Summary Minutes of the

ISLAMORADA, VILLAGE OF ISLANDS
HYBRID REGULAR VILLAGE COUNCIL MEETING

Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036
Wednesday, June 9, 2021
5:30 PM

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

CALL TO ORDER / ROLL CALL

Mayor Pinder called the meeting to order at 5:32 p.m. Village Clerk Kelly Toth called the roll with the following Councilmembers being present on roll call: Mayor Buddy Pinder, Vice Mayor Pete Bacheler, Councilman Mark Gregg, and Councilman David Webb. Councilman Henry Rosenthal participated via Zoom. Village Clerk Kelly Toth, Deputy Clerk Stephanie Conde and Acting Village Manager Maria Bassett were also present. Village Attorney Roget Bryan and along with other pertinent staff appeared virtually.

PLEDGE OF ALLEGIANCE AND INVOCATION

Islamorada Fire Captain Geo Toth led the Pledge of Allegiance. Mayor Pinder delivered the prayer and blessing.

VIRTUAL MEETING PROCEDURES

Village Attorney Roget Bryan provided the virtual meeting procedures.

REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

Acknowledgement of Robert Burley's Service and Retirement
Mayor Buddy Pinder acknowledged retiring Fire Captain Rob Burley's service to the Village since being hired as one of the original 12 Village firefighters in 1999. He acknowledged his contributions to the fire service as the Fire Chief of the Tavernier volunteer fire department. Mayor Pinder presented Captain Burley with a plaque and expressed his gratitude with a handshake and hug.

Acknowledgement of Walter Mason's Service and Retirement
Mayor Buddy Pinder acknowledged retiring Fire Prevention Captain Walter Mason's contributions and service to the community noting Captain Mason became a fulltime Firefighter/EMT in 2004 after serving as a volunteer for ten years. Mayor Pinder presented Captain Mason with a plaque and expressed his gratitude with a handshake and hug. Captain Mason expressed his gratitude to Chief Terry Abel, Assistant Chief Jason Lyman and his wife Sue; noted that he went to fire college at the age of 47; and expressed gratitude to Captains Burley and Toth.

Mayor Pinder expressed his gratitude to the fire department and their excellent response times.

Presentation of Employee Longevity Pins
This item was heard at 5:49 p.m. Acting Village Manager Maria Bassett identified the individuals being recognized for their longevity as follows:

Five years of service:
- Carlota de la Sierra, Senior. Code Compliance Officer
- Andrew "A.J." Engelmeyer, Wastewater and Public Works Director
- Raidel Ordenana, Public Works roadways crew
- Alexander Estrada, Public Works roadways crew
- Eduardo Pena, Wastewater Department, wastewater technician
- Andres Ardila, Lieutenant, Firefighter/Paramedic

Fifteen years of service:
- Gunther Herzberg, Assistant Public Works Director
- Carol Long, Building Permit Clerk
- Lisa Watts, Plantation Yacht Harbor Marina Dockmaster

Twenty years of service:
- George "Geo" Toth, Captain, Firefighter/Paramedic
- Angel Cabrales, Founders Park Maintenance

Geo Toth, Carlota de la Sierra, and A.J. Engelmeyer were in attendance and received certificates and longevity pins from Mayor Pinder.

Coral Reef Restoration Presentation by I.CARE
This item was heard at 5:53 p.m. Dr. Kylie Smith and Mike Goldberg, with Islamorada Conservation and Restoration Education (I.CARE), reported about the significant decline of the coral reefs. She stated that in the 1970s, coral reef cover averaged between 50 to 60% and that coral cover was currently in the 3 to 5% range. Dr. Smith reported that I.CARE had partnered with Mote Marine Laboratory who provides them with the corals that they outplant; noted Mote Marine Laboratory was constructing the first and only land-based coral nursery in Islamorada located at Bud N Mary's Marina which would be open to the public to learn about coral restoration. She explained the science behind the Mote Marine coral restoration efforts which involved utilization of the Climate and Acidification Ocean Simulator (CAOS) system, which enhanced coral survivorship over the long-term utilizing assisted reproduction efforts which involved breeding new strains of coral to resist multiple stressful conditions at once and explained the "reskinning" transplantation methods used which accelerated the growth of the corals resulting in larger corals that reached their reproductive time sooner. Dr. Smith stated I.CARE was partnering with local dive shops in their restoration efforts and explained that I-CARE trained the dive staff and customers on restoration, transplantation, coral maintenance and monitoring of the out-planted corals and that these individuals assisted with these efforts. She reported that since January 2021 they had transplanted 1194 corals with a survival average of 96% and noted the coral restoration effort at Alligator Reef.

Mike Goldberg, owner of Key Dives, commented that the restoration effort was a community effort; identified the various businesses and individuals that donated to the organization; explained how some of the local businesses were helping financially; explained that the annual expenses were

$222,900 including the additional scientist and two additional interns; that it took a minimum of $135,000 to meet their existing expenses; in the first eighteen months they had raised about $140,000 and noted that he and Dr. Smith had donated their time during that period. He stated the Village had donated $5,000 last year; explained the numerous boat trips needed for the transplantation efforts; requested financial support from the Council; and stated they were restoring the reef not saving it, noting Alligator Reef did not have any coral before they began restoring it.

Councilman Webb asked Dr. Smith if they were only restoring coral in protected areas. She said no, they had a permit to restore coral in five areas. He asked if they were having anchoring or other issues in the non-protected areas. Dr. Smith stated they had not seen any direct impacts on the out-planted corals and that they had been working with the National Oceanic and Atmospheric Administration (NOAA) mooring buoy team to obtain subsurface mooring balls for the various sites. Councilman Webb inquired whether there were additional resources available to the nonprofit such as NOAA or FWRI. She noted there were a couple of partnerships they had tried to start such as Force Blue and commented that the Councilman's suggestion was a good idea to look into. Councilman Webb thanked them for their efforts and on behalf of his grandchildren. Mayor Pinder noted his experience with corals and suggested there may be grants available to the nonprofit. Councilman Gregg stated he wanted the Village to be I.CARE's partner; noted the Village's economy depended upon the environment; opined that coral was the foundation of the environment and that the nonprofit needed all the help they could get. He stated that he wanted the Village to be behind them in their efforts and thanked them on behalf of his grandchildren. Councilman Gregg suggested discussing financial support for the organization during the budget workshops. Mayor Pinder commented about the poor condition of various coral reef locations such as Cheeca Rocks and Alligator Reef. Mike Goldberg commented about the decline in the number of "critters" that support marine life by cleaning the coral and the negative impacts the decline has on other fish in the area. Mayor Pinder suggested researching potential Tourist Development Council (TDC) Grants as a potential funding source. Vice Mayor Pete Bacheler commented regarding the drastic change in the coral reefs since 1965. He stated that it was proof positive, that if left alone, man will destroy his environment and that he was proud of I.CARE and the work that they had done. Dr. Smith provided the organizations website: www.icareaboutcoral.org. Mr. Goldberg stated, for those interested in learning more, there was a presentation given every Saturday morning at 8:30 a.m. at Bud N Mary's Marina and noted people could also sign up to plant coral.

Mayor Pinder opened public comment.

