



Islamorada, Village of Islands **REGULAR VILLAGE COUNCIL MEETING**

December 10, 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. Freebee Update from Richard Clark, Monroe County Transit Director
 - B. Request for Guidance on Village Council Mediation Participants (for both Gregg and Barley Mediations) **TAB 1**
- V. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS**
 - A. Land Acquisition Advisory Committee Report by Chair Greg Dully **TAB 2**
 - B. Discussion of Committee Appointments **TAB 3**
- VI. MAYOR / COUNCIL COMMUNICATIONS**
- VII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**
- VIII. 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.)
- IX. CONSENT AGENDA**
 - A. Approval of November 19, 2024 Regular Meeting Minutes **TAB 4**
(Marne McGrath, Village Clerk)
 - B. Resolution Renewing an Agreement with RES Florida Consulting, LLC, for Continued Water Quality and Benthic Vegetation Monitoring in Village Canals **TAB 5** (Peter Frezza, Environmental Resources Manager)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A RENEWAL OF THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF

ISLANDS AND RES FLORIDA CONSULTING, LLC FOR WATER QUALITY AND BENTHIC VEGETATION MONITORING IN VILLAGE CANALS; 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 RENEWAL; AND PROVIDING FOR AN EFFECTIVE DATE

- C. Resolution the Final Rankings and Recommendations of the RFP 24-17 Evaluation Committee for Selection of a Contractor for the Pickleball Courts and Basketball Court Resurfacing Project **TAB 6** (Maria Bagiotti, Founders Park Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 24-17 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE PICKLEBALL COURTS AND BASKETBALL COURT RESURFACING 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

- D. Resolution Approving Lifescan, Inc., Expenditure Greater than \$25,000.00 **TAB 7** (Terry Abel, Fire Chief)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING FISCAL YEAR 2024-2025 PURCHASE FROM LIFE SCAN WELLNESS CENTERS, TO PROVIDE ANNUAL PHYSICALS FOR TO THE FIRE RESCUE DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

- E. Resolution Approving Purchase of New Radios **TAB 8** (Terry Abel, Fire Chief)

RESOLUTION APPROVING PURCHASE OF SIX (6) MOTOROLA APX RADIOS UTILIZING STATE OF FLORIDA STATE BID PRICING FOR FIRE RESCUE SERVICES

X. RESOLUTIONS

- A. Resolution Approving and Adoption of the Village's Land Acquisition Action Plan **TAB 9** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ADOPTING THE VILLAGE'S LAND ACQUISITION ACTION PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Resolution Considering Guidance to Monroe County Board of County Commissioners Regarding any Future BPAS Allocations **TAB 10**
(Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING A RECOMMENDATION TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE NUMBER OF ADDITIONAL RESIDENTIAL BUILDING PERMIT ALLOCATIONS THE VILLAGE WOULD LIKE TO RECEIVE IN POTENTIAL FUTURE ALLOCATIONS; REPEALING RESOLUTION NO. 24-10-122; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO CERTAIN PEOPLE WITH THE COUNTY

XI. MOTIONS

- A. Approval of 2025 Regular and Land Use Council Meetings Calendar **TAB 11** (Marne McGrath, Village Clerk)
Approve the 2025 Council Meeting Calendar

XII. 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



Council Communication

To: Mayor and Village Council
From:
Date: December 10, 2024
SUBJECT: Freebee Update from Richard Clark, Monroe County Transit Director

Background:

Analysis:

Budget Impact:

Staff Impact:

Recommendation:

Attachments: None



Council Communication

To: Mayor and Village Council
From: John Quick, Interim Village Attorney
Date: December 10, 2024
SUBJECT: **Request for Guidance on Village Council Mediation Participants (for both Gregg and Barley Mediations) TAB 1**

Background:

Village Council is being requested to select one councilmember to attend each mediation. The mediation dates have not yet been set.

Analysis:

N/A

Budget Impact:

Staff Impact:

The Village Manager also attends each mediation.

Recommendation:

Attachments: None

To: Islamorada Village Council
From: Land Acquisition Advisory Committee
Date: December 10, 2024
Subject: Islamorada Land Acquisition Advisory Committee Report from November 12, 2024 meeting

1) Committee support for the Land Acquisition Action Plan

The Islamorada Land Acquisition Advisory Committee (LAAC) wishes to express its strong support for the proposed Land Acquisition Action Plan. This plan was developed with extensive Committee input, stakeholder involvement, and with staff expertise. We are confident that this plan will serve as a useful tool and guidance document for Islamorada's land acquisition program moving forward.

We extend our appreciation to the Council for its leadership in prioritizing this initiative and for allocating funds to safeguard Islamorada's unique natural assets. The program's success rests on the Council's dedication to environmental preservation, which ensures that Islamorada remains a haven for diverse ecosystems and wildlife.

2) Glynn Property Acquisition and Naming

Following the Village's acquisition of the Glynn Family's property near Venetian Shores and Founder's Park, the Committee is proposing the naming of the property. The following names have been suggested for the Council's consideration:

- Glynn Preserve
- Glynn Family Wildlife Preserve
- Cotton Key Preserve
- Sunset Park Preserve

Each name reflects some historical or ecological significance of the property. Importantly, this property offers diverse habitats such as mangrove forests, hardwood hammocks, and inland ponds – prime habitat for wading birds and crocodiles alike.

The Committee proposes holding a ribbon-cutting ceremony in Quarter 1 of 2025 to celebrate the property's acquisition and naming. This event would honor the Glynn Family's contribution and would formally introduce the site to the public.

3) Proposal for a Less-than-Fee Land Acquisition Program

To maximize the reach of Council's budget allocation for land acquisition, the Committee seeks Council's guidance on developing a less-than-fee land acquisition program similar to the successful model implemented by Monroe County. Such a program could allow Islamorada to acquire conservation easements rather than full property ownership, which would:

- Expand conservation efforts cost-effectively
- Maintain private ownership while ensuring environmental protection

- Potentially reduce takings claims or lawsuits

Recognizing Monroe County's success with this approach, the Committee proposes inviting Monroe County representatives to present their program at a future Council meeting. This presentation would provide valuable insights into the structure, funding, and outcomes of Monroe's less-than-fee program and offer a foundation for adapting this model to our community's needs.

