

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

Islamorada, FL
Thursday, April 16, 2020
5:30 PM

**MEETING OCCURRED 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 April 16, 2020 Regular Village Council Meeting was conducted utilizing Communication Media Technology (CMT) via a Zoom video conferencing application.

CALL TO ORDER / ROLL CALL

Mayor Mike Forster called the virtual meeting to order at 5:30 p.m. Village Clerk Kelly Toth called the roll. The following Councilmembers responded on roll call: Mayor Mike Forster, Vice Mayor Ken Davis, Councilman Jim Mooney, Councilwoman Deb Gillis and Councilman Chris Sante. Also, appearing virtually were Village Manager Seth Lawless, Village Attorney Roget Bryan, Village Clerk Kelly Toth and other relevant personnel.

PLEDGE OF ALLEGIANCE

Vice Mayor Ken Davis led the Pledge of Allegiance.

STATEMENT OF THE MAYOR

Mayor Mike Forster read the Statement of the Mayor and requested Village Attorney Roget Bryan read the virtual meeting procedures (Attachment A). Mr. Bryan requested a motion and vote to approve the meeting procedures. Councilman Jim Mooney made a motion to approve. Councilwoman Deb Gillis seconded the motion. Council voted and the motion passed 5-0.

PUBLIC COMMENT

Village Clerk Kelly Toth read the general public comments into the record on behalf of the public. The following is a summary of those comments:

David Webb commented regarding the Council's efforts pertaining to the COVID-19 virus. He provided an update regarding the issues facing White Marlin, Sandy Point and Port Antigua and summarized the recent survey results provided to Council noting that all affected communities supported the "buffer" concept.

Elizabeth Jolin- inquired as to the steps the Village was taking to test more citizens for the COVID-19 virus and noted the County had tested fewer than 600 people. Mayor Mike Forster stated that as of 3:30 p.m. he was informed that 850 tests had occurred, and that number could be as high as 1,000 including clinics.

John Fernandez- commented regarding the problems associated with the Department of Economic Opportunity unemployment compensation webpage and suggested the Council express their dissatisfaction with the website to the State agency. Mayor Forster commented that he too was not happy with the website and noted that the Governor had made staffing changes yesterday to speed up the delivery on unemployment compensation to recipients.

AGENDA: Requests for Deletion / Emergency Additions

Village Manager Seth Lawless pulled Tab 10 from the agenda. Village Attorney Roget Bryan added an update regarding federal stimulus funding for local governments.

CONSENT AGENDA

TAB 1: Minutes for the February 13, 2020 Regular Village Council Meeting and the March 17, 2020 Special Call Village Council Meeting

TAB 2: Annual Report- Local Mitigation Strategy

Tab 3: Resolution Approving Execution of a Sublease Agreement for the Parcel Containing the Area Known as the Indian Key Fill

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING EXECUTION OF A SUBLEASE AGREEMENT WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR UPLAND PORTION OF THE PROPERTY OWNED BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, IDENTIFIED BY REAL ESTATE PARCEL ID NO. 00097221; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SUBLEASE; AND PROVIDING FOR AN EFFECTIVE DATE

TAB 4: Approval of Professional Federal Lobbying Services Agreement with Thorn Run Partners

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AGREEMENT FOR PROFESSIONAL FEDERAL LOBBYING SERVICES BETWEEN THORN RUN PARTNERS AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROFESSIONAL SERVICES AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

TAB 5: Resolution Approving Subaward and Grant Agreement between the Village and the State of Florida Department of Economic Opportunity for Voluntary Home Buyout Program

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING A FEDERALLY FUNDED SUBRECIPIENT AGREEMENT BETWEEN THE VILLAGE AND THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY CDBG-DR HURRICANE IRMA VOLUNTARY HOME BUYOUT PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT AND ANY EXTENSIONS OR AMENDMENTS TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

TAB 6: Emergency Rules for Use of Communications Media Technology (CMT) for Public Meetings

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING EMERGENCY RULES FOR USE OF COMMUNICATIONS MEDIA TECHNOLOGY FOR PUBLIC MEETINGS PURSUANT TO EXECUTIVE ORDER 20-69; AND PROVIDING FOR AN EFFECTIVE DATE

Councilman Chris Sante made a motion to approve. Councilman Jim Mooney seconded the motion. Council voted and the motion passed 5-0.

RESOLUTIONS

TAB 7: Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 1 of 2020

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 1 OF 2020; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 5:49 p.m. Village Attorney Roget Bryan read the title of the resolution. Planner Megan Rumbaugh presented the staff report recommending approval.

Mayor Forster asked if the Council had questions or comments; there were none.

Mayor Forster opened public comment; seeing none, public comment was closed.

Vice Mayor Ken Davis made a motion to approve. Councilwoman Deb Gillis seconded the motion. The motion passed 5-0.

TAB 8: Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 1 of 2020 for Affordable Housing

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING AFFORDABLE RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 1 OF 2020; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 5:50 p.m. Village Attorney Roget Bryan read the title of the resolution. Planner Megan Rumbaugh presented the staff report recommending approval.