Captain Ed Davidson commented about his past experiences diving the reefs and running charters; noted the decline of the reefs was also a water quality problem; noted the different things that adversely affected the corals such as various diseases, coral bleaching, sewage, and fertilizer; expressed his support for educating the public, education in schools, and the Village providing financial assistance to I.CARE; and suggested the sewage treatment should provide a more healthful environment for the restoration efforts.

Van Cadenhead commented that in January 1962 Jerry Greenberg, and underwater photographer, did a story for National Geographic about John Pennekamp State Park coral reef preserve and suggested researching the photos to see what the reef used to look like. He stated visitors come to the Florida Keys to see the reefs and expressed his support for Council backing the restoration efforts.

Mayor Pinder closed public comment.

PUBLIC COMMENT

Mayor Pinder opened general public comment.

Angel Borden began providing comment about the solid waste tab that would be discussed later during the meeting. Councilman Webb confirmed with the mayor that general public comment was for matters not on the agenda. Ms. Borden reserved the remainder of her comments for later in the meeting.

Van Cadenhead commented about the progress that had been made regarding the Fills; commented that the portable toilets needed to be maintained daily; suggested the placement of a small dumpster at the Fills rather than numerous trash receptacles; opined that the area looked better because the number of visitors to the area had decreased; and suggested the Council keep up the good work.

Mayor Pinder closed general public comment.

AGENDA: Requests for Deletion / Emergency Additions

Vice Mayor Pete Bacheler removed his discussion item regarding time allotted for public comment. Councilman Webb requested that Tab 14 be moved up to follow the consent agenda as he wanted to make a few comments and allow the public to speak before he tabled it. He added an update regarding the Florida Keys Transportation Coordination Committee; a discussion regarding the traffic at Robbie's; and a discussion regarding the boat ramp at Blackwood Drive.

Councilman Webb asked if the Council would appoint Vice Mayor Bacheler as his replacement on the National Marine Sanctuary Advisory Council for the June 14th meeting as neither he nor the alternate member would be able to attend. The Vice Mayor confirmed he was available, and Council expressed agreement with the temporary change.

Mayor Pinder moved Tab 7 to follow the Citizens' Advisory Update; and he moved Tab 18 to follow the consent agenda. Tab 14 was moved to follow Tab 18. Village Clerk Kelly Toth formally added Tab "X" to the agenda to follow Tab 13 and noted the item was available on the Village's website.

CITIZENS' ADVISORY COMMITTEE UPDATES

Landscape Advisory Committee Update

At 6:35 p.m. Anne Lucey, Chair of the Landscape Advisory Committee, reported the committee had three new members; the committee approved the Landscape Manual but had concerns regarding the tree and shrub replacement counts as it encouraged unsustainable planting practices with overplanting and overcrowding; commented that the committee was informed that the Department of Economic Opportunity (DEO) would only tighten its requirements and would not relax them regarding the ordinance amendment; the committee had concerns regarding the state of some of the plantings in the rights-of-way; commented that the bougainvillea planted along the rights-of-way was a thorny, high-maintenance plant along the bike trails that were in poor condition in areas and recommended looking into alternative plantings; the committee had concerns about non-native invasive grasses that were crowding out the plantings; recommended an ongoing training program for the public works crews citing the maintenance differences of species specific plants, trees, and shrubs; suggested plantings be incorporated into the Florida Department of Transportation (FDOT) project at the Fill's and noted the benefits of doing so; and recommended landscaping installation around the sculptures at mile marker 80 along with signage to identify the artist so as to enhance the area.

CONSENT AGENDA

TAB 1: Minutes
April 29, 2021 Regular Village Council Meeting
May 13, 2021 Special Call Village Council Meeting
May 19, 2021 Special Call Village Council Meeting

TAB 2: Resolution Expressing Support for State and Federal Funding of Everglades Restoration Projects

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, IN SUPPORT OF FULL FUNDING FOR AND COMPLETION OF EVERGLADES RESTORATION PROJECTS; URGING ROBUST FUNDING FOR EVERGLADES RESTORATION IN THE 2022 FEDERAL BUDGET; COMMENDING THE GOVERNOR'S AND LEGISLATURE'S FULL FUNDING FOR EVERGLADES RESTORATION; AND URGING THE UNITED STATES ARMY CORPS OF ENGINEERS AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO CONSIDER IN THEIR UPDATES TO THE LAKE OKEECHOBEE SYSTEM OPERATION MANUAL, THE WATER SUPPLY NEEDS AND FRESHWATER FLOWS TO SOUTHERN END OF THE EVERGLADES SYSTEM CRITICAL FOR MAINTAINING THE HEALTH OF FLORIDA BAY ; PROVIDING FOR TRANSMITTAL AND PROVIDING FOR AN EFFECTIVE DATE

TAB 3: Resolution Approving a First Amendment to Project Agreement No. 1 between Page Excavating, Inc. and the Village

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A FIRST AMENDMENT TO PROJECT AGREEMENT NO. 1 BETWEEN PAGE EXCAVATING, INC. AND ISLAMORADA, VILLAGE OF ISLANDS, INCREASING THE NUMBER OF PHASE II VACUUM PITS REPLACEMENTS WITHIN NORTH PLANTATION KEY FOR THE VILLAGE CENTRAL WASTEWATER SYSTEM; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT TO PROJECT AGREEMENT NO. 1; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Councilman Mark Gregg noted that there was a sign-on letter that was part of Tab 2. Councilman Gregg made a motion to approve. Councilman David Webb seconded the motion. Council voted and the motion passed 5-0.

ORDINANCES

TAB 4: Second Reading: Ordinance Amending Ordinance 20-02 Related to Transfers of Residential Density

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING ORDINANCE NO. 20-02 RELATED TO TRANSFER OF RESIDENTIAL DENSITY; AMENDING CHAPTER 30, "LAND DEVELOPMENT REGULATIONS," ARTICLE IV "ADMINISTRATIVE PROCEDURES," DIVISION 12 "TRANSFERS OF DEVELOPMENT RIGHTS" OF THE VILLAGE CODE OF ORDINANCES BY SPECIFICALLY AMENDING 30-503 TO CLARIFY AREAS ELIGIBLE FOR TRANSFER OF RESIDENTIAL DENSITY WITHIN THE VILLAGE; 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

This item was heard at 7:22 p.m. Village Attorney Roget Bryan read the title of the ordinance and stated it was second reading and a public hearing. Senior Planner Craig Southern presented the staff report providing background information about Ordinance 20-02. He reported that the Department of Economic Opportunity (DEO) issued its Final Order approving 20-02 and a petition was filed challenging the order with the Division of Administrative Hearings (DOAH). He stated the ordinance before Council added clarifying language and recommended approval.

Mayor Buddy Pinder opened public comment.

Van Cadenhead expressed his support for approving the ordinances at tabs four, five and six.

Mayor Pinder closed public comment.

