village Manager Greg Oravec reported that Village Environmental Resources Manager Peter Frezza was coordinating with Monroe County as part of Monroe County's overall resiliency planning effort on items like LiDAR; and noted staff had identified projects and was tasked with applying for funding on items such as the stormwater and breakwater projects.

Vice Mayor Pete Bacheler opened public comment.

Larry Barr commented about grants and the need for the public to be informed about the results of the grant applications that have been submitted. Village Manager Greg Oravec agreed with Mr. Barr and noted staff would be tracking grant applications overtime and that the information would be communicated to the public in the near future.

Vice Mayor Pete Bacheler closed public comment.

PUBLIC COMMENT

At 6:54 p.m. Vice Mayor Pete Bacheler opened general public comment.

John Fernandez, 20-year retired military veteran, expressed his frustration regarding how the federal government was handling the evacuation effort in Afghanistan.

Angel Borden commented about the placement of items on the agenda that are of particular interest to the public; and opined that when the Village selects the lowest bidder on a project that it was not always in the best interest of the Village.

Cheryl Meads, South Florida Water Management District Board member, stated she would like to provide an update to Council at a future meeting. She commented about a development that removed mobile homes to allow for new construction which was approved by the previous Council; each of the new units included a swimming pool as well as a community pool noting water was a finite resource; and commented about the long-term impacts of policy decisions.

Vice Mayor Pete Bacheler closed public comment.

AGENDA: Requests for Deletion / Emergency Additions

Village Clerk Kelly Toth removed the Near Shore Water Committee update from the agenda.

CITIZENS' ADVISORY COMMITTEE UPDATES

Near Shore Water Regulation Citizens' Advisory Committee - Vice Chair Matt Bellinger

This item was pulled from the agenda.

CONSENT AGENDA

TAB 1: Minutes of the July 21, 2021 Special Call Village Council Meeting and the July 22, 2021 Regular Village Council Meeting

TAB 2: Floodplain Management Plan Annual Progress Report – 2021

TAB 3: Resolution Approving TDC FY 2022 Capital Project Grant for Founders Park Dog Park Improvement and Ratifying Mayor Pinder's Execution of the Grant Agreement

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA ACCEPTING THE GRANT AWARD FROM THE MONROE COUNTY TOURIST DEVELOPMENT COUNCIL FOR FOUNDERS PARK DOG PARK IMPROVEMENT PROJECT; APPROVING THE GRANT AGREEMENT BETWEEN MONROE COUNTY, FLORIDA AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE REIMBURSEMENT FUNDING FOR THE PROJECT FROM THE MONROE COUNTY TOURIST DEVELOPMENT COUNCIL DURING FISCAL YEAR 2021-2022; RATIFYING THE VILLAGE MAYOR'S EXECUTION OF THE AGREEMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

TAB 4: Resolution Authorizing Final Extension of the Code Lien Amnesty Program

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AUTHORIZING A FINAL EXTENSION OF THE CODE COMPLIANCE LIEN AMNESTY PROGRAM FOR COMPLIANCE WITH CONNECTION TO THE VILLAGE CENTRAL WASTEWATER SYSTEM PURSUANT TO THE VILLAGE CODE OF ORDINANCES; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL NECESSARY AND EXPEDIENT ACTION; AND PROVIDING AN EFFECTIVE DATE

TAB 5 : Resolution Approving Third Amendment to Agreement between Islamorada, Village of Islands, Florida and Advanced Disposal Services Solid Waste Southeast, Inc.

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN ADVANCED DISPOSAL SERVICES SOLID WASTE SOUTHEAST, INC. AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE RESIDENTIAL AND COMMERCIAL SOLID WASTE, YARD WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES (EXCLUDING COMMERCIAL RECYCLING AND ROLL-OFF SERVICES); AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

TAB 6: Resolution in Support of the People of Cuba

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, EXPRESSING SUPPORT OF THE CUBAN PEOPLE AND PEACEFUL PROTESTS FOR DEMOCRACY AND LIBERTY IN CUBA; AND PROVIDING FOR AN EFFECTIVE DATE

TAB 7: Resolution Approving Recommendation of RFP 21-07 Evaluation Committee for Selection of, and Agreement for Fire Apparatus Maintenance and Repair Services

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 21-07 EVALUATION COMMITTEE FOR FIRE APPARATUS MAINTENANCE AND REPAIR SERVICES; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO ENTER INTO AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS AND PROVIDING FOR AN EFFECTIVE DATE

TAB 8: Resolution Approving Second Amendment to Contract for Local Police Services between the Monroe County Sheriff's Office, Monroe County BOCC and Islamorada, Village of Islands for Fiscal Year 2021-2022 (Year Three)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE CONTRACT FOR LOCAL POLICE SERVICES BETWEEN THE MONROE COUNTY SHERIFF'S OFFICE, THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AND ISLAMORADA, VILLAGE OF ISLANDS FOR FISCAL YEAR 2021-2022 (YEAR THREE) CONTRACT PRICING; AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED

FUNDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SECOND AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Vice Mayor Pete Bacheler asked for a motion.