Mayor Forster asked if the Council had questions or comments; there were none.

Mayor Forster opened public comment; seeing none, public comment was closed.

Councilwoman Deb Gills made a motion to approve. Councilman Chris Sante seconded the motion. Council voted and the motion passed 5-0.

TAB 9: Resolution Approving the Final Rankings and Recommendation of the RFP 20-01 Evaluation Committee for Construction of the Key Tree Cactus Preserve, Boardwalk, Trails, Kayak Landing and Parking Area

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 20-01 EVALUATION COMMITTEE FOR CONSTRUCTION OF THE KEY TREE CACTUS PRESERVE BOARDWALK, TRAILS, KAYAK LANDING AND PARKING AREA; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO ENTER INTO AN AGREEMENT FOR THE REQUESTED SERVICES; APPROVING A BUDGET AMENDMENT TO REFLECT CHANGES IN COST; AND PROVIDING FOR AN EFFECTIVE DATE

This item was heard at 5:52 p.m. Village Attorney Roget Bryan read the title of the resolution. Environmental Resources Manager Peter Frezza presented the staff report recommending a bid award to Island Villa Construction who provided the lowest bid at \$639,500. Mr. Frezza identified

the following funding sources for the project: FDEP grant of \$200,000, an endowment for the construction in the amount of \$93,000, and Park and Recreation Impact Fees in the amount of \$346,500.

Councilman Jim Mooney confirmed with Mr. Frezza that there would not be ingress / egress on the side of the property next to the bank. He stated fencing near the kayak landing should be considered in the future to deter users from crossing onto private property.

Councilman Chris Sante asked why the Village did not apply for Tourist Development Council (TDC) funds. Mr. Frezza explained that the Village was approved for TDC funds, but that because of changes and extensions the TDC recommended the Village reapply. He stated Village staff was currently working on a new grant application. Village Manager Seth Lawless noted that the Village needed to begin using the Parks & Recreation impact fees that had been accumulating and expressed his support for the funding sources that were identified.

Mayor Forster asked why the parking lot had not been completed at Anne's Beach, noting that the contractor was Island Villa Construction. Public Works Director A.J. Engelmeyer explained that the delay on the north parking lot was not caused by the contractor, that the DEP had required additional work which involved the Army Corps of Engineers (ACOE) permit which was pending approval. He reported that he received a comment on Monday from the DEP stating the Village had met their requirements. Mr. Engelmeyer stated the parking lot could now be opened once Anne's Beach was reopened to the public.

Mayor Mike Forster opened public comment.

Fire Chief Terry Abel stated there was an emergency gate in place at the Key Tree Cactus Preserve that would only be used for emergency reasons.

Councilwoman Deb Gillis made a motion to approve. Vice Mayor Ken Davis seconded the motion. Council voted and the motion passed 5-0.

TAB 10: Resolution Approving an Amendment to the Agreement between Ferreira Construction Southern Division Co., Inc. and Islamorada, Village of Islands for the Venetian Shores Stormwater Project

(This item was be pulled from the agenda.)

TAB 11: Resolution Approving an Amendment to the Agreement between CSA Central, Inc. and Islamorada, Village of Islands for Construction Engineering and Inspection (CEI) Services for the Venetian Shores Stormwater Project

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST AMENDMENT TO AGREEMENT BETWEEN CSA CENTRAL, INC. AND ISLAMORADA, VILLAGE OF ISLANDS FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE VENETIAN SHORES STORMWATER MANAGEMENT SYSTEM PROJECT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST 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 6:00 p.m. Village Attorney Roget Bryan read the title of the resolution. Public Works Director A.J. Engelmeyer presented the staff report requesting an increase to the contract in the amount of \$13,360.

Vice Mayor Ken Davis asked if the contractor had completed the remaining items on the punch list. Mr. Engelmeyer stated they had completed the items. The Vice Mayor stated he would speak with Mr. Engelmeyer personally about the outstanding items.

Mayor Mike Forster opened public comment; seeing none, public comment was closed.

Vice Mayor Ken Davis made a motion to approve. Councilman Jim Mooney seconded the motion. Council voted and the motion passed 5-0.

MAYOR / COUNCIL COMMUNICATIONS

TAB 12: Village Attorney Evaluation- Council

This item was heard at 6:06 p.m. Village Council members provided favorable comments about the Village Attorney's performance.

Discussion Regarding Founders Park and the Boat Ramp- Vice Mayor Davis

This item was heard at 6:08 p.m. Vice Mayor Ken Davis suggested opening certain areas of Founders Park to the public to include the dog park, tennis courts, pickleball courts and the boat ramp. He commented that there should be strict guidance associated with reopening the areas. Maria Bagiotti, Founders Park Director, referenced the recommended enforcement guidelines she and the Village Manager had provided to Council, should they decide to reopen areas of the park. Council and staff discussion ensued regarding efforts made by the Village to flatten the curve of the COVID-19 virus; social distancing not being adhered to; businesses that were still required to be closed; support for keeping the park amenities closed for two more weeks; support for reopening the boat ramp to Islamorada locals only; zero amenities available to the public in Dade and Broward County which could cause an increase in visitors if amenities were opened at Founders Park; and other municipalities that were continuing with their park closures.