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

TAB 5: Second Reading: Proposed Ordinance Amending Chapter 30 Land Development Regulations to Specifically Amend Bufferyard Standards for Driveways

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30, LAND DEVELOPMENT REGULATIONS; AMENDING ARTICLE V "SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS", DIVISION 6 "LANDSCAPE STANDARDS", SECTION 30-815 TO SPECIFICALLY AMEND AND ADD BUFFERYARD STANDARDS RELATING TO DRIVEWAYS; PROVIDING FOR PENALTIES; 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

This item was heard at 7:25 p.m. Village Attorney Roget Bryan read the title of the ordinance and stated it was second reading and a public hearing. Senior Planner Craig Southern stated no changes were made since it was approved on first reading.

Mayor Buddy Pinder opened public comment; no comment was offered. (Van Cadenhead expressed his support for this item during tab 4.)

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

TAB 6: Second Reading: Ordinance Requesting an Amendment to Chapter 34 "Natural Resources", Article II "Water Conservation" Section 34-31 to 34-36

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 34 "NATURAL RESOURCES," ARTICLE II "WATER CONSERVATION", RELATED TO WATER CONSERVATION MEASURES; SPECIFICALLY AMENDING SECTION 34-31 "PURPOSE", SECTION 34-33 "DEFINITIONS", SECTION 34-34 "HOURS OF IRRIGATION; AUTOMATIC IRRIGATION SYSTEMS" SECTION 34-35 "PROHIBITIONS", AND SECTION 34-36 "EXEMPTIONS" OF THE VILLAGE CODE TO REVISE LANDSCAPE IRRIGATION RESTRICTIONS; 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

This item was heard at 7:27 p.m. Village Attorney Roget Bryan read the title of the ordinance and stated it was second reading and a public hearing. Planning Consultant Scarlet Hammons with the Corradino Group reported no changes were made to the ordinance since its approval on first reading; stated the amendment is in response to a request from the South Florida Water Management District to bring the Village Code into compliance with state law regarding landscape irrigation and recommended approval.

Mayor Buddy Pinder opened public comment; no comment was offered. (Van Cadenhead expressed his support for this ordinance during tab four.)

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

RESOLUTIONS

TAB 7: 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

This item was heard at 6:46 p.m. Mayor Buddy Pinder made a motion to table Tab 7. The motion was seconded by Councilman David Webb. Council voted and the motion passed 5-0. Mayor Pinder announced that the item would be placed on the July 22, 2021 agenda once the new Village Manager started. Greg Sullivan with Waste Management thanked the Council.

Councilman Gregg requested Council allow for a short video to be displayed regarding electric garbage trucks in the City of Ocala. He noted that an electric garbage truck used twenty dollars of electricity per day versus one hundred dollars of diesel fuel per day.

TAB 8: Resolution Approving Nonresidential Building Permit Allocation System Ranking and Awards for Quarter 2 of 2021

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING NONRESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING NONRESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 OF 2021; AND PROVIDING AN EFFECTIVE DATE

This item was heard at 7:29 p.m. Village Attorney Roget Bryan read the title of the resolution. Mayor Buddy Pinder disclosed that he and Ty Harris had lunch with Jose and Clark from Sun Communities and Brad Pinover who is with Atwell and that they did not discuss the item that was being voted on. Director of Planning and Development Services Ty Harris reported that the request was for 4,358 square feet of non-residential square footage for the construction of amenities for the Sun Communities project; that the bank of non-residential square footage currently had 35,315 square feet available; that if approved there would be 30,957 square feet available; noted that the Village receives 2,500 square feet of non-residential each year; and recommended approval.

Councilman Mark Gregg stated that the item pertained to the redevelopment of the Sea Breeze and San Pedro trailer parks and was specifically for the parcel in the center. Mr. Harris noted that the amenities included a pool and clubhouse which was why the non-residential square footage was needed.

Mayor Buddy Pinder opened public comment; no comment was offered.

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

TAB 9: Resolution Approving the Residential Building Permit Allocation System Ranking and Awards for Quarter 2 of 2021 for Affordable Housing

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AFFORDABLE RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING AFFORDABLE RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 OF 2021; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 7:33 p.m. Village Attorney Roget Bryan read the title of the resolution. Director of Planning and Development Services Ty Harris reported the location of the project receiving the allocations was at 101 Indian Mound Trail; noted it was a four-unit project by W3T, LLC and noted Don Horton's affiliation with the company. He stated that if approved, the Village would have one remaining affordable allocation for the year.

Vice Mayor Pete Bacheler asked Mr. Harris if he knew when the Village would receive the 300 affordable rental allocations. Mr. Harris stated the petitioners submitted a request for oral argument and he was not aware of whether a date had been set and deferred to the Village Attorney. Village Attorney Roget Bryan stated a date for oral argument had not been set and that the case was in the final stage of appellant review.

Councilman David Webb asked Mr. Harris to explain the definition of affordable housing as it relates to the four units. Mr. Harris stated per the Affordable Housing Fact Sheet, the Village did not distinguish between the three income limits and that the units would be rental units. Councilman Webb asked what the deed restrictions were that ensured the units would remain affordable units for a significant period of time. Mr. Harris explained that there was not a cap on what the property could be sold for; that there was a cap on the median income which was tied to Monroe County and noted the maximum amount of rent that could be charged was based on that number; commented that he thought the maximum was currently $2,000 but had heard that may decrease; and noted the deed restrictions were in perpetuity; and that it was a rental project versus a homeownership project.

Councilman Mark Gregg explained that the Code stated that any permit issued as an affordable dwelling unit had to be deed restricted in perpetuity; that if sold, the maximum price was tied to the number of bedrooms of the structure and that price fluctuated yearly; and that if rented, there was a maximum rental price. He stated that if the developer sold the units individually, the individual price limitations would apply; if the developer sold the entire project, the project price would not be restricted but the maximum rent amount would be restricted. He noted some businesses were willing to do this to have workforce housing for their employees.

Mayor Buddy Pinder opened public comment.

Van Cadenhead commented that there had been discussion that because two units were each 500 square-feet, and two units were 750 square-feet each that they should be charged for two wastewater Equivalent Dwelling Units (EDUs). He asked for confirmation that the four units would be assessed one EDU each because to do otherwise would be unfair to others in a similar situation that paid for one EDU. He stated that a waiver for a $4,400 mitigation fee for the removal of two champion trees was granted and expressed his preference for three affordable units if it would save the trees.

Captain Ed Davidson commented about the difficulty in building affordable housing; commented that the affordable deed restriction had to be on the fee simple title in perpetuity; stated the designation as affordable in perpetuity needed to be certain, rather than staff's understanding;

commented about a house that was designated affordable in perpetuity that was sold at market rate in excess of what was allowable; and stated that the affordable deed restrictions needed to be "locked in" for the benefit of the public.

Ty Harris, Director of Planning and Development Services, stated the two trees referenced by Van Cadenhead were outside the footprint of the structure and would be preserved. He explained that Ed Davidson's reference to an affordable house that sold at market rate belonged to "Lighthouse Larry" and had a deed restriction that only restricted the income level of the person living in the home and did not restrict what the house could be sold for. Mr. Harris noted that the deed restriction predated the Village's incorporation.