The Committee also asks that Council direct staff to conduct an inventory into parcels where less-than-fee opportunities would be available within the Village of Islamorada.

We thank the Council for its continued support and look forward to working together to advance Islamorada's land acquisition goals.

Sincerely,

Greg Dully
Chair
Islamorada Land Acquisition Advisory Committee



Council Communication

To: Mayor and Village Council
From: Marne McGrath, Village Clerk
Date: December 10, 2024
SUBJECT: Discussion of Committee Appointments TAB 3

Background:

At the April 11, 2023 meeting, the Council adopted Ordinance 23-05, concerning Committee Appointments. On September 7, 2023 and September 28, 2023 appointments were made for two-year terms. On June 11, 2024 three members of the LPA had their terms extended to accomplish staggered terms as required by the ordinance.

Analysis:

Staff have several suggestions to facilitate the committee appointment process moving forward.

- Increase membership not to exceed ten members except for the LPA, which is required to have seven members, and the HPC, which has five members.
- Ten members allow more flexibility and allow Committee business to move forward with a quorum easier to reach than with a smaller group.
- May will be the primary meeting to make appointments, with quarterly applications considered as needed to ensure enough members.
- Based on the up-to-ten-member scenario, staff are currently accepting applications for the Workforce/Affordable Housing Citizens' Advisory Committee; Land Acquisition Citizens' Advisory Committee; LPA; and Near Shore Water Citizens' Advisory Committee through the Village's job portal.
- Those applicants will be presented for Council consideration in February as part of getting on a cadence of primary appointments in May and emergency appointments quarterly as needed.
- All terms due to expire in 2025 will be considered at the May meeting.
- To implement staggered terms, staff suggests that any returning Committee Members be given an extended term of three years and new members a two-year term.
- Applications will be provided to Council, who can nominate applicants to the Village Clerk. The Clerk will compile the nominations and present them to Council for consideration at an open meeting. Nominations will be tallied to assist in the selection process.
- Council Liaisons are required for each Committee (except Youth Council) - they need not attend meetings but should be prepared to present the Committee's Annual Workplan.

- The Workplan should be four things the Committee accomplished in the past year and four goals for the upcoming year, and could be reviewed and approved by Council.

In addition to Village Committees, these partner organizations request a member to represent Islamorada.

1. [Florida Keys Transportation Coordinating Committee](#) (Monroe County)
2. [Florida Keys National Marine Sanctuary Advisory Council](#) (Staff Liaison Pete Frezza)
3. [Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee](#) (Staff Liaison Pete Frezza)
4. [International Council for Local Environmental Initiatives](#) (Staff Liaison Alyssa Panzer)

Budget Impact:

There is no expected budget impact at this time.

Staff Impact:

Staff liaisons are available to provide Committee information to the Council Liaison as needed.

Recommendation:

- Attachments:**
1. 23-05 Committee Appointments_
 2. _New2024_InProgress_Summary
 3. Committee Descriptions

ORDINANCE NO. 23-05

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" CREATING A NEW ARTICLE V TO BE ENTITLED "VILLAGE BOARDS, COMMITTEES AND COMMISSIONS", SECTIONS 2-329 THROUGH 2-335; AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS", ARTICLE III "DECISION MAKING AND OTHER ADMINISTRATIVE BODIES", DIVISION 3 "LOCAL PLANNING AGENCY", SECTION 30-103 OF THE VILLAGE CODE RELATING TO APPOINTMENT, REMOVAL, TERMS, AND VACANCIES; AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS", ARTICLE VII "ENVIRONMENTAL REGULATIONS", DIVISION 7 "HISTORIC AND ARCHAEOLOGICAL SITES", SECTION 30-1693 RELATING TO THE HISTORIC PRESERVATION COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council") has a number of boards, committees and commissions of the Village that requires the Village Council to appoint members periodically; and

WHEREAS, the Village Council desires to provide for a uniform procedure for the appointment, removal and terms of members to various boards, committees and commissions of the Village; and

WHEREAS, the Village currently has boards, committees and commissions, but no uniform process of appointment, removal and terms of such members in the Village Code; and

WHEREAS, the Village Council finds that providing a uniform procedure and amending any inconsistent provisions in the Village Code for the process of appointment, removal and terms of such members is in the best interests of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Amendments to the Code.

(a) Chapter 2 entitled "Administration", is hereby amended to create Article V to be entitled "Village Boards, Committees And Commissions" as follows:

Additional text is shown as <u>underlined</u> ;	deleted text is shown as strikethrough
---	---

ARTICLE V. – Village Board, Committees and Commissions.

Sec. 2-329. General.

The village council may create any board, committee or commission of the village as a governmental entity of the village, vested with the authority to make recommendations to the village council on matters of public interest that affect persons or property within the incorporated area of the village as prescribed in this section.

Sections 2-330 and 2-331 shall not apply to the Village's Youth Council so long as it remains in existence.

Sec. 2-330. Application and Selection Process.

Each applicant to a board, committee or commission of the village shall be a resident of the village at the time of appointment and during the appointee's term(s) in office. Appointments shall be made on the basis of civic pride, integrity, experience and interest in the field of concern in which such board, committee or commission shall be advising the village council. The village council shall attempt to nominate neighborhood activists, lawyers or other individuals from the business, financial and other segments of the community who, by virtue of their profession, business or civic involvement, have demonstrated interest in the field of concern of such board, committee or commission to which they seek appointment. Membership on any board, committee or commission should be representative of the community at large and reflect a broad cross section of the community.

Sec. 2-331. Letters of Interest and Presentations.

- (a) Each interested applicant shall submit to the village council, at the time and place, as directed by the village council, a Letter of Interest for the particular board, committee or commission such applicant is interested in being appointed. Such Letter of Interest shall provide information about the applicant setting forth their qualifications, experience and expertise, including, demonstrating their civic pride, integrity, experience and interest in the field of concern in which such board, committee or commission shall be advising the village council.
- (b) Applicants will be provided an opportunity to present their qualifications, experience and expertise to the village council, who may ask questions and further inquire as to the applicant's interest.

