



Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

UNHEARD ITEMS FROM 2/13

February 15, 2024 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

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

AGENDA

- I. **CALL TO ORDER / ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **AGENDA: Requests for Deletion / Emergency Additions**
- IV. **REPORTS, PRESENTATIONS AND ANNOUNCEMENTS**
 - A. ~~FDOT Landscaping Project Presentation~~
- 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**
- VII. **MAYOR / COUNCIL COMMUNICATIONS**
 - A. Discussion Regarding Potential Staggering of Councilmember Terms (Councilmember Elizabeth Jolin) **TAB 2**
 - B. Clarification of and Staff Direction for Requirement for District Boundary Buffer Requirement, as per Quasi-Judicial Hearing on Variance for 121 Carroll Street Heard on April 11, 2023 (Councilmember Mark Gregg) **TAB 3**
 - C. Staff Direction for Offers to Purchase and "Other Relief" for Administration Relief Application Hearings under Village Code Section 30-477(f)(2) and (3) (Councilmember Mark Gregg) **TAB 4 REMOVED FROM AGENDA**
 - D. Discussion of Composition of the LPA (Mayor Buddy Pinder)
- VIII. **VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**
 - A. Request for Direction Regarding Termination of the Lease Agreement for Operation of the Billboard on Windley Key **TAB 5**
- IX. **CONSENT AGENDA**

- A. Approval of Meeting Minutes: **TAB 6**
~~Executive Session – January 9, 2024~~
~~Regular Council Meeting – January 9, 2024~~
~~Regular Council Meeting – January 11, 2024~~
~~Special Call Village Council Meeting – January 17, 2024~~
~~Special Call Village Council Meeting – January 22, 2024~~ (Marne McGrath, Village Clerk)
- B. ~~Resolution Approving the Work Authorization with Tim Matthews Tree & Landscaping for Planting Projects within the Village~~ **TAB 7**
(Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATIONS WITH TIM MATTHEWS TREE & LANDSCAPING, INC FOR COMPLETION OF PLANTING PROJECTS WITHIN THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE WORK AUTHORIZATIONS; AND PROVIDING FOR AN EFFECTIVE DATE

- C. ~~Resolution Approving Work Authorization No. 6 with CPH, LLC. for Construction Observation and Construction Engineering and Inspection of the Founders Park Breakwater Restoration~~ **TAB 8**
(Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 6 WITH CPH LLC FOR FOUNDERS PARK BREAKWATER CONSTRUCTION OBSERVATION AND CONSTRUCTION ENGINEERING AND INSPECTION; 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 WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

- D. ~~Resolution Approving Update to Council Procedures to Create Process for Annual Legislative Priorities~~ **TAB 9** (John Quick, Interim Village Attorney)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, UPDATING PROCEDURES FOR THE VILLAGE COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE

- E. ~~Resolution Approving First Amendment to Contractual Services Agreement for Solid Waste Services to allow a Rate Correction for Commercial Rolloff Compactors~~ **TAB 10** (Maria Bassett, Finance Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE CONTRACTUAL SERVICES AGREEMENT FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE, YARD WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE

X. RESOLUTIONS

- A.** ~~Resolution Approving Final Ranking and Recommendation of the RFP 23-17 Evaluation Committee and Approval of Native Construction for the Green Turtle Hammock Preserve Pavilion Project~~ **TAB 11** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 23-17 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE GREEN TURTLE HAMMOCK NATURE PRESERVE SCENIC OVERLOOK PAVILION PROJECT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

- B.** ~~Resolution of the Village Council of Islamorada, Village of Islands, Florida, Approving the Final Rankings and Recommendations of the RFP 23-18 Evaluation Committee for Ridesharing Services Within the Village~~ **TAB 12** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 23-18 EVALUATION COMMITTEE FOR RIDESHARING SERVICES WITHIN THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

- C.** ~~Resolution Approving a First Amendment to Project Agreement Work Authorization No. 1 with Page Excavating, Inc.~~ **TAB 13** (A.J. Engelmeyer, Public Works Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A FIRST AMENDMENT TO WORK AUTHORIZATION NO. 1 BETWEEN

PAGE EXCAVATING, INC. AND ISLAMORADA, VILLAGE OF ISLANDS, INCREASING THE NOT-TO-EXCEED AMOUNT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE FIRST AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

XI. ORDINANCES

- A.** Ordinance Amending the Village Code to Create Section 2-33 "Reimbursement of Legal Expense in Defense of Officials" - **Second Reading - TAB 14** (John Quick, Interim Village Attorney)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "OFFICERS AND EMPLOYEES," DIVISION 1 "GENERALLY" BY CREATING SECTION 2-33 "REIMBURSEMENT OF LEGAL EXPENSE IN DEFENSE OF OFFICIALS"; PROVIDING FOR THE REIMBURSEMENT OF DEFENSE OF OFFICIALS; DEFINITIONS; REQUEST AND APPROVAL; AUTHORIZATION; RESERVATION OF RIGHTS AND IMMUNITIES; APPLICABILITY; MALICIOUS, FRIVOLOUS OR GROUNDLESS ALLEGATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE.

- B.** Ordinance Amending Section 22-64 First Time Home Buyer Down Payment - **Second Reading - TAB 15** (Jennifer DeBoisbriand , Planning Director, John Quick, Interim Village Attorney, Maria Bassett, Finance Director)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 22 "HOUSING", ARTICLE III "FIRST TIME HOME BUYER DOWN PAYMENT", AMENDING SECTION 22-64; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF COMMERCE

- C.** Ordinance Amending Section 2-121, Appeals of Code Enforcement Orders - **First Reading - TAB 16** (John Quick, Interim Village Attorney)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE III "CODE COMPLIANCE," DIVISION 2 "ADMINISTRATION AND ENFORCEMENT", SECTION 2-121 "APPEALS OF ORDER"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

- D. Ordinance Calling for a Referendum to Revise Term Limits - **First Reading - TAB 17** (John Quick, Interim Village Attorney)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CALLING FOR A REFERENDUM VOTE TO BE HELD WITH THE REGULAR VILLAGE ELECTION ON NOVEMBER 5, 2024; PROVIDING FOR SUBMISSION TO THE ELECTORS OF PROPOSED AMENDMENTS TO THE VILLAGE CHARTER PERTAINING TO TERM LIMITS; PROVIDING FOR PLACEMENT ON THE BALLOT; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR AUTHORIZATION OF VILLAGE CLERK AND FOR VILLAGE CANVASSING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER/CONFORMITY OF AMENDMENT; REPEALING ORDINANCE NO. 24-02; AND PROVIDING FOR AN EFFECTIVE DATE

XII. QUASI-JUDICIAL

XIII. MOTIONS

- A. Consideration to Appoint Angel Borden to the Historic Preservation Committee - **TAB 18**
- B. ~~Motion to Approve Path Forward for Village Manager Position~~ **TAB 19**
- C. Motion to Adopt the Resolution Approving Third Sixty (60) Day Extension of Employee Interchange Agreement with Monroe County **TAB 20**

XIV. SUPPLEMENTARY REPORTS - TAB 21

- A. After-Action Report
- B. FY 23-24 Weiss, Serota Billing Summary
- C. FY 23-24 Council & Staff Travel - Scheduled & Completed

XV. 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

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 305-224-1968 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