Councilman Mark Gregg made a motion to approve. Councilman Henry Rosenthal seconded the motion. Council voted and the motion passed 4-0.

Vice Mayor Pete Bacheler opened public comment.

Greg Friedman commented regarding tab three relating to the dog park grant. He asked if there would be a plan circulated to allow for input from the public regarding the final design. He stated there were people that utilized the park frequently and suggested in the future the Village consider inviting the people that most often use the facility to provide input; noted he had a list of issues they thought were not a good idea; and that it seemed like it was probably too late to provide that input. Finance Director Maria Bassett explained that in order to apply for TDC grant funding for the project, the Founders Park Director spoke with a local contractor to get some ideas; the grant approved the concept for the dog park; and identified the many proposed improvements. She reported the total cost was estimated at \$197,981 which was the amount the TDC approved and explained the process should the Council decide not to approve the agenda item. Village Manager Greg Oravec explained that the Council approved the item; the park was wearing out and there was an opportunity to be upgraded; the Village was awarded a grant for the improvements; the Village had a conceptual rendering and had not selected a contractor; the Village had an opportunity for continuous improvement; staff was happy to meet with the stake holder group; and that staff would reach out to the Founders Park Director to determine the process she used and whether she had a steering group. Ms. Bassett stated she thought the Founders Park Director took the item to the Parks & Recreation committee for input. Mr. Friedman stated they were all in favor of the grant; that there were items they would suggest were not good ideas such as picnic tables that would encourage people to bring food noting some dogs became aggressive around food; the current gates should be moved because the gate for the small dogs and the entry gate are at the same point due to the energy the dogs had; and reiterated that they were in favor of improvements, but just wished they were asked to provide input.

Vice Mayor Pete Bacheler closed public comment.

RESOLUTIONS

TAB 9: Resolution Approving American Rescue Plan Act Coronavirus Local Fiscal Recovery Fund Agreement

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA RATIFYING AND APPROVING THE AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUND AGREEMENT BETWEEN THE VILLAGE AND THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:14 p.m. Village Attorney Roget Bryan read the title of the resolution. Finance Director Maria Bassett presented the staff report noting the total fiscal recovery funds allocated to the Village under the funding agreement was \$3,163,89.000 and identified the types of expenses that would be covered under the agreement.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman David Webb made a motion to approve. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 4-0.

TAB 10: FY 2021-2022 Final Annual Rate Resolution for Solid Waste Service Assessment

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:18 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec reported on assessment tabs 10 through 16. He explained the difference between valorem assessments and non-ad valorem assessments; that tabs 10 and 11 (solid waste and stormwater) were annual assessments that paid for the related services noting the assessment amounts had not changed; tabs 12-16 were the wastewater assessments which paid for the capital costs of the wastewater system noting the projects were completed and that the residents were paying for them via the assessments; stated the wastewater assessments came before Council for approval each year as more of a formality; and noted the assessment amounts had not changed.

Councilman Henry Rosenthal stated he would like to make a motion to approve tabs 10 through 16. Village Manager Greg Oravec explained that State law required each assessment be read individually.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman David Webb made a motion to approve. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 4-0.

TAB 11: FY 2021-2022 Annual Rate Resolution for Stormwater Management Services

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES; REIMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST CERTAIN REAL PROPERTY WITHIN ISLAMORADA, VILLAGE OF ISLANDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE STORMWATER ASSESSMENT ROLL FOR THE STORMWATER SERVICE ASSESSMENTS; PROVIDING FOR COLLECTION OF THE STORMWATER SERVICE ASSESSMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:22 p.m. Village Attorney Roget Bryan read the title of the resolution.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman David Webb made a motion to approve. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 4-0.

TAB 12: FY 2021-2022 Annual Assessment Resolution for Wastewater Collection and Treatment Facilities within the North Plantation Key Assessment Area

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION AND TREATMENT FACILITIES WITHIN THE NORTH PLANTATION KEY ASSESSMENT AREA; REIMPOSING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:23 p.m. Village Attorney Roget Bryan read the title of the resolution.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman Henry Rosenthal made a motion to approve. Councilman David Webb seconded the motion. Council voted and the motion passed 4-0.