Mayor Buddy Pinder asked staff about Van Cadenhead's question that pertained to the EDUs for the project. Village Attorney Roget Bryan noted that the subject of the agenda item was strictly for the allocation and that the EDUs would be addressed through the site plan process. Acting Village Manager/Finance Director Maria Bassett explained that the Village's wastewater engineer makes the determination on EDU assignments for new development and the Village collects wastewater system development fees which was somewhat equivalent to the wastewater assessments that existing properties pay. She explained that based on the small size of the units for the project, staff planned to charge one EDU for each duplex noting that one EDU was over $7,000; and that if Council directed, staff could assign one EDU per unit which would equate to approximately $28,000 for wastewater system development fees. She commented that because there were four units, technically it should be assigned four EDUs. Mayor Pinder asked if the matter could be addressed at a future meeting. Ms. Bassett commented that Mr. Cadenhead was communicating that as staff we contradicted our normal determination and that it was not right to charge one EDU for two units; and expressed that she would feel more comfortable, due to the ownership of the property, if Council made the determination to charge one EDU per unit; and to no longer allow any exceptions that it should be one EDU per dwelling unit regardless of square footage. Councilman Mark Gregg commented that procedurally, the owner was not in attendance to comment on the matter and did not afford due process; and stated it was a conversation for another meeting.

Councilman Mark Gregg commented that he was the attorney on the closing when "Lighthouse Larry" originally purchased the home; it was a 20-year deed restriction that only affected the income of the occupant; and there was no restriction on what the home could be sold for. He stated with regard to the two trees mentioned earlier, he had looked into the matter and stated the biologist determined that the trees were actually in the construction impact zone and could be saved and that there was no waiver of the mitigation fee as the property owner went out of their way to save the trees.

Vice Mayor Pete Bacheler stated that if the EDU discussion came back to Council, he wanted to compare the number of EDUs for small units to a three-bedroom, two and a half bath house. He stated that if the comparison was identical that was one thing, if it was half that was another and would deserve some consideration.

Mayor Buddy Pinder stated the Village would hold workshops once the new Village Manager began and would address affordable housing and deed restrictions to get things cleared up.

Van Cadenhead commented that there was a landlord in the audience that had a 600 square foot affordable housing unit that had to pay for one EDU; commented that the size of the unit was unrelated as the need for the EDU was based on "per dwelling unit"; noted that there were four dwelling units that called for four EDUs, regardless of the size, noting two units would be 750 square feet and the other two would be 500 square feet; commented that if someone constructed a 9,000 square foot house they would be required to pay for one EDU; and stated that the Council should apply its focus to assigning EDUs based on the number of dwelling units.

Councilman Rosenthal stated that he listened to the discussion that a conclusion could not happen tonight; that there were too many ways that they made a conclusion that would be suspect as time went on. He made a motion to table the discussion to a later date. The motion failed for lack of a second. Mayor Pinder clarified that the agenda item before Council to be voted on was strictly the affordable BPAS allocations and noted the side discussion about EDUs was not on the agenda and asked the Village Attorney to opine. Village Attorney Roget Bryan stated the item before Council to be voted on was the quarter two 2021 affordable BPAS rankings; and that there were four allocations recommended for award that were for the same property and project. He stated that some of the concerns raised were not procedurally proper for the Council to make its approval contingent upon them; and noted the concerns were valid and could be addressed through a different process but certainly did not impact the agenda item before the Council. He explained that the building permit still needed to be picked up by the applicant once the allocations were awarded. Councilman Henry Rosenthal suggested a workshop would be very appropriate. Mayor Pinder asked if the Council had an opinion about Councilman Rosenthal's suggestion. Councilmembers expressed that they did not by shaking their head. Mayor Pinder stated he agreed with having a workshop and noted that the new Village Manager would be tasked with the workshops.

Mayor Pinder closed public comment.

Councilman Mark Gregg made a motion to approve. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 4-1 with Councilman Henry Rosenthal voting in opposition.

TAB 10: Resolution Approving and Accepting a Warranty Deed for the Conveyance of a Land Dedication by Application of 1995 ASR Group, LLC for Property Located at 87895 Old Highway with RE# 00415060-000000 for Building Permit #PRSFC202001577

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM 1995 ASR GROUP, LLC; AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; FINDING AND DETERMINING THAT THE REAL PROPERTY SHALL BE USED FOR MUNICIPAL OR PUBLIC PURPOSES; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Pinder requested a short break at 8:01 p.m. The meeting resumed at 8:18 p.m.

This item was heard at 8:18 p.m. Village Attorney Roget Bryan read the title of the resolution. Senior Planner Hank Flores presented the staff report stating the land dedication for the exchange of ten BPAS points met the requirements of the Village Code and recommended approval of the request.

Councilman David Webb noted that land dedications were unusual; and would reduce any possibility that the property would have to be purchased after the BPAS expiration,. He commented that the incentive other than the BPAS points, may be a circumstance where property values are so extraordinarily high in our community and the reality of building permits for all of them would probably not materialize. Councilman Webb commented that there may be a situation where the corporation may be able to take the donation, potentially inflate the value, and take a tax write-off that could potentially exceed a takings claim award. He questioned whether the community may want to publicly encourage this in an organized way. Councilman Mark Gregg commented about the origin of the lot dedication for BPAS points and complimented staff noting that increasing the points from three to ten was Ty Harris' idea.

Mayor Buddy Pinder opened public comment.

Van Cadenhead commented that when property was received by the Village that it should not be used for affordable housing or sold for another purpose that it should be designated conservation in perpetuity.

Sue Miller expressed concern that there were properties that could not possibly get a permit because they were so environmentally sensitive and that they could purchase a lot, get bumped ahead in the BPAS queue, and would be able to develop the environmentally sensitive land ahead of the properties that should be developed.

Ed Davidson commented about lot donations for preservation under the Rate of Growth Ordinance (ROGO); stated the Village received ten lots under ROGO; the ordinance was changed to allow for 50% clearing for affordable housing, noting it was not retroactive; noted that the conservation easement status was never entered on the "fee simple"; that there were approximately three remaining Village lots that fell into the 50% clearing category; suggested that if the remaining lots were going to be cleared at 50% the community should be made aware; and suggested the Council consider the concept and how it would apply to the donations of land.

Mayor Pinder closed public comment.

Mayor Buddy Pinder stated his understanding was that the donated lot would never be built on and that they would look into it. Councilman David Webb stated the lots were perfect for greenspace and that addressing the issue to make sure this happened could easily be done. Vice Mayor Pete Bacheler asked Director of Planning and Development Services Ty Harris if he knew the environmental conditions of the property. Mr. Harris stated he did not know the conditions of the sites; that the Village was receiving a donated buildable lot; and that the donated lot could have potentially been the subject of a Bert Harris claim in 2023 but was being removed from the equation because of the donation. He stated that to ensure that the lots remained as conservation lots versus affordable lots, the Village could not grant themselves an easement for conservation, however, the

Village could grant an easement to an organization such as the Nature Conservancy or Audubon to enforce that the lots would stay conservation land in perpetuity. Ed Davidson thanked Mr. Harris and stated that the Izaak Walton League, a 501c3 environmental organization, had agreed to be the sponsor, Richard Grosso and Rebecca Jetton had the proposal ready and would gift it to the Village. Councilman David Webb commented about the recent changes to the Bert Harris law and asked the Village Attorney if it applied to donated lots. Village Attorney Roget Bryan explained that the vacant, buildable lot was being donated to the Village, that the Village now owned the lot, and was therefore not a lot the Village had to be concerned about regarding Bert J. Harris. Councilman Mark Gregg stated he would like to revisit the discussion and suggested a management plan to protect the properties. He commented that those individuals that moved ahead in the BPAS queue with environmentally sensitive land would still have to comply with the environmental regulations.