Mayor Forster opened public comment.

Village Clerk Kelly Toth read the general public comments into the record on behalf of the public. The following is a summary of those comments:

Bill Marett- expressed support for the Council's decision to close portions of Founders Park and their support of the US-1 / Card Sound Road checkpoints. He thanked the Council for their decision to continue to pay park and marina staff.

Joe Jannach- commented in support of opening the Founders Park tennis courts.

John Landau- stated community focus should be on the health and safety of the community and reopening business as soon as safely possible. He noted that reopening the park would work against these two issues. He commented that an open park would encourage visitation by part-time residents who travelled from Dade County. Mr. Landau stated public recreation needed to take a backseat to the health of the community and to getting the economy of the Keys back up and running.

Ann Herchenrider- expressed her support for reopening the dog park for much needed exercise.

Kari Anne Maino- expressed her support for reopening the dog park.

Frank Lavin- commented that Governor DeSantis ordered, through Executive Order 20-19, that movements outside the home be limited to only those necessary to obtain or provide essential services or to conduct essential activities. He noted that he did not find Parks and Recreational

facilities designated as an “essential service”. He posed a series of questions pertaining to resident ID cards, identification criteria and enforcement measures should the park be reopened.

Village Manager Seth Lawless requested a motion to reopen the boat ramp. Vice Mayor Ken Davis made a motion to open the boat ramp to local-residents only effective Friday morning. Councilman Chris Sante seconded the motion. Council voted and the motion passed 5-0

VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

TAB 13: Discussion Regarding Building Department Processes

This item was heard at 6:33 p.m. Building Official Sheila Denoncourt presented the update in Building Department processes as they relate to COVID-19 and identified a few changes to tab 13. She stated resubmittals of permits could also be done via a drop box at Village Hall and that there would be a drop-box for payments as well. She stated she would like to restrict new submittals to an electronic format only to encourage the public to utilize the CityView portal. Councilman Chris Sante asked when the drop-box would be available. Ms. Denoncourt stated it would be available effective April 20, 2020 between the hours of 9 a.m. and 3 p.m. Councilwoman Gillis noted that the documents submitted through the drop-box would be quarantined for 24-hours. Councilman Jim Mooney quantified the various building and planning department activities since March 24th, noting the building department had closed out 657 expired permits, conducted 179 reviews, issued 15 permits, 21 permits were ready to be issued; planning had conducted 55 reviews, and 32 extensions were approved. Councilman Chris Sante suggested the drop box as an option for small new submittals. Councilwoman Gillis encouraged the public to use the CityView portal for submittals.

Mayor Mike Forster provided a report on the Mayor’s meetings he had been attending pertaining to COVID-19. He commented regarding the discussions and consensus among the local government entities regarding support for the idea of a soft opening of the Keys (to locals) and continuance of the checkpoint. Councilwoman Deb Gillis stated that, depending on when the reopening occurred, consideration should be given to local business owners to ensure they would have enough time to arrange for adequate staffing. Councilman Sante expressed concern regarding the roadblock preventing needed staff from entering the Keys and suggested those individuals would need to carry some sort of employment document. Mayor Forster noted that the idea was still in the discussion phase. Councilman Jim Mooney asked Captain Corey Bryan to send an email to Council addressing the reentry stickers and the documentation necessary to enter the Florida Keys. Councilman Mooney noted the misinformation that was circulating in the public. Village Attorney Roget Bryan commented regarding the barrage of attempts of people trying to enter the Florida Keys through the checkpoint; that the criteria for reentry would evolve as needed; and that the checkpoint was “under siege” in many respects. Captain Corey Bryan reported stickers were being given out for workers only; stickers were valid for a week to two weeks; and that the stickers changed regularly in color and shape. Vice Mayor Ken Davis suggested research should occur for stickers that could be read electronically and that could not be counterfeited. He suggested charging a fee for the stickers.

Update Regarding Federal Stimulus Funding for Local Governments

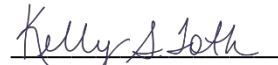
Village Attorney Roget Bryan reported the initial federal stimulus package only provided relief to cities with a population of 500,000 or more and that Jacksonville was the only city in Florida that met the criteria. He stated a bipartisan effort was being made to address the funding deficiency that may arise for cities below the population threshold. He noted that there were two House and Senate bills that were seeking \$250 billion in dedicated funding for local governments having a smaller population threshold.

Mayor Forster stated that maybe the Village Manager could see if there was a desire to have the Council meetings every two weeks rather than every three weeks.

ADJOURNMENT

Councilwoman Deb Gillis made a motion to adjourn. Councilman Chris Sante seconded the motion. The meeting adjourned at 6:57 p.m.

Approved by the Village Council May 7, 2020.

A handwritten signature in cursive script, reading "Kelly S. Toth", written in dark ink over a horizontal line.

Kelly S. Toth, CMC
Village Clerk