Sec. 2-332. Appointment to Board, Committee or Commission.

Each member of a board, committee or commission shall be appointed by a majority vote of the village council.

Sec. 2-333. Terms of Office.

Each member shall serve for a term of two (2) years, with the terms of the members being staggered for each board, committee or commission.

Sec. 2-334. Councilmember Liaison.

The mayor shall annually appoint to each board, committee or commission a councilmember liaison. The councilmember liaison shall provide periodic updates to the village council on their appointed boards, committees and commissions, as requested by the village council.

Sec. 2-335. Removal from Office.

- (a) Any member of any board, committee or commission, may be removed by a majority vote of the village council and shall be automatically removed by the village clerk upon three (3) unexcused absences from regular meetings of such board, committee or commission during a calendar year.
- (b) A member of a village board, committee or commission shall be deemed absent from a meeting when he or she is not present at the meeting at least 75 percent of its duration.
- (c) The provisions of this section may only be waived once by a four-fifths vote of the members of the full village council.
- (d) The provisions of this section shall not apply to those individuals who are members of a village board, committee or commission and who are:
 - 1. Reservists in the United States Armed Forces or members of the Florida National Guard, and have been ordered to active military duty for national, state, or homeland defense and due to such duty cannot attend board meetings; or
 - 2. Employees of agencies whose services are considered essential for national, state, or homeland defense and due to such services cannot attend board meetings.

(b) Chapter 30 entitled "Land Development Regulations", Article III entitled "Decision-Making and Administrative Bodies", Division 3 entitled "Local Planning Agency", Section 30-103 entitled "Membership: appointment, removal, terms, and vacancies" is hereby amended as follows:

Additional text is shown as underlined:

deleted text is shown as ~~striketrough~~

DIVISION 3. - LOCAL PLANNING AGENCY

Sec. 30-103. Membership: appointment, removal, terms, and vacancies.

- (a) The local planning agency shall be comprised of seven voting members. ~~Each member of the village council shall appoint one member to the local planning agency. The remaining two members shall be appointed by the village council based upon a super majority vote (four fifths votes) of the village council.~~ Each member shall serve for a term of two (2) years, with the terms of the members being staggered. Local planning agency member appointments, when available, shall be made during a regular village council meeting in May of each year and the term of the local planning agency members shall continue until appointments are made at a regular village council meeting in May of the following year. The appointment process shall be conducted in accordance with Chapter 2, Article V. In the event that the regular village council meeting in May is cancelled, the term of local planning agency members shall not expire until appointments are made at the next regular village council meeting.
- (b) Where required by state statute, by majority vote the village council may appoint individuals, organizations or their designee to serve in an advisory capacity as nonvoting members of the local planning agency. These nonvoting members may include, but are not limited to, representatives of area schools or the county school board.
- (c) One member of each village established citizens' advisory committee and the Historic Preservation Commission may serve as a voting member of the local planning agency. One or more members of the local planning agency may serve on a village established charter review committee.
- (d) ~~The appointing village council member~~ village council may replace a local planning agency member with or without cause at any regular village council meeting. ~~The two local planning agency members appointed by a super majority vote (four/fifths votes) of the village council may be replaced with or without cause at any regular village council meeting by a super majority vote (four/fifths votes) of the village council.~~ Replacements shall serve the remainder of the original term. Nonvoting members may be removed by majority vote of the village council without cause.
- (e) No voting member shall serve more than ~~three~~ two (2) consecutive terms unless the village council votes by super majority (four/fifths votes) to approve re-appointment for additional consecutive terms.
- (f) At an annual organizational meeting, the members of the local planning agency shall elect one of their members as chairman and one as vice-chairman. In the absence of the chairman, the vice-chairman shall act as the chairman and shall have all the powers of the chairman. The chairman shall serve a term of one year. No member shall serve as chairman for more than two consecutive terms unless the local planning agency votes by super majority (majority plus one of voting members present and voting) to approve re-appointment for additional consecutive terms.

- (g) The chairman (or vice-chairman acting in the capacity of chairman) shall serve as the presiding officer of any meeting of the local planning agency. The presiding officer or designee shall be in charge of all proceedings before the local planning agency, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the local planning agency. In the event that the chairman or vice-chairman are unavailable, the voting members of the local planning agency who are present shall by majority vote select a voting member to act as presiding officer for the meeting in question.
- (h) Should any voting member of the local planning agency miss three consecutive meetings without being excused by the chairman, whether regular meetings or special meetings, that person shall be disqualified as a voting member of the local planning agency. Thereafter, the ~~appointing councilmember~~ village council shall fill the vacancy thereby created as soon as practicable. ~~Should the disqualified member have been appointed by a super majority vote (four fifths votes) of the village council, then the village council shall fill the vacancy by super majority vote (four fifths votes) as soon as practicable.~~
- (i) All provisions of Chapter 2, Article V entitled "Village Boards, Committees and Commissions" of the Code not inconsistent with the provisions of this section 30-103 shall apply.

(c) Chapter 30 entitled "Land Development Regulations", Article VII entitled "Environmental Regulations", Division 7 entitled "Historic and Archaeological Sites", Section 30-1693 entitled "Historic preservation commission" is hereby amended as follows:

Additional text is shown as <u>underlined</u> ;	deleted text is shown as strikethrough
---	---

DIVISION 7. - HISTORIC AND ARCHAEOLOGICAL SITES

Sec. 30-1693. Historic preservation commission.

- (a) *Historic preservation commission:* The historic preservation commission (HPC) is a governmental agency of the village. The HPC is vested with the authority to make recommendations to the village council on the designation and regulation of village historic structures within a designated historic district and landmarks within the incorporated area of the village as prescribed in this division.
- (b) *Appointment and membership qualifications:* The HPC consists of five members each appointed by a majority vote of the village council. Each member shall be a resident of the village at the time of appointment and during the member's term(s) in office. Appointments shall be made on the basis of civic pride, integrity, experience and interest in the field of historic preservation. The village council shall attempt to nominate architects, realtors, archaeologists, historians, neighborhood activists, lawyers or other individuals from the business, financial and other segments of the community who, by virtue of their profession, business or civic involvement, have

demonstrated concern for historic preservation. Membership on the board should be representative of the community at large and reflect a broad cross section of the community.