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

TAB 11: Resolution Approving and Accepting a Warranty Deed for the Conveyance of a Land Dedication by Application of Justin Johnson for Property Located on Flamingo Hammock Drive with RE# 00403041-001900 for Building Permit# PRSFC2020100145

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM CCG KEYS, LLC, AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, FINDING AND DETERMINING THAT THE REAL PROPERTY SHALL BE USED FOR MUNICIPAL OR PUBLIC PURPOSES, AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 8:35 p.m. Village Attorney Roget Bryan read the title of the resolution. Senior Planner Hank Flores presented the staff report recommending approval.

Mayor 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 12: Resolution Approving Work Authorization No. 1 between Islamorada, Village of Islands and Wood Environment & Infrastructure Solutions, Inc. for Assistance with Plantation Yacht Harbor Boat Basin Dredging Activities

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 1 WITH WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS INC. FOR PROFESSIONAL SERVICES RELATED TO PLANTATION YACHT HARBOR BOAT BASIN DREDGING ACTIVITIES; 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 8:37 p.m. Village Attorney Roget Bryan read the title of the resolution. Environmental Resources Manager Peter Frezza reported that dredging was needed in the Plantation Yacht Harbor Marina due to sediment accumulation which had rendered at least four boat slips unusable. He stated the Village received three cost proposals for the first step in the dredging project which included engineering for the design and permitting of the dredging and that the lowest cost proposal was Wood Environment and Infrastructure Solutions at $22,170.80. He commented that staff had been extremely pleased with the services of Wood Environment and Infrastructure Solutions on similar projects noting that they were part of the dredging project on Lower Matecumbe Key.

Councilman Mark Gregg commented that this project supports his thoughts that more work should be done at the marina such as jetty repairs and stated he would reserve the rest of his comments for the budget workshops.

Mayor Buddy Pinder opened public comment; no comment was offered.

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

TAB 13: Resolution Considering a Reduction in the Code Compliance Case of Bagels Locks & Cream Cheese LLC, Case No. CEBDGC20180000461

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA CONSIDERING A REDUCTION OF LIEN IN CODE COMPLIANCE CASE NO. CEBDGC20180000461; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL NECESSARY AND EXPEDIENT ACTION; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 8:43 p.m. Village Attorney Roget Bryan read the title of the resolution and presented the staff report. He reported the case pertained to property located at 141 Palermo Drive; provided history of the violation and compliance; and noted the Special Magistrate reduced the fine by 75%, the maximum allowable in accordance with Code section 2-120, which reduced the accrued fines from $42,250 to $10,562.50 plus an administrative fee of $125.00. Mr. Bryan explained that the current owner was not the original violator; the current owner purchased the property July 8, 2020, applied for the dock permit August 17, 2020, which was the corrective action required, the permit was issued in November 2020 and the property was determined to be in compliance March 2021. Councilman David Webb, with support from Mayor Pinder, stated this was the exact type of situation that deserved the Council's consideration for further reduction noting the current owners inherited the problem and quickly addressed it. Councilman Mark Gregg expressed his support for further reduction. Vice Mayor Pete Bacheler stated he thought the fine should be reduced to staff time and filing fees. Councilman David Webb asked if there were limitations on the amount the Council could reduce the fines. Village Attorney Roget Bryan stated there was no limitation on the relief that the Council could grant.

Alexander Carbonell, speaking on behalf of the owner, provided a history of what had occurred, stated his client was not the original owner that received the violation and was requesting further reduction. Councilman Gregg asked Mr. Carbonell what he would like the fine reduced to. Mr.

Carbonell stated if it was up to him zero, but that he understood the costs associated with staff's time and suggested $1,000, $2,000 or $2,500 and expressed he really did not know. He noted that his client was not part of the violation but invested his money to rectify the situation. Council asked staff how much was invested in staff time. Vice Mayor Pete Bacheler suggested $500 or any amount that reflected the fees and staff time involved in the case. Ty Harris, Director of Planning and Development Services, stated $500 would be appropriate. Vice Mayor Pete Bacheler stated $500 was fair and reasonable. Councilman Mark Gregg stated the current owner did nothing wrong and showed good cause. Councilmen Gregg and Rosenthal each expressed support for $500.

Mayor Buddy Pinder opened public comment; no comment was offered.

Vice Mayor Pete Bacheler made a motion to reduce the fines to $500 inclusive of the administrative fee. Councilman David Webb seconded the motion. Council voted and the motion passed 5-0.

Agenda Addition TAB "X": Resolution Approving an Employment Agreement between Islamorada, Village of Islands and Gregory J. Oravec to Serve as Village Manager

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE AND GREGORY J. ORAVEC TO SERVE AS THE VILLAGE MANAGER; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE

This item was heard at 8:56 p.m. Village Attorney Roget Bryan read the title of the resolution. Councilman David Webb reported that he was tasked by Council to represent them when negotiating the contract; noted he was assisted by Maria Bassett, Roget Bryan and Evie Engelmeyer; at the conclusion of negotiations both parties represented the agreement as a commitment; and expressed his confidence in the decision the Council made in their selection. He invited Mr. Oravec to address the Council. Mr. Oravec expressed his gratitude; complimented Councilman Webb noting he was a highly intelligent straight shooter that was fair and cared about the outcome. He reported that, subject to approval of his contract and the lease agreement that he received, he would be a resident of Islamorada residing in the Safety Harbor neighborhood; stated his family was incredibly excited; and expressed his gratitude to Councilman Webb and the Council as a whole. Mayor Pinder complimented Mr. Oravec for the expediency he showed in securing a place to live and noted that he would soon be a part of the community. Mr. Oravec stated that one of the things he was able to offer during the process was that he was able to relate to the Council as he was still an elected official serving as the mayor of the seventh most populous city in the State of Florida; that he knew what it was to have citizens relying upon you; and expressed his excitement for the new position.

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.

MAYOR / COUNCIL COMMUNICATIONS

TAB 14: Discussion Regarding Requirements Set Forth in the Committee Resolutions and Ordinances- Councilman Webb

This item was heard at 7:15 p.m. Councilman David Webb stated he wanted to table the item in light of the new Village Manager coming onboard. He commented about the differences between the committee's resolutions such as the terms, selection process and reporting; suggested it would be beneficial to harmonize the terms and the appointments. He stated he was looking for a better guidance to committee members on how they can provide an actionable item to Council that has value. Mayor Buddy Pinder expressed his agreement with Councilman Webb's comments and suggested a workshop. Councilman Mark Gregg expressed his support for the suggestion. Vice Mayor Pete Bacheler stated a few committee members have commented to him that they were not sure of their direction and what they could do. He suggested updating the resolutions would provide better direction to the committee members.

