



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

Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036
Thursday, July 16, 2020
5:30 PM

**MEETING TO OCCUR VIA
COMMUNICATIONS MEDIA TECHNOLOGY (CMT)**

Pursuant to Executive Order No. 20-69 and the Centers for Disease Control (CDC) social distancing guidelines established to contain the spread of the COVID-19 virus, the July 16, 2020 Regular Village Council Meeting will be conducted utilizing Communication Media Technology (CMT) via a Zoom video conferencing application. Additional information regarding options for viewing the meeting and participation through public comment can be found on the last page of this agenda

I. CALL TO ORDER / ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

- A.** Virtual Meeting Procedures- Village Attorney
- B.** Acknowledgement of Buddy Collins' Service on the Water Quality Improvement Citizens' Advisory Committee – Councilman Sante
- C.** Venetian Shores Stormwater Project Proposal- Jim Bellizzi

IV. PUBLIC COMMENT

V. AGENDA: Requests for Deletion / Emergency Additions

VI. 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.)

A. Minutes

June 18, 2020 Virtual Regular Village Council Meeting

TAB 1

VII. QUASI-JUDICIAL

- A. A Resolution Considering the Request of Jocelyn Tiedemann for a Variance to Reduce the Landscape Bufferyard Requirement for Property Located at 137 East Ridge Road (File No. PLVAR20200021)

TAB 2

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF JOCELYN TIEDEMANN FOR A VARIANCE PURSUANT TO THE VILLAGE CODE OF ORDINANCES - SECTION 30-816, TO ALLOW FOR A REDUCTION IN THE CLASS "D" BUFFERYARD REQUIRED BETWEEN THE R1 (RESIDENTIAL SINGLE FAMILY) ZONING DISTRICT AND THE NR (NATIVE RESIDENTIAL) ZONING DISTRICT FROM A MAXIMUM WIDTH OF THIRTY (30) FEET TO FIVE (5) FEET, FOR PROPERTY LOCATED AT 137 EAST RIDGE ROAD ON PLANTATION KEY, WITH THE PARCEL IDENTIFICATION NUMBERS 00411739-000000 AND 00411740-000000, AS LEGALLY DESCRIBED HEREIN, AND PROVIDING FOR AN EFFECTIVE DATE. (File No.: PLVAR20200021)

- B. Resolution Considering the Request of Ralph Sanchez for the Transfer of Development Rights for Nine (9) Market Rate Residential Units (File No. PLTDR20200007)

TAB 3

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF RALPH SANCHEZ FOR APPROVAL OF THE TRANSFER OF NINE (9) MARKET RATE RESIDENTIAL UNITS FROM PROPERTY LOCATED AT 81906 OVERSEAS HIGHWAY HAVING PARCEL RE# 00399270-000000 ON UPPER MATECUMBE KEY, WITHIN THE VILLAGE CENTER (VC) ZONING DISTRICT (THE "SENDER SITE"), AS LEGALLY DESCRIBED HEREIN, TO PROPERTY LOCATED AT 109 CARROLL STREET HAVING PARCEL RE# 00400720-000000 ON UPPER MATECUMBE KEY, WITHIN THE TOURIST COMMERCIAL (TC) ZONING DISTRICT (THE "RECEIVER SITE"), AND LEGALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (File No.: PLTDR20200007)

- C. A Resolution Considering the Request of DMB Investments, LLC (Island Construction Management, Agent) for a Dock Length Variance Approval for Property Located at 139 Gimpy Gulch (File No.: PLAV20190198/PRBLD201901350)

TAB 4

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF DMB INVESTMENTS, LLC (ISLAND CONSTRUCTION MANAGEMENT, AGENT) FOR AN ADMINISTRATIVE DOCK

LENGTH VARIANCE IN ACCORDANCE WITH SECTION 30-1550(G) OF THE CODE OF ORDINANCES TO ALLOW A DOCK CONSISTING OF A FOUR (4) FOOT WIDE, 124-FOOT LONG WALKWAY WITH A FOUR (4) FOOT BY 16-FOOT (64 SQUARE FOOT) TERMINAL PLATFORM FOR A TOTAL LENGTH OF 128 FEET, THEREBY EXCEEDING BY 28 FEET THE MAXIMUM LENGTH ALLOWED FOR DOCKS. THE SUBJECT PROPERTY IS LOCATED AT 139 GIMPY GULCH DRIVE ON PLANTATION KEY IN THE R1 (RESIDENTIAL SINGLE FAMILY) ZONING DISTRICT WITH PARCEL ID# IS 00091852-000000, AS LEGALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE

- D.** A Resolution Considering the Request of Cove Village Properties, LLC for Transfer of Development Rights of Two (2) Market Rate Residential Dwelling Units from Property Located at 199 Carroll Street to Property Located at 73501 Overseas Highway

TAB 5

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF COVE VILLAGE PROPERTIES, LLC FOR TRANSFER OF DEVELOPMENT RIGHTS OF TWO (2) MARKET RATE RESIDENTIAL DWELLING UNITS FROM THE "SENDER SITE" PROPERTY LOCATED AT 199 CARROLL STREET, PARCEL # 00400900-000000 ON UPPER MATECUMBE KEY, WITHIN THE RESIDENTIAL SINGLE FAMILY (R1) ZONING DISTRICT, AS LEGALLY DESCRIBED HEREIN, TO THE "RECEIVER SITE" PROPERTY LOCATED AT 73501 OVERSEAS HIGHWAY, PARCEL# 00388620-000000 ON LOWER MATECUMBE KEY, WITHIN THE TOURIST COMMERCIAL (TC) ZONING DISTRICT AS LEGALLY DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE

VIII. ORDINANCES

- A.** Second Reading: Ordinance Amending Section 30-32 "Specific Definitions" and Division 12 Transfer of Development Rights (TDRS) of the Land Development Regulations, to Allow Village Center (VC), Tourist Commercial (TC), Commercial Fishing (CF), Marine Use (MR), Highway Commercial (HC) and Neighborhood Commercial (NC) as Eligible Zoning Districts for Receiving Transfers of Residential Density from Residential Sender Sites

TAB 6

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30, "LAND DEVELOPMENT REGULATIONS," ARTICLE II "RULES OF CONSTRUCTION AND DEFINITIONS" AND ARTICLE IV "ADMINISTRATIVE PROCEDURES," DIVISION 12 TRANSFERS OF DEVELOPMENT

RIGHTS” OF THE VILLAGE CODE OF ORDINANCES RELATED TO TRANSFER OF RESIDENTIAL DENSITY WITHIN THE VILLAGE; AMENDING SECTION 30-32 “SPECIFIC DEFINITIONS”; SECTION 30-502 “SPECIFIC DEFINITIONS”; SECTION 30-503(1); “TRANSFER OF DEVELOPMENT RIGHTS (TDR); TO SPECIFICALLY AMEND DEFINITIONS RELATED TO TRANSFER OF RESIDENTIAL DENSITY: SECTION 30-506(1)(D) AND SECTION 30-506(3) “TRANSFER OF DEVELOPMENT RIGHTS (TDR) FOR RESIDENTIAL DWELLING UNITS AND DENSITY”; SPECIFICALLY ADDING VILLAGE CENTER (VC), TOURIST COMMERCIAL (TC), COMMERCIAL FISHING (CF), MARINE USE (MR), HIGHWAY COMMERCIAL (HC) AND NEIGHBORHOOD COMMERCIAL (NC) AS ELIGIBLE ZONING DISTRICTS FOR RECEIVING TRANSFERS OF RESIDENTIAL DENSITY FROM RESIDENTIAL SENDER SITES WITHIN ZONING DISTRICTS ELIGIBLE FOR TRANSFER OF RESIDENTIAL DENSITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

- B.** Second Reading: An Ordinance Amending Section 66-2 “Operation of Vessels in Restricted Areas” of the Village Code to Create a Vessel Exclusion Zone/Swim Area Generally Located North of Port Antigua and White Marlin Beach on Lower Matecumbe Key

TAB 7

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 66 “WATERWAYS”, ARTICLE I “IN GENERAL”, SECTION 66-2 “OPERATION OF VESSELS IN RESTRICTED AREAS” OF THE VILLAGE CODE TO CREATE A VESSEL EXCLUSION ZONE/SWIM AREA GENERALLY LOCATED OFF OF PORT ANTIGUA AND WHITE MARLIN BEACH ON LOWER MATECUMBE KEY, AS FURTHER DESCRIBED ON EXHIBIT “A”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** First Reading: Text Amendment to Policy 1-2.4.7 “Limit Transient Rental Use of Residential Properties” of the Comprehensive Plan for Islamorada, Village of Islands

TAB 8

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**

- D.** First Reading: Text Amendment to Chapter 30 “Land Development Regulations,” Article VI “Specific Use Restrictions,” Division 6 “Vacation Rental,” Section 30-1295(B)(2) of the Village Code

TAB 9

**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**

IX. RESOLUTIONS

- A.** Resolution Ratifying and Approving a Subaward and Grant Agreement Between the Village and the Florida Division of Emergency Management for Emergency Backup Power for Critical Facilities Generator Project

TAB 10

**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 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**

- B.** Resolution Approving First 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 2020-2021 (Year Two)

TAB 11

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FIRST 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 2020-2021 (YEAR TWO) CONTRACT PRICING; AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** Resolution Determining the Proposed Millage Rate for Fiscal Year 2020-2021, Establishing the Current Year Rolled-Back Rate, and the Date, Time and Place For the first and Second Budget Hearings

TAB 12

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2020-2021; ESTABLISHING THE CURRENT YEAR ROLLED-BACK RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET HEARINGS AS REQUIRED BY STATE LAW; DIRECTING THE FINANCE DIRECTOR AND VILLAGE MANAGER TO PROPERLY FILE THE CERTIFICATION OF TAXABLE VALUE VIA E-TRIM; DIRECTING THE VILLAGE CLERK TO TRANSMIT THIS RESOLUTION TO THE MONROE COUNTY PROPERTY APPRAISER PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE

- D.** Preliminary Rate Resolution for FY 2020-2021 Solid Waste Assessment

TAB 13

A PRELIMINARY RATE RESOLUTION OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE WITHIN THE VILLAGE FOR FISCAL YEAR 2020-2021; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE AGAINST ASSESSED PROPERTY LOCATED WITHIN ISLAMORADA, VILLAGE OF ISLANDS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; PROVIDING FOR PUBLIC HEARING AND NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE

X. MOTIONS

XI. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Curfew During Lobster Mini Season- Mayor Forster

B. Discussion Regarding Snorkeling & Diving Regulations During Mini Season- Village Attorney

XII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Conceptual Plan for the Fills – Public Works Director

XIII. ADJOURNMENT

(Please see the following page for viewing and public comment information.)

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 specific items on 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. At the beginning of the email, please identify whether the comment is of a general nature; or identify the agenda tab number or the subject matter. The meeting agenda can be viewed at: https://www.islamorada.fl.us/departments/village_clerk/minutes.php by scrolling down to the appropriate meeting date and selecting "Agenda".
5. Public comment should be submitted by 12 p.m. on Thursday, July 16, 2020. Public comment will be sent to the Village Council for consideration prior to the meeting and 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.
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 ADA@islamorada.fl.us at least 48 hours before the scheduled meeting.

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 proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.