- (c) *Membership removal, terms, and vacancies:* The HPC members shall serve ~~overlapping-staggered~~ terms of ~~three-two~~ years. HPC members serve without compensation, but are entitled to the reimbursement of expenses as provided in F.S. § 112.061.
- (d) *Organization and administration:* The members of the HPC shall elect a chairperson and vice chairperson, for a one-year term each. The chairperson or, in the absence of the chairperson, the vice-chairperson, shall preside at all meetings and may vote. The director of planning and development services shall designate staff to advise and provide clerical support to the HPC. The village attorney shall be the attorney to the HPC. The director of planning and development services shall be the custodian of all HPC records. The HPC shall meet at least once per month at a date and time established by the HPC, unless there is no business pending.
- (e) *Notice:* Notice of meetings required under this division shall be given in accordance with section 30-213 of the Village Code.
- (f) *Public hearings:* All hearings required under this division shall be conducted in accordance with section 30-213 of the Village Code.
- (g) *Powers and duties:* The HPC has the following powers and duties:
 - (1) Adoption of its own procedural rules and regulations as necessary for the conduct of its business;
 - (2) Investigate and recommend to the village council the adoption of ordinances designating buildings, structures, sites having special historic, architectural and archaeological value as landmarks or historic districts, and if necessary, recommend rescission of such designations;
 - (3) Investigate and recommend to the village council the adoption of ordinances on whether a substantially damaged designated historic building, structure, object, or site may be reconstructed using the criteria set forth in this division;
 - (4) Conduct surveys of historically, architecturally and archaeologically significant structures and districts within the village;
 - (5) Advise the village council on all matters related to historic preservation policy, including the use, administration, and maintenance of publicly-owned historic landmarks;
 - (6) Make recommendations on nominations of a historic property to the National Register of Historic Places;
 - (7) Increase public awareness of the value of historic and architectural preservation by developing and participating in public education programs;
 - (8) Make recommendations to the village council concerning utilization of state, federal and private funds to promote the preservation of significant structures and historic districts within the village;

- (9) Make recommendations to the village council concerning acquisition of a significant structure where its preservation is essential to the purposes of this act and where private preservation is not feasible;
 - (10) Review applications for special certificates of appropriateness and make recommendations to the village council regarding such applications; and
 - (11) Undertake any other action or activity specifically delegated to it or requested by the village council.
- (h) The HPC shall meet no less than four times per year. At a minimum of one meeting each year, the HPC shall identify those structures within the village which are historically, architecturally or archaeologically significant. The findings of the HPC shall be transmitted to the village council after each meeting of the HPC, for the review and consideration of the village council. The HPC shall otherwise encourage the identification, preservation and protection of historically, architecturally or archaeologically significant structures and sites.
- (i) All provisions of Chapter 2, Article V entitled "Village Boards, Committees and Commissions" of the Code not inconsistent with the provisions of this section 30-1693 shall apply.

Section 3. Repeal of Conflicting Provisions. The Provisions of the Village of Islamorada Code and all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any sentence, section, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences, sections, clauses or phrases of the Ordinance but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Code. It is the intention of the Village Council and it is hereby ordained the provisions of this Ordinance shall become and be made part of the Village of Islamorada Code, that sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 7. **Effective Date.** This Ordinance shall become effective immediately upon adoption.

The foregoing Ordinance was offered by Council Member Elizabeth Jolin, who moved for its adoption on first reading. This motion was seconded by Vice Mayor Sharon Mahoney, and upon being put to a vote, the vote was as follows:

Mayor Joseph B. Pinder III	Yes
Vice Mayor Sharon Mahoney	Yes
Councilman Mark Gregg	Yes
Councilwoman Elizabeth Jolin	Yes
Councilman Henry Rosenthal	No

PASSED on the first reading this 2nd day of March, 2023.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by Council Member Elizabeth Jolin, who moved for its adoption on second reading. This motion was seconded by Council Member Mark Gregg, and upon being put to a vote, the vote was as follows:

Mayor Joseph B. Pinder III	Yes
Vice Mayor Sharon Mahoney	Yes
Councilman Mark Gregg	Yes
Councilwoman Elizabeth Jolin	Yes
Councilman Henry Rosenthal	Yes

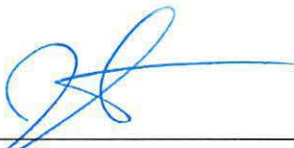
PASSED AND ADOPTED on the second reading this 11th day of April, 2023.


JOSEPH B. PINDER III, MAYOR

ATTEST:


MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS ONLY


JOHN J. QUICK, VILLAGE ATTORNEY



Historic Preservation Commission
Barbara Edgar (Chair)
Tammie Gurgiolo (Vice Chair)
Roland Moore
Jerald O'Cathey
Megan Scallan

Land Acquisition Advisory Committee
Carolyn Ambler
Kevin Bates
Kelly Cox
Frank Derfler
Greg Dully (Chair)
Tammie Gurgiolo
VACANCY
VACANCY
VACANCY
VACANCY

Local Planning Agency
Cheryl Culberson
Patrick Foley
VACANCY
Tony Hammon
Lorie LaLonde (Vice Chair)
Susan Raffanello
James Rhyne

Near Shore Water Citizens' Advisory Committee
Matt Bellinger
Dianne Harbaugh (Chair)
Emma Haydocy (Vice Chair)
Nick Kross
Steven Leopold
David Petkovich
Adam Starr
Ted Wilson
Larry Wren
VACANCY

Parks and Recreation Citizens' Advisory Committee
Ted Benbow
Shannon Cary
Alina Davis
Natasha Early
David Epstein
Christy Hughes
Joseph Jannach
Richard Russell (Vice Chair)
Eduardo Suarez
John Weare
Carolyn Wightman (Chair)

Workforce/Affordable Housing Citizens' Advisory Committee
Keith Douglass
Greg Dully
Lindsay Fast
Paige Presnell (Chair)
Susan Walker
VACANCY
VACANCY
VACANCY
VACANCY
VACANCY

Islamorada Youth Council
Riley Cooper
Corben Dean
Robert Dube
Allegra Fucaraccio
Kai Guth
Zane Rindom (Vice Chair)
Julia Rusch
Ambrose Sanchez
Abbie Sargent (Chair)
Nathaniel Shugarman

1. Workforce/Affordable Housing Citizens' Advisory Committee

The Workforce/Affordable Housing Citizens' Advisory Committee was established by Resolution 04-05-28 and adopted by the Village Council on May 27, 2004. The Village Council sought to identify and protect the existing workforce and affordable housing supply. With this in mind, the Committee was established to provide valuable citizen input to staff and Council.