Councilman David Webb made a motion to table Tab 14 until the staff feels they are ready to bring it to Council. Councilman Mark Gregg seconded the motion. Council voted and the motion passed 5-0.

Mayor Pinder opened public comment.

Angel Borden, Historic Preservation Committee member, commented regarding removal of committee members when they have missed three meetings without justification; committee members do not have a recourse for staff liaisons that do not share the enthusiasm of the committee and noted that those individuals were no longer serving as liaisons; noted the delay in the preparation of committee minutes and that there was nothing that identified as to whether this was a responsibility that could be given to a committee member; opined that the minutes served as a guideline for the committee members and that she would like to have them within 10 days of the meeting; and suggested the committees needed to have better structure.

Mayor Pinder closed public comment.

TAB 15: Reevaluation of Wastewater Code Lien Amnesty Program

This item was heard at 9:02 p.m. Mayor Pinder noted that he asked for the item to be brought back before Council for reconsideration. He stated that there were 27 properties that represented millions in fines; suggested the Council needed to work with the property owners; asked that the program be extended to December 31. Councilman David Webb expressed opposition to the mayor's request citing it was an afront to every other resident or business that went through extraordinary circumstances and expenses to comply with the Village-wide program; those that remained unconnected to the sewer were causing measurable damage to the environment; noted that the Council had previously discussed that there were mitigation processes available to the property owners through the code hearing process and through requests for further reduction to Council, such as the Council had just approved; and opined that some situations were the result of a political stance in which the owner had no intention to connect.

Vice Mayor Pete Bacheler commented about the lengthy delay in connecting by the property owners and suggested the Council needed to do something stronger to encourage connection. Village Attorney Roget Bryan stated that the properties that had accrued fines had a lien against them and noted the fines were accrued daily. Vice Mayor Bacheler commented that the mayor made the request and must have something backing up his request. Mayor Pinder commented about the approximate $5 million in fines associated with some of the properties; noted that he did not have a list of the associated fines when he made his previous decision on the matter, noting he would have never voted in favor; commented about the effects of Hurricane Irma on Monroe County and that he wanted to try to help those people; commented that the COVID-19 pandemic caused people to lose their jobs; stated that he did not want to take someone's house; said he wanted to give them the opportunity to comply by December 31, 2021; noted Monroe County had extended its program; and suggested working with the property owners, and noted they would have to have a good reason for not connecting by December 31, 2021. Councilman David Webb requested confirmation that the mayor was not suggesting that the Village subsidize those properties that could not connect as he would not be in favor. Mayor Pinder stated he was not suggesting subsidizing. Councilman Henry Rosenthal commented that some of the people did not have the money or the wherewithal to make the connections; expressed doubt that staff went to the owners and expressed that they understood the problem and suggested working through the problem individually; commented about people in dire situations; and suggested that he would assist these people in some fashion to make some sort of accommodation. Councilman Mark Gregg stated that Councilman Webb made some excellent compelling comments; that the difficulty was determining which property owners did not want to comply and which property owners were not able to comply; commented about losing his family home as a child; stated he had sympathy for people that lost their homes and was not comfortable making a decision that could exacerbate that for someone; and suggested extending the program to the end of October. Mayor Buddy Pinder commented about the time spent on engineering for the sewer connection permit; the effects of 1935 Hurricane on his family; people that did not have money when Hurricane Irma hit; and spoke in support of extending the deadline to December 31, 2021.

Councilman Henry Rosenthal made a motion to extend the program to December 31, 2021. Vice Mayor Bacheler stated he was not finished commenting. Vice Mayor Bacheler stated he would separate those that could not afford to connect and those that could afford to connect but do not want to; that he would not come down on those that could not afford to connect; and suggested there needed to be a legitimate time limit. Councilman David Webb stated everyone in the community had gone through Hurricane Irma and the pandemic; said the one situation he was familiar with was a property that had not connected in Port Antigua, it was the owners third home and a waterfront property, and that the amount of time available to connect for this owner was not the reason he was not connected. He commented that he was curious as to why the mayor thought that those individuals with critical financial issues would change in six months. Councilman Webb stated the way to separate those who truly had financial issues with those who did not was to let the process be handled by the Special Magistrate then the Council could speak with those individuals when they requested further reduction and make a determination. Councilman Gregg suggested giving them more time.

Village Attorney Roget Bryan stated that based on some of the comments, he did not want the Council to operate from a place of misconception about staff's efforts, policy direction, or efforts extended by prior and current staff to ensure that every resident and business has been given the resources and assistance that the local government could offer in order to get connected. He stated that he did not want the Council to think that staff had not gone to extraordinary efforts to help people get connected. He explained that it started with the notice to connect in 2015; he helped champion the idea of an amnesty program in 2017 based on the direction of Council; stated connection assistance was offered; extended permitting times were offered; and the magistrate process has given extraordinary deference to people that did not have the financial resources or who needed additional time for plumbers. He stated that the entire length of the amnesty program, which began in 2017, was to grant additional relief; it had been extended multiple times by Council; and asked that the Council not frame their decision on whether to extend against the backdrop that not enough had been done to help people. Mayor Pinder commented about staff's efforts to inform people going door to door; and noted one of the 27 properties was the Payfair store. Councilman Henry Rosenthal stated there were some staff members that were exceptional without question; that he was looking for a staff that were aware of the community and did a little extra; that he understood government and the public sector; and commented that he made a motion earlier and would like to have a second.

Mayor Pinder opened public comment.

Village Manager select Greg Oravec asked that the Council allow him to work with the staff, Council and the public to bring something to Council that would be acceptable; suggested that the program could be extended for another month to allow time to provide opportunities and solutions to the Council. Mayor Pinder expressed his support for Mr. Oravec's suggestion for a 30-day extension. Councilman Gregg and Councilman Webb expressed their support for a 30-day extension.

Councilman Henry Rosenthal amended his motion to extend the program to the end of July 2021.

Sue Miller commented about protecting affordable housing; noted there were 27 homes that needed every break they could get; noted the issues with trying to connect; suggested the Village could lose 27 residents that lived and worked in Islamorada but acknowledged that some of the properties could be second homes; suggested the Village do everything it could for those that needed help connecting.

Angel Borden commented about the negative effects on business due to the pandemic; the limited availability of contractors; noted that Code Enforcement Officer Carlota de la Sierra helped a friend of hers by locating the contractor of the previous owners; commented that sometimes people just need a bit more time; and opined that whatever was leaching from the 27 properties would not make a difference in the water quality.

Mayor Pinder commented that the dumps were leaching into the water because they did not have lining.

Van Cadenhead commented that there were reasons for people to be hesitant from connecting immediately noting the sewer backups that had occurred on Plantation Key which had been corrected and was in the past; expressed his support for the mayor, Councilman Rosenthal, Ms.

Borden and Mr. Oravec; acknowledged that some people would be stubborn and not connect; opposed foreclosing on people with financial issues; and stated that he agreed with Councilman Webb that you needed to be fair to everyone.

Councilman David Webb noted that the Council had no control over the dumps but did have control over the sewer hook-ups.

Councilman Henry Rosenthal restated his amended motion. He made a motion to extend the program to the end of July. Mayor Buddy Pinder seconded the motion. Council voted and the motion passed 5-0.

