



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

Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036
Thursday, May 12, 2022
3:00 PM

AGENDA REVISION No. 1 5/09/2022

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

I. CALL TO ORDER / ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. AGENDA: Requests for Deletion / Emergency Additions

IV. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

A. Proclamation of May 15 -21, 2022 as Emergency Medical Services Week Historic

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

VI. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

A. Near Shore Water Regulation Citizens Advisory Committee (Dianne Harbaugh)

B. Annual Appointments to Citizens' Advisory Committees, the Historic Preservation Commission and the Local Planning Agency

TAB 1

VII. CONSENT AGENDA

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

A. April 21, 2022 Regular Village Council Meeting Minutes **TAB 2**

B. Resolution Approving Work Authorization No. 2 Between Islamorada, Village of Islands, and CSA Central, Inc. For Design and Permitting of Improvements at the Plantation Tropical Preserve **TAB 3**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 2 WITH CSA CENTRAL INC. FOR THE DESIGN AND PERMITTING OF IMPROVEMENTS AT THE PLANTATION TROPICAL PRESERVE; 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

C. Resolution Approving a Three (3)-Year Subscription for Nutanix XI-Leap Recovery and Business Continuity to Protect the Village's Nutanix Cluster Hosting the Village's Mission-Critical Servers **TAB 4**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF A THREE (3)-YEAR NUTANIX XI-LEAP SUBSCRIPTION FROM SHI INTERNATIONAL CORP. (SHI) FOR THE VILLAGE IT & COMMUNICATIONS DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

D. Resolution Approving a Purchase from F.J. Nugent & Associates, Inc. for Grinder Pump Parts and Ratifying Additional Purchases from F.J. Nugent FY 21-22 **TAB 5**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE OF GRINDER PUMP PARTS FROM F. J. NUGENT & ASSOCIATES, INC., RATIFYING OTHER EXPENDITURES INCURRED FROM F. J. NUGENT & ASSOCIATES, INC. TO DATE, AND AUTHORIZING ADDITIONAL PARTS PURCHASES THROUGH THE END OF FY 2021-2022; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; APPROVING A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

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

VIII. ORDINANCES

- A.** First Reading - Ordinance Amending Chapter 30, Land Development Regulations, to Allow Parking as an Accessory Use to a School Within a Residential Single-Family (R1/R1M) Zoning District **TAB 6**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30, LAND DEVELOPMENT REGULATIONS RELATED TO PARKING AS AN ACCESSORY USE TO A SCHOOL IN A RESIDENTIAL SINGLE-FAMILY (R1 AND (R1M) ZONING DISTRICT 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 – Ordinance Amending Chapter 30, Land Development Regulations Related to Private Membership Clubs, Non-Contiguous Parking Areas, and Floor Area Ratio **TAB 7**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30, LAND DEVELOPMENT REGULATIONS RELATED TO PRIVATE MEMBERSHIP CLUBS, NON-CONTIGUOUS PARKING AREAS, AND FLOOR AREA RATIO 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.

IX. QUASI-JUDICIAL

- A.** Resolution Considering the Request of Castaways of Florida, LLC., for Major Conditional Use Approval to Allow for the Continuation of an Existing Restaurant and Apartment Complex with the Addition of a Tiki Hut Bar with Outdoor Seating Area and Swimming Pool for Property Located at 85361 Overseas Hwy (File No. PLCUP202110016) **TAB 8**

RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF CASTAWAYS OF FLORIDA, LLC. FOR MAJOR CONDITIONAL USE FOR THE CONTINUATION OF AN EXISTING EIGHT (8) UNIT APARTMENT BUILDING, RESTAURANT AND BAR, AND TO ALLOW FOR THE EXPANSION OF THE RESTAURANT USE WITH THE ADDITION OF A TIKI-BAR, POOL, BATHROOMS, PARKING, AND OUTDOOR SEATING PURSUANT TO CHAPTER 30, ARTICLE VI, DIVISION 9 (OUTDOOR SEATING) FOR PROPERTY LOCATED AT 85361 OVERSEAS HIGHWAY ON WINDLEY KEY WITHIN THE HIGHWAY COMMERCIAL (HC) ZONING DISTRICT, WITH REAL ESTATE NUMBERS 00405370-000000, 00405380-000000, AND 00405380-000100, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING AN EFFECTIVE DATE.