2. Historic Preservation Commission

On February 7, 2002 the Village Council adopted Ordinance 02-14, which established Division 7. - "Historic and Archaeological Sites" of Article VII of the Village Code.

3. Local Planning Agency (LPA)

Effective February 2020, the LPA agenda will be posted on the website without the tabs/backup materials. This is part of the Village's overall effort to make the Village website compliant with ADA accessibility standards.

4. Land Acquisition Advisory Committee

In 1999, a Land Acquisition Advisory Committee was established to make reports and recommendations to the Village Council concerning the identification and prioritization of land acquisitions.

5. Near Shore Water Regulation Committee

The Near Shore Water Regulation Citizens' Advisory Committee was established by Resolution 01-02-04 and adopted by the Village Council on February 8, 2001. The creation of the committee was prompted when the Florida Legislature passed House Bill 1007.

6. Parks & Recreation Committee

The Parks and Recreation Citizens' Advisory Committee was established by Resolution 00-06-13 and adopted by the Village Council on June 8, 2000.

7. Youth Council

The Islamorada Youth Council was established by Resolution 13-10-81 and adopted by the Village Council on October 23, 2013.



Islamorada, Village of Islands **REGULAR VILLAGE COUNCIL MEETING**

November 19, 2024 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL OF THE 2024 - 2026 VILLAGE COUNCIL

Mayor Pinder called the meeting to order at 05:25 PM

PRESENT: Vice Mayor Sharon Mahoney, Mayor Joseph B. Pinder III, Council Member Don Horton, Council Member Steve Friedman, Council Member Deb Gillis

ABSENT:

II. PLEDGE OF ALLEGIANCE

Dr. Harold Dalton led the Pledge of Allegiance and Mayor Pinder began the meeting with a prayer.

III. SWEARING-IN OF NEWLY ELECTED OFFICIALS- The Honorable Sharon I. Hamilton

The Honorable Sharon I. Hamilton administered the oaths of office to the Council Members.

IV. AGENDA: Requests for Deletion / Emergency Additions

It was requested to move Tab 2, Parks and Recreation Committee Chair Wightman's report, to before Tab 1.

Vice Mayor Sharon Mahoney pulled Tab 9 from Consent Agenda to the Resolutions section.

V. ELECTION OF MAYOR & VICE MAYOR

A. Nomination and Election of Mayor and Vice Mayor

Interim Village Attorney John Quick introduced the process to elect a mayor and vice mayor.

Sharon Mahoney was elected Mayor.

Don Horton was elected Vice Mayor.

A brief break called at 5:45 p.m. for Council to move to their new seats. Mayor Mahoney reconvened the meeting at 5:50 p.m.

VI. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

A. Parks and Recreation Committee Report by Chair Carolyn Wightman **TAB 2**

Parks and Recreation Committee Chair Carolyn Wightman reported on recent activities and goals of the Committee.

VII. REPORTS, PRESENTATIONS AND ANNOUNCEMENTS

A. FDOT Founders Park Crosswalk Study Update **TAB 1**

Ramon Sierra of FDOT provided an update on the Founders Park Crosswalk Study and requested Council's feedback to help determine how, or whether, to move forward.

Mayor Mahoney opened public comment.

Monroe County Sheriff Rick Ramsey cited increased traffic accidents at crosswalks and noted he did not support the request.

VIII. 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.)

Mayor Sharon Mahoney opened public comment.

Speakers included:

Van Cadenhead

Joe Wischmeier

Harold Dalton

There being no one else wishing to speak, Mayor Mahoney closed public comment.

IX. MAYOR / COUNCIL COMMUNICATIONS

Council Member Deb Gillis thanked the public for voting for her.

Vice Mayor Don Horton thanked Council Member Buddy Pinder for his leadership as mayor.

X. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

A. Discussion to Schedule Executive Session

Interim Village Attorney John Quick announced an executive session would be held on December 10 at 4:00 p.m. in the Barley litigation.

XI. CONSENT AGENDA

Interim Village Attorney John Quick introduced the Consent Agenda, noting Tab 9 had been pulled to the Resolutions section of the agenda.

Council Member Steve Friedman pulled Tab 5 and asked it be moved to Resolutions.

Mayor Mahoney opened public comment.

Lou Ann Buschlen asked for Tab 8 to be stayed due to ongoing appeals.

Interim Village Attorney John Quick noted Ms. Buschlen's appeals were two separate items. The fence permit was to be decided by a hearing officer whom we were required to hire under the Code.

ACTION: Motion to Approve Consent Agenda items 3, 4, 6, 7, and 8 item XI.
by Joseph B. Pinder III second by Deb Gillis;
Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman,
Deb Gillis

NAYS: None

ABSTAIN: None

A. Meeting Minutes: TAB 3

Regular Village Council Meeting - October 8, 2024

Land Use Village Council Meeting - October 10, 2024 (Marne
McGrath, Village Clerk)

**B. Resolution Approving a Maintenance Memorandum of Agreement
with the Florida Department of Transportation Regarding Canal #147
Restoration TAB 4 (Peter Frezza, Environmental Resources
Manager)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING MEMORANDUM
OF AGREEMENT WITH FLORIDA DEPARTMENT OF
TRANSPORTATION WITH RESPECT TO VANE COMPRESSORS
AND ASSOCIATED ELECTRICAL WORK MAINTENANCE;
AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE
TERMS AND CONDITIONS OF THE MEMORANDUM OF
AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO
EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE
MANAGER TO EXECUTE THE MEMORANDUM OF AGREEMENT;
AND PROVIDING FOR AN EFFECTIVE DATE**