Village Attorney Roget Bryan stated staff would have a resolution for Council adoption at the July 1 meeting.

Discussion Regarding Time Allotted for Public Comment- Vice Mayor Bacheler
(This item was removed from the agenda by Vice Mayor Bacheler.)

TAB 16: Discussion Regarding Contract with Attention Media & Social Media Pilot Program

This item was heard at 9:45 p.m. Mayor Pinder invited Carlos Garcia with Attention Media to address the Council**.** Mr. Garcia stated the goal, loosely defined, was to have more views in the community; over the last three months thousands of people have seen the videos and messages; they created the outreach program with www.Islamoradasocial.org; reported on the locations of the viewership within Monroe County; the various locations of the content that was created such as You Tube and Instagram; that one of his goals was to humanize everyone he videoed so people would realize they were approachable; commented about the various videos he produce with staff, Council and the new Village Manager; expressed his gratitude to Mary Swaney, Maria Bassett and Vince Tarves for their guidance and counsel stating his product turned out better because of all of the information they provided to him; and asked that the Council extend his contract for another year so that he can continue producing the videos for Islamorada.

Councilman David Webb stated that what he was hoping for, which he thinks Mr. Garcia achieved, was for the public to get a better idea of what it takes to be on Council or staff to make government work. He stated that in almost every case one could not look at the video and not be proud of the place that you live and expressed his support for extending the contract. Councilman Webb stated he would like to give the new Village Manager between three to six months to see what he thinks about the product and whether he thinks the program needs to go out for bid; that he likes the product and thinks the community was benefitting from it; and would speak in favor of continuing Mr. Garcia in a fulltime employment position but that it would be better served to have the Village Manager weigh in on it.

Councilman Mark Gregg agreed with Councilman Webb; stated that Mr. Garcia loves living in Islamorada and was invested in the program; that Mr. Garcia was building trust with the public through the videos; expressed he was confident the new Village Manager would go along with the continued contract because the program was successful; stated he wanted Mr. Garcia to have a comfort level because he had a family.

Vice Mayor Pete Bacheler asked Village Attorney Roget Bryan if competitive bidding was required. Mr. Bryan stated it would depend on the length of the extension as well as the amount expended to date; and that their decision on the length of the contract and the rate might require a waiver of competitive bidding. Vice Mayor Pete Bacheler stated that per the Section 2-328(6) of the Village Code that the agreement qualified for a waiver of competitive bidding. He stated he agreed with allowing the new Village Manager, Greg Oravec, to weigh in on the matter. Village Attorney Roget Bryan stated that if the Council decided to continue the agreement, Council would adopt a resolution that ratified waiver of the competitive bidding process. Vice Mayor Pete Bacheler asked if the new Village Manager, Greg Oravec, thought he needed to weigh in on the matter. Mr. Oravec stated if the Council was happy with the vendor, and in consulting with Acting Village Manager / Finance Director Maria Bassett and based on the Mr. Bryan's comments, the Council could waive the competitive bidding process; and suggested extending the contract through the end of the fiscal year as it would allow time to build on the budget workshops and what the Council wanted moving forward and would give Mr. Garcia certainty; and stated communication would be central to his proposals to Council.

At 9:58 p.m. Mayor Buddy Pinder made a motion to extend the meeting, Councilman Mark Gregg seconded the motion.

Mayor Buddy Pinder opened public comment.

Van Cadenhead commented about the importance of communications; acknowledged he had reservations about the program in the beginning with regards to political campaigning but that his fears had been allayed; expressed support for Mr. Oravec's suggestion to extend through the end of the fiscal year; and noted Council and staff would be seen in a positive manner through the social media program.

Ed Davidson commented that there was initial community concern that the program would be used to glamorize some of the Council; stated the quality had allayed many of those fears; noted the Village had a new story to tell with the new Village Manager; that there were months-worth of public information as the new manager came up with ideas; citizens contributed their ideas to the rejuvenation process; that it was a viable and justifiable public information mission and extending the program through the end of the fiscal year was a "no brainer"; and stated the program had shown a lot of quality and innovation.

Angel Borden stated she was normally in favor of issuing a bid and opined that you could not put something like this out to bid because you would not have the interaction and the dynamics you have with Mr. Garcia taking the videos; that with the various communication devices and social media options, it was going to help bring the community together; and suggested the agreement not be put out for bid.

Mayor Buddy Pinder closed public comment and invited Mr. Garcia to speak.

Mr. Garcia stated he was fine with extending the agreement to the end of the fiscal year; that he may have to adjust his prices as he did not have long-term pricing; and that many of the systems he used were on an annual basis and that he paid up front for those systems which is why the shorter contract was higher than $5,000 per month.

Discussion ensued as to whether the September 30 extension was enough time. Mr. Greg Oravec stated it was his intention to work with Mr. Garcia on a proposal for the budget year to take communication to a whole new level. Mr. Garcia stated he was fine with the September 30 extension at $6,000 per month.

Councilman David Webb made a motion to continue the agreement, at the current rate, through the end of the fiscal year. Vice Mayor Pete Bacheler seconded the motion. Council voted and the motion passed 5-0.

Village Attorney Roget Bryan stated staff would bring a resolution to Council at the July 1 meeting ratifying the Council's motion to extend the social media program.

Agenda Addition: Update Regarding the Recent Meeting of the Florida Keys Transportation Coordination Committee

This item was heard at 10:19 p.m. Councilman David Webb reported he sat in on the meeting on behalf of Councilman Gregg; stated the meeting was very informative; the Miami-Dade transportation authority was utilizing a subcontractor for Monroe County because they did not have a bus depot repair service in Florida City or Homestead; that they planned on building a bus depot in the next couple of years; the subcontractor was not collecting data that identified number of passengers left behind and whether additional buses were needed but that this issued should be rectified with the construction of the Miami-Dade bus depot. The committee was considering trying to become part of the Miami-Date Transit Authority or possibly Monroe County creating its own transit authority; and noted that transit authorities receive money from the State.

Agenda Addition: Traffic Issues in the Vicinity of Robbie's

This item was heard at 10:22 p.m. Councilman David Webb reported that he received a complaint in the vicinity of Robbie's regarding a recurring issue where businesses were encroaching into residential neighborhoods because they did not have ample parking. He suggested it may be time for Council to task staff to research the idea of restricting parking on easements in residential areas; and acknowledged the impact of this idea on both residential and commercial property owners.

Agenda Addition: Discussion about the Boat Ramp at Blackwood Drive

This item was heard at 10:23 p.m. Councilman David Webb reported that he had complaints from residents on Blackwood Drive regarding boaters late at night removing their boats; that there was no restriction on the boat ramp; they were parking in residential driveways; suggested staff look into it to see if there was a problem and if so try to address the issues. Councilman Mark Gregg noted that he had some of the same issues at the boat ramp in his neighborhood; commented that the neighborhood turned into a commercial boat ramp during Lobster Mini Season; expressed that it was invasive and offensive and that he would like to discuss the matter further. Mayor Buddy Pinder commented that he witnessed a man moving the cones that were placed by the Public Works department.

Mayor Buddy Pinder opened public comment.