TAB 13: FY 2021-2022 Annual Assessment Resolution for Wastewater Collection and Treatment Facilities within the North Plantation Key Supplemental Assessment Area

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION AND TREATMENT FACILITIES WITHIN THE NORTH PLANTATION KEY SUPPLEMENTAL ASSESSMENT AREA; REIMPOSING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:24 p.m. Village Attorney Roget Bryan read the title of the resolution.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman Henry Rosenthal made a motion to approve. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 4-0.

TAB 14: FY 2021-2022 Annual Assessment Resolution for Wastewater Collection Fees and Administrative Costs within the Woods Corner Assessment Area

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION AND TREATMENT FACILITIES FOR PHASE II OF THE WASTEWATER ASSESSMENT AREA WITHIN THE VILLAGE BUT EXCLUDING THE NORTH PLANTATION KEY, NORTH PLANTATION KEY SUPPLEMENTAL AND WOODS CORNER ASSESSMENT AREAS; REIMPOSING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE

This item was heard at 7:25 p.m. Village Attorney Roget Bryan read the title of the resolution.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman David Webb made a motion to approve. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 4-0.

TAB 15: FY 2021-2022 Annual Assessment Resolution for Phase 1 Wastewater Collection and Treatment Facilities / Remaining Service Area Phase 1 (RSA 1) Wastewater Assessment

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE CONSTRUCTION OF WASTEWATER COLLECTION AND TREATMENT FACILITIES FOR THE WASTEWATER ASSESSMENT AREA WITHIN THE VILLAGE EXCLUDING THE NORTH PLANTATION KEY, WOODS CORNER, AND NORTH PLANTATION KEY SUPPLEMENTAL ASSESSMENT AREAS; REIMPOSING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE

This item was heard at 7:25 p.m. Village Attorney Roget Bryan read the title of the resolution.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman Henry Rosenthal made a motion to approve. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 4-0.

TAB 16: FY 2021-2022 Annual Assessment Resolution for Phase 1 Wastewater Collection and Treatment Facilities / Remaining Service Area Phase 2 (RSA2) Wastewater Assessment

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION AND TREATMENT FACILITIES FOR PHASE II OF THE WASTEWATER ASSESSMENT AREA WITHIN THE VILLAGE BUT EXCLUDING THE NORTH PLANTATION KEY, NORTH PLANTATION KEY SUPPLEMENTAL AND WOODS CORNER ASSESSMENT AREAS; REIMPOSING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE

This item was heard at 7:26 p.m. Village Attorney Roget Bryan read the title of the resolution.

Vice Mayor Pete Bacheler opened public comment; seeing none, public comment was closed.

Councilman Mark Gregg made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 4-0.

TAB 17: Resolution Adopting Rules for Remote Meeting Attendance for Village Council and Other Boards and Committees

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING A REMOTE MEETING ATTENDANCE POLICY FOR VILLAGE COUNCIL MEETINGS AND MEETINGS OF VILLAGE BOARDS AND COMMITTEES; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:27 p.m. Village Attorney Roget Bryan read the title of the resolution. Village Manager Greg Oravec presented the staff report recommending approval.

Vice Mayor Pete Bacheler opened public comment.

Angel Borden expressed opposition to the requirement that the member attending virtually be visible and that members would not be able to participate by phone.

Cheryl Meads expressed opposition to the requirement that the member attending virtually be visible; commented that the SFWMD allowed for participation without video; and stated that requiring visibility questioned the integrity of the individual.

Sue Miller inquired about the portion of the policy that allowed for a member to attend virtually no more than twice a year and asked what types of Council meetings that applied to. She asked if presenters at quasi-judicial proceedings had to be in person. Councilman Henry Rosenthal stated that quasi proceedings required individuals to be sworn in which was the reason for the in-person requirement. Village Manager Greg Oravec explained the difference between a Councilmember attending virtually and being absent from a meeting.

Vice Mayor Pete Bacheler closed public comment.

Councilman David Webb made a motion to approve. Councilman Henry Rosenthal seconded the motion. The motion passed 4-0.

MAYOR / COUNCIL COMMUNICATIONS

Councilman Henry Rosenthal announced the Labor Day Service at the Hurricane Monument on September 6, 2021 at 9 a.m.

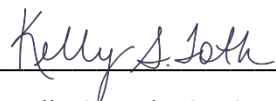
Vice Mayor Bacheler allowed for additional public comment.

Jorge Fernandez commented about his inability to hear during the meetings and requested assistance such as closed captioning on the monitors in the Council chambers.

ADJOURNMENT

Councilman David Webb made a motion to adjourn. Councilman Mark Gregg seconded the motion. The meeting adjourned at 7:46 p.m.

Approved by Council September 30, 2021.



Kelly S. Toth, CMC
Village Clerk