**C. Resolution Approving Work Authorization No. 19 with WSP USA
Environment & Infrastructure Inc. for Water Quality Monitoring and
Canal Management Database Updates TAB 6 (Peter Frezza,
Environmental Resources Manager)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK
AUTHORIZATION NO. 19 WITH WSP USA ENVIRONMENT &
INFRASTRUCTURE, INC. FOR WATER QUALITY MONITORING
AND CANAL MANAGEMENT DATABASE UPDATES;
AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE**

**TERMS AND CONDITIONS OF THE PROJECT AGREEMENT;
AUTHORIZING THE VILLAGE MANAGER TO EXPEND
BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER
TO EXECUTE WORK AUTHORIZATION NO 19; AND PROVIDING
FOR AN EFFECTIVE DATE**

- D. Resolution Approving Work Authorization No. 20 with WSP USA Environment & Infrastructure, Inc. for Canal #145 Lower Matecumbe Key Backfilling Restoration Project **TAB 7** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 20 WITH WSP USA ENVIRONMENT & INFRASTRUCTURE, INC. FOR PROFESSIONAL SERVICES FOR CANAL #145 LOWER MATECUMBE KEY BACKFILLING RESTORATION PROJECT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF WORK AUTHORIZATION NO. 20; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROJECT AGREEMENT FOR WORK AUTHORIZATION NO. 20; AND PROVIDING FOR AN EFFECTIVE DATE

- E. Resolution Approving Appointment of Charles Kramer as Hearing Officer in Accordance with Section 6-35 of Village Code **TAB 8** (Sheila Denoncourt, Chief Building Official)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE APPOINTMENT OF CHARLES M. KRAMER AS THE HEARING OFFICER PURSUANT TO SECTION 6-35 OF THE VILLAGE CODE; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE RETAINER AGREEMENT; PROVIDING AUTHORIZATION TO IMPLEMENT THE PURPOSE OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

XII. RESOLUTIONS

- A. Resolution Approving Work Authorization No. 18 with WSP USA Environment & Infrastructure, Inc. for Canal 132 Construction Engineering Inspections and Administration Services **TAB 5** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING WORK AUTHORIZATION NO. 18 WITH WSP USA ENVIRONMENT & INFRASTRUCTURE INC. FOR CANAL 132 RESTORATION PROJECT CONSTRUCTION ENGINEERING INSPECTIONS SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT

THE TERMS AND CONDITIONS OF THE PROJECT AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE WORK AUTHORIZATION NO 18; AND PROVIDING FOR AN EFFECTIVE DATE

Council Member Steve Friedman noted he was on the board of the HOA in the affected neighborhood and asked whether he needed to recuse himself for this item.

Interim Village Attorney John Quick stated that he was not obligated to, but could if he preferred.

Council Member Friedman indicated he would be voting.

Mayor Sharon Mahoney opened public comment.

There being no one wishing to speak, public comment was closed.

ACTION: Motion to Approve item XI.C. by Deb Gillis second by Joseph B. Pinder III;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- B.** Resolution Approving Amendment to FDOT Public Transit Service Development Program Grant Agreement **TAB 9** (Robert Cole, Village Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AMENDMENT TO GRANT AGREEMENT G2M67 BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE REIMBURSEMENT FUNDING FOR PUBLIC TRANSPORTATION DEVELOPMENT THROUGH EXPANSION OF THE FREEBEE PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

Mayor Sharon Mahoney indicated that she was requesting a motion to turn the Freebee operation over to Monroe County Transit and not vote on this at all. She commented that it was her understanding that Monroe County Transit Executive Director Clark would be able to take it over January 1, 2025.

Village Manager Rob Cole noted that he had spoken to Mr. Clark the previous week, but had not understood that to be the case. He noted, however, that if we accepted the grant, we could still turn over the operation to the County at any

time.

Discussion ensued with a focus on not losing out on grant funds. It was decided to approve the grant, but ask Director Clark to present at the December 10 Council Meeting.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Joe Wischmeier

Mark (on Zoom)

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION: Motion to Approve the grant and request a presentation by Monroe County Transit Clark on December 10 item XI.G. by Sharon Mahoney second by Deb Gillis;
Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- C. Resolution Approving a Professional Services Agreement Between ICONN Technology Group and Islamorada Village Of Islands **TAB 10** (Ramon Navarro, Network Engineer)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING FISCAL YEAR 2024-2025 FOR PROFESSIONAL SERVICES BETWEEN ICONN TECHNOLOGY GROUP 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

Network Engineer Ramon Navarro introduced the request to help migrate our emails in-house for improved security.

During Council discussion, it was determined that it would helpful to include soft costs, such as time spent to implement the system, in the Council Communication.

Mayor Sharon Mahoney opened public comment.

There being no one wishing to speak, Mayor Mahoney closed public comment.

ACTION: Motion to Approve item XII.C. by Joseph B. Pinder III second by Deb Gillis;
Motion Passed with a 5:0 vote
AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

- D. Resolution Electing to Use the Uniform Method of Collecting Non-Ad Valorem Special Assessments Levied within the Village toward Canal 147 Restoration Costs **TAB 11** (Peter Frezza, Environmental Resources Manager)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE VILLAGE BEGINNING WITH THE TAX BILL ISSUED IN NOVEMBER 2025 FOR THE CANAL 147 RESTORATION PROJECT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

Environmental Resources Manager Pete Frezza introduced noting this agenda item was a public hearing as required to implement a special assessment.

Mr. Frezza noted that staff had asked property owners to vote on the assessment and whether they wanted to move forward with the project. He indicated that a majority of residents voted yes.

He noted that Council had to adopt a resolution of intent to use the uniform method of collecting non-ad valorem, adding the resolution was non-binding and in the future may reduce the cost, area covered, or project.

Vice Mayor Don Horton expressed concern at the cost of \$22,500 per homeowner.

Mr. Frezza noted the cost was determined through guidance from the vendor and Monroe County, and verified by Anser Advisory. He indicated that costs included maintenance, components, and electricity to power the bubbler.

Mayor Mahoney opened public comment.

Speakers included:
Sue Miller

There being no one else wishing to speak, Mayor Mahoney closed public comment.