Ed Davidson commented that a bus system existed in the Florida Keys, and that they were all painted yellow. He suggested that there were creative opportunities to partner with the school district who already had the existing infrastructure.

Mayor Pinder closed public comment.

VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

TAB 17 : Discussion Regarding the FY 2021-2022 Budget Calendar

This item was heard at 10:12 p.m. Acting Village Manager / Finance Director Maria Bassett explained that the purpose of the item was to get the Council to begin thinking about dates for the budget meetings; that Council usually held three workshops; asked the Council to think about those dates so that they could be provided to staff at the July 1 meeting; noted the dates available on the calendars in the agenda item; explained that budget hearings had to be held within a two-week period between September 3 and September 18; noted that the Village was not allowed to have their hearings on the same day as Monroe County or the school board; that the Monroe County Property Appraiser had shorted the deadline for submittal of TRIM and budget information. She asked the Council to check their calendars to make sure they were available on September 3rd, that the meeting began at 5:30 p.m. which was the only date the first budget hearing could occur and noted the meeting would not take very long; explained that the second hearing was advertised after the first hearing and that the second hearing had to occur within a certain number of days of the first hearing; stated the options for the second budget hearing were September 13 or September 14 at 5:30 p.m.; that the dates could be finalized at the July 1 meeting; and provided information about adoption of proposed millage.

Councilman David Webb stated August 3-5 appeared to be the least conflicting dates and noted the occurrence of Lobster Mini Season in July.

Mayor Buddy Pinder opened public comment; no comment was offered.

TAB 18: Discussion Regarding Refinancing of SRF and other Loans

This item was heard at 6:52 p.m. Acting Village Manager / Finance Director Maria Bassett commented that the Village's financial advisor, Julie Santamaria with RBC Capital Markets, was joining via Zoom. She reported that Ms. Santamaria had identified several refinancing opportunities due to interest rates being very low; suggested the best option for refinancing the State Revolving Fund (SRF) loans was through a public offering (of bonds) as it may provide a greater interest savings than bank loans. She commented that they would most likely seek bank refinancing for the approximate $6 million in general governmental loans. She noted the loans were acquired for paving and paid with funds from the local option gas tax. Ms. Bassett reported that the financial advisor recommended issuing a Request for Proposals (RFP) for the bank loan information for refinancing of the SRF loans at the same time the Village would be looking into a public offering. She reported the first step in the public offering would be to issue and RFP for an underwriter for the public offering; noted that the Village would need to obtain a bond rating; and noted a public offering takes longer so there may be risks associated with rising interest rates, however the interest rates were not expected to rise high enough to make the offering a non-viable option. She stated staff was requesting authorization from Council to begin the process which included preparing the RFPs for the bank loans and an underwriter, preparing the resolution and agreement for RBC Capital Markets, and the resolution and agreement with Bryan, Miller and Olive to serve as the Village's bond counsel.

Julie Santamaria commented that she had worked with the Village for many years; interest rates were near historical lows; explained that it was difficult to know what rate the banks would offer; the Village had approximately $68 million that could be refinanced which was why they recommended issuance of the RFPs for the bank loan and underwriter; there was no cost to the Village to do this and it would allow them to have both proposals to decide the best option for the Village; they estimate the interest rate for a bank loan to be approximately 2.12% which would result in $3.5 million in savings which was about $260,000 per year; and for a bond issue they estimate a rate of 1.66% which would provide $6.2 million in savings which was about $460,000 per year. She explained that the Village's general governmental loans would need to be handled separately from the SRF loans because they were secured by non-property tax revenue; SRF loans were secured by the wastewater system revenues; that the total of the general governmental loans was about $6.7 million and had a shorter maturity date; it would not be cost effective to do a bond issue for the general governmental loans; and they estimated an interest rate of about 1.5 % which would provide $270,000 in savings. She stated that a public offering took about a month or two longer than refinancing with a bank loan.

Ms. Bassett explained that approximately $6 million was held in certificates of deposit as a type of collateral for the SRF loan. The refinancing of the SRF loan would release these funds whereby providing capital cash for the wastewater system. She stated it would be important for staff to produce and issue the RFP for the wastewater study, noting staff would finalize the document and provide it to the new Village Manager for review.

Councilman David Webb asked about Ms. Santamaria's experience with bond issuance for communities the size of Islamorada. Ms. Santamaria explained that there was currently tremendous interest by investors in tax-exempt bonds. Councilman Webb asked what she thought the Village's credit rating might be and she replied somewhere in the single A category and explained the possible benefits of bond insurance. He asked if the higher credit rating would have any effect on future Village loans. She stated the banks review the ratings reports, conduct their own analysis and stated it was beneficial to have a rating outstanding.

Ms. Bassett noted that the new Village Manager, Greg Oravec, had experience with public offerings. Mr. Oravec stated he had worked with RBC Capital Markets and Bryan, Miller & Olive for over twenty years.

Mayor Buddy Pinder confirmed that the credit rating would be issued by either Moody's or Fitch Group. Ms. Santamaria stated it may also be issued by Standard & Poor's.

Vice Mayor Pete Bacheler asked Ms. Santamaria to recap the savings the Village would receive through refinancing. She recapped the estimated savings and noted the Village would not be extending the maturity date of the SRF loan.

Councilman Mark Gregg inquired about the time frame for the bond issuance and if the Village did not go through with the refinancing would there be any financial obligations for associated fees or costs. Ms. Santamaria explained that they could come to Council in about a month with the results of the RFP's and if the Council moved forward, a bank loan would take about a month and a half to negotiate the terms followed by presentation of a resolution to Council which would allow them to close shortly thereafter. She explained the bond issuance process noting it would take about two months before they could go to market. Councilman Gregg asked if she thought it could be completed by the end of the year. She stated for a bond issuance, if they started in July, they should be completed by October. Councilman Gregg asked if the Village was affected by a hurricane would it impact the way the banks looked at the Village. She confirmed that it would and would likely cause the Village to postpone the process; and noted the banks would want to see the recovery and would be cautious about providing a loan with that risk. He asked if the Village would be responsible for any costs or fees if they stopped the process at the last minute. Ms. Santamaria replied that they worked on a contingency basis and would only be paid upon the successful closing of the transaction. She stated that she thought the bond counsel would do the same. Councilman Webb confirmed with Ms. Bassett that the savings quoted to Council accounted for the associated administrative fees.

Mayor Buddy Pinder opened public comment; no comment was offered.

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

Ms. Bassett stated that she planned to give updates to Council at future meetings to keep them and the public informed.

Ms. Bassett stated that with regard to Tab 3 on the agenda pertaining to the wastewater pit replacements, the Village received $1.7 million from the U.S. Army Corps of Engineers through the Florida Keys Water Quality Improvement Program. She reported one of the Village's staff accountants was currently working on a reimbursement request for all of the money spent on the pit replacements on North Plantation Key and stated staff was expecting to receive significant grant funds for that project.

ADJOURNMENT

Vice Mayor Pete Bacheler made a motion to adjourn. Councilman Mark Gregg seconded the motion. The meeting adjourned at 10:27 p.m.

Approved by Council July 22, 2021.

Kelly S. Toth

Kelly S. Toth, CMC
Village Clerk