- B.** Resolution Considering the Request of Treasure Village Montessori School for Major Conditional Use Approval to Allow for the Placement of Four (4) Modular Classrooms as an Addition to an Existing School for Variances from the Provisions of Sections 30-814, 30-815, 30-817, and 30-818 of the Village's Land Development Regulations for Various Landscaping Requirements, and for an Exemption from the Building Permit Allocation System (BPAS) Pursuant to Section 30-473(C)(3) as a Federally Tax Exempt Not-For-Profit Educational Organization, for Property Located at 86729 Old Highway

TAB 9

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF TREASURE VILLAGE MONTESSORI SCHOOL FOR A MAJOR CONDITIONAL USE FOR THE PLACEMENT OF FOUR (4) MODULAR CLASSROOMS AS AN ADDITION TO AN EXISTING SCHOOL, FOR VARIANCES FROM THE PROVISIONS OF SECTIONS 30-814, 30-815, 30-817, AND 30-818 OF THE VILLAGE'S LAND DEVELOPMENT REGULATIONS FOR VARIOUS LANDSCAPING REQUIREMENTS, AND FOR AN EXEMPTION FROM THE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) PURSUANT TO SECTION 30-473(C)(3) AS A FEDERALLY TAX EXEMPT NOT-FOR-PROFIT EDUCATIONAL ORGANIZATION, FOR PROPERTY LOCATED AT 86729 OVERSEAS HIGHWAY WITHIN THE HIGHWAY COMMERCIAL (HC) ZONING DISTRICT, WITH REAL ESTATE NUMBER 00410540-000300, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING AN EFFECTIVE DATE.

X. RESOLUTIONS

- A.** Resolution Approving a Renewal Agreement for Freebee Ridesharing Services

TAB 10

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING EXECUTION OF AN AGREEMENT WITH BEEFREE, LLC., d/b/a FREEBEE; 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 AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

- B.** Resolution Approving Amendment Two of the Local Option Gas Tax Sharing, Interlocal Agreement Between Islamorada, Village of Islands, and the Monroe County Board of County Commissioners for Local Option Gas Tax Sharing

TAB 11

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING AMENDMENT TWO TO THE INTERLOCAL AGREEMENT BETWEEN MONROE COUNTY AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE LOCAL OPTION GAS TAX SHARING; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF AMENDMENT ONE; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT ONE; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** Warranty Deed for the Conveyance of a Land Dedication Application of Harborage, LLC. For Property Located at 30 Flamingo Hammock Rd with RE#: 00403041-00300 for Building Permit #PRSFC202100870

TAB 12

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM HARBORGATE LLC; AUTHORIZING RECORDING OF THE DEED 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

- D.** Warranty Deed for the Conveyance of a Land Dedication Application of George Perez for Property Located at 186 Fontaine Dr RE#: 00433010-000000 for Building Permit #PRSFC201800385

TAB 13

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ACCEPTING A WARRANTY

DEED FOR THE CONVEYANCE OF LAND FROM GEORGE PEREZ AND ALINA M. PEREZ; AUTHORIZING RECORDING THE DEED IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; FINDING AND DETERMINING THAT THE REAL PROPOERTY SHALL BE USED FOR MUNICIPAL OR PUBLIC PURPOSES: AND PROVIDING FOR AN EFFECTIVE DATE

- E. Warranty Deed for the Conveyance of Land Dedication Application of Samurai Construction LLC for Property Located in Plantation Beach (Lot 4, Block 3) **TAB 14**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FO THE CONVEYANCE OF LAND FROM SAMURAI CONCHSTRUCTION, LLC.; AUTHORIZING RECORDING OF DEED 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

- F. Approval of Residential Building Permit Allocation System Rankings and Awards **TAB 15**
Quarter 1 of 2022

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OS ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATIONS OF QUARTER 1 OF 2022; AND PROVIDING AN EFFECTIVE DATE

XI. MOTIONS

XII. MAYOR / COUNCIL COMMUNICATIONS

- A. Discussion on Extension of Residential BPAS Allocations **TAB 16**
B. Discussion Regarding Increasing Council Compensation (Councilman Gregg) **TAB 17**
C. Accessory Dwelling Unit Pilot Program (Councilman Gregg) **TAB 18**
D. Proposed Moratorium on Acceptance of "In-Lieu Fees" for Affordable Housing Mitigation **TAB 19**
E. Village Council, Staff, and Committee Appointee Business Interest Disclosure (Councilman Webb)

XIII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

- F. ARPA Funding Update **TAB 20**

XIV. ADJOURNMENT

Options for Viewing the Village Council Meeting:

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

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

Public Participation through Public Comment:

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

Option 1: Email your comments.

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

Option 2: Call in During the Meeting.

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

ADA Assistance:

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

Verbatim Record:

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