ACTION: Motion to Approve item XII.D. by Don Horton second by Steve Friedman;
Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

- E. Resolution Approving Annual Distribution of Building Permit Allocation System (BPAS) Allocations **TAB 12** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING THE TOTAL AMOUNT OF NONRESIDENTIAL FLOOR AREA AND RESIDENTIAL DWELLING UNITS, QUARTERLY ALLOCATIONS, AND THE DISTRIBUTION OF ALLOCATIONS BETWEEN CATEGORIES OF THE BUILDING PERMIT ALLOCATION SYSTEM FOR 2025; AND PROVIDING FOR AN EFFECTIVE DATE

Planning Director Jennifer DeBoisbriand noted this was the annual distribution as required by our Code.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Joe Wischmeier

There being no one else wishing to speak, Mayor Mahoney closed public comment.

ACTION: Motion to Approve item XII.E. by Joseph B. Pinder III second by Don Horton;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- F. Resolution Approving Agreement with Anser Advisory, LLC, for FY 25-26 Assessment Consulting Services **TAB 13** (Lisa Lynch, Finance Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND ANSER ADVISORY FOR SPECIALIZED PROFESSIONAL SERVICES RELATED TO THE MAINTENANCE OF NON-AD VALOREM ASSESSMENT PROGRAMS FOR WASTEWATER, STORMWATER, AND SOLID WASTE COLLECTION SERVICES FOR THE FISCAL YEAR 2025–2026; APPROVING THE WAIVER OF COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Lisa Lynch introduced noting this is an annual project for maintenance of the wastewater, stormwater, and solid waste assessment programs. Ms. Lynch noted they have not raised the rates in several years.

Mayor Sharon Mahoney opened public comment.

There being no one wishing to speak, Mayor Mahoney closed public comment.

ACTION: Motion to Approve item XII.F. by Deb Gillis second by Joseph B. Pinder III;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- G.** Resolution Considering Guidance to Monroe County Board of County Commissioners Regarding any Future BPAS Allocations **TAB 14**
(Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING A RECOMMENDATION TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE NUMBER OF ADDITIONAL RESIDENTIAL BUILDING PERMIT ALLOCATIONS THE VILLAGE WOULD LIKE TO RECEIVE IN POTENTIAL FUTURE ALLOCATIONS; REPEALING RESOLUTION NO. 24-10-122; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO CERTAIN PEOPLE WITH THE COUNTY

Interim Village Attorney John Quick noted that Resolution 24-10-122 was passed on October 8, 2024 to request an additional 104.75 BPAS allocations. He indicated that the Council must move for a waiver of the current council procedures if they wish to reopen the item.

He reiterated Council Meeting Rules section II G concerning Renewal. Once action was taken on a Resolution, neither the same matter nor its repeal or decision nor a substantially similar matter may be brought before the Council again during the six-month period following the action unless a majority of the Council agrees to waive the rule.

Council Member Deb Gillis made a motion to Approve waiving Meeting Procedure II G for concerning Renewal of the item. Vice Mayor Don Horton seconded.

The vote passed four to one, with Council Member Steve Freidman casting the no vote.

Mayor Sharon Mahoney opened public comment:

Van Cadenhead

Stuart Schaffer, representing Sugarloaf Shares POA

Dottie Moses, representing Key Largo Federation of Homeowners Association

Anne Olsen, representing Last Stand

Joe Wischmeier

Sue Miller

SANCS256 (Zoom participant indicated they wished to speak on the previous item)

There being no one else wishing to speak, Mayor Mahoney closed public comment.

Discussion ensued, and the Council suggested postponing the item. Planning Director Jennifer DeBoisbriand indicated that if the Council was looking for the County to make a directive, they needed it done by December 11.

ACTION: Motion to Approve to continue to December 10 Council Meeting item XII.G. by Joseph B. Pinder III second by Steve Friedman;

Motion Passed with a 4:1 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman

NAYS: Deb Gillis

ABSTAIN: None

H. Resolution Approving Update to Council Meeting Procedures TAB 15 (John Quick, Interim Village Attorney)

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

Interim Village Attorney John Quick noted there recently had been a legal change to the public comment law and noted the update would bring the Village into compliance.

He noted that historically the law directed comments to the mayor and had restrictions on profane, obscene language. The revised language adds a footnote that these terms were defined via the common dictionary definition under prevailing law.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Van Caddenhead

Joe Wishchmeier

Sue Miller

There being no one else wishing to speak, Mayor Mahoney closed public comment.

Vice Mayor Don Horton noted the citizen input rules on comments he had provided were from the School Board rules, which he felt were well-run meetings and may be helpful to Council.

Interim Village Attorney John Quick noted the resolution had been drafted to

approve the public comment law addition to the Meeting Procedures. If Council wanted to approve the citizen input document, they would need to amend the resolution.

Mayor Sharon Mahoney asked about having public comment after discussion of items rather than better. Interim Village Attorney John Quick noted that if public comment came at the end of the item, then the Council wouldn't get the benefit of public opinion.

Discussion ensued, and it was agreed to amend the resolution to move general public comment to after the Mayor/Council and Manager/Attorney communications.

ACTION: Motion to Approve with an amendment to move Public Comment to after VM/VA Communications item XII.H. by Deb Gillis second by Don Horton;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

XIII. ADJOURNMENT

It was confirmed that there was no meeting on Thursday, November 21.

Mayor Sharon Mahoney moved to adjourn the meeting at 9:13 p.m.



Council Communication

To: Mayor and Village Council
From: Peter Frezza, Environmental Resources Manager
Date: December 10, 2024
SUBJECT: **Resolution Renewing an Agreement with RES Florida Consulting, LLC, for Continued Water Quality and Benthic Vegetation Monitoring in Village Canals TAB 5**

Background:

Islamorada, Village of Islands (the "Village"), has been monitoring water quality in Village canals and nearshore waters since 2015. The monitoring program was established for two primary reasons. First, many of the canals in the Florida Keys do not meet the state's minimum water quality criteria and are a potential source of nutrients and other contaminants to nearshore waters. This program supports the Village's efforts to collect and analyze nearshore water nutrient loadings to ensure compliance with water quality standards established by the Florida Department of Environmental Protection and US Environmental Protection Agency through the Florida Keys Reasonable Assurance Document (FKRAD). Second, the movement to incorporate communities to central sewer systems was intended to improve canal and coastal water quality. The collection of baseline data and routine monitoring is the most effective means to document ecosystem response to changes resulting from the transition to a central sewer system. Since initiation, the program now also supports Village canal restoration efforts.

Analysis:

On August 20, 2020, the Village Council passed and adopted Resolution No. 20-08-75, thereby entering into a Project Agreement with RES Florida Consulting, LLC ("RES"), formerly E Sciences, Inc., to provide continued water quality and benthic vegetation monitoring in Village canals and nearshore waters. The original term of the agreement attached hereto as Exhibit "A" was from October 5, 2020, to December 31, 2021, and provides that it may be extended through renewal each year for up to four (4) additional years by mutual written agreement of the parties. The Village desires to retain the services of RES for another year and RES desires to accept such engagement. Therefore, this would be the fourth renewal under this agreement. The field sampling will be performed two (2) times a year in six (6) canals. This would allow for continued provision of essential water quality information for compliance, wastewater or stormwater assessment, and would support monitoring for ongoing and future canal restoration efforts.

Budget Impact:

The annual cost for water quality and benthic monitoring for FY 2024-2025 would be \$75,000.00. RES would invoice the Village quarterly in the amount of \$18,750.00 upon completion of sampling events and reports. The expenditure is accounted for in the

Professional Services account of the Wastewater Enterprise Fund. The total budget for this account is \$1,927,000.00, and \$75,000.00 has been included in the FY 2024-2025 budget of this account for water quality monitoring services.

Staff Impact:

The Village's Environmental Resources Manager would continue to coordinate and manage the operations of the vendor and oversee the testing and monitoring program. Staff will review all deliverables to ensure that the work performance meets or exceeds expectations. The Village's Finance department would track the expenditures. Estimated staff time on this project is two hours per week.

Recommendation:

Staff recommends that the Village Council pass and adopt the attached resolution, thereby authorizing the renewal of the project agreement with RES for services and approving the related expenditure of \$75,000.00 from the Wastewater Enterprise Fund.

- Attachments:**
1. 1_Resolution_RES WQ monitoring Agrmnt renewal_121024
 2. 2_Exhibit A_RES Agreement
 3. 3_Appendix A_Scope of Work & Proposal

RESOLUTION NO. 24-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A RENEWAL OF THE AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS AND RES FLORIDA CONSULTING, LLC FOR WATER QUALITY AND BENTHIC VEGETATION MONITORING IN VILLAGE CANALS; 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 RENEWAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 20, 2020, the Village Council of Islamorada, Village of Islands (the "Village Council"), passed and adopted Resolution No. 20-08-75, thereby approving a project agreement between the Village and RES Florida Consulting, LLC ("RES"), formerly E Sciences Inc., attached hereto as Exhibit "A"; and

WHEREAS, the purpose of the agreement is to provide continued testing and monitoring of water quality and benthic vegetation in Village canals and nearshore waters, as described in Appendix "A" thereto; and

WHEREAS, the Agreement took effect on October 5, 2020, for an initial one-year term, with renewal provisions for four (4) additional one-year periods by the mutual written agreement of the Parties; and

WHEREAS, the Agreement is scheduled to expire on December 31, 2024, with four (4) eligible annual renewals remaining; and

WHEREAS, the Village and RES both desire to enter into a fourth renewal term as provided for in the Agreement attached as Exhibit "A" hereto, in an amount not to exceed Seventy-five Thousand Dollars (\$75,000.00).

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Approval of Renewal of Agreement.** The Village Council hereby approves renewal of the Agreement between the Village and RES to provide water quality and benthic vegetation testing and monitoring, a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. **Authorization of Village Officials.** The Village Manager or designee and the Village Attorney are hereby authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 5. **Execution of Agreement.** The Village Manager is authorized to execute the renewal on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the agreement and to execute any extensions and/or amendments to the agreement, subject to the approval as to form and legality by the Village Attorney.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon

adoption.

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Sharon Mahoney _____

Vice Mayor Don Horton _____

Councilman Steve Friedman _____

Councilwoman Deb Gillis _____

Councilman Joseph B. Pinder III _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

SHARON MAHONEY, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:

JOHN J. QUICK, VILLAGE ATTORNEY

Exhibit A

PROJECT AGREEMENT

Between

ISLAMORADA, VILLAGE OF ISLANDS

And

E Sciences, INC.

For

Water Quality and Benthic Vegetation Monitoring in Village Canals

This Project Agreement between ISLAMORADA, VILLAGE OF ISLANDS (hereinafter referred to as "VILLAGE") and E Sciences, INC. (hereinafter referred to as "CONSULTANT"), hereby authorizes the CONSULTANT to provide the services as set forth below:

The VILLAGE and CONSULTANT agree as follows:

SECTION 1. SCOPE OF SERVICES

1.1 The CONSULTANT shall provide environmental services to the VILLAGE for the Project as described in the "Scope of Work" and "Project Approach" attached as Exhibit "1."

1.2 The "Scope of Services" and tasks to be provided by the CONSULTANT for this Project are those services and tasks as listed in Exhibit "1."

1.3 The VILLAGE may request changes that would increase, decrease, or otherwise modify the Scope of Services. Such changes must be contained in a written change order executed by the parties, prior to any deviation from the terms of the Project Agreement, including the initiation of any extra work.

SECTION 2. DELIVERABLES

As part of the Scope of the work the CONSULTANT shall provide to the VILLAGE the following Deliverables within 60 days following the end of each bi-annual sampling period (October 31st & April 30th):

- *A letter report confirming completion of field sampling activities, noting the dates each canal was sampled and any issues the CONSULTANT encountered carrying out the work plan*
- *An interpretive report that notes dates of sampling events, summarizes field activities, details the results of the sampling event and compares results to historical values*

- *A geo-referenced map of sampling locations*
- *Water quality and biologic benthic data in standard spreadsheet format*

The Village's project manager is to be notified prior to commencement of each bi-annual field sampling event and is to be notified once it is completed. On occasion the CONTRACTOR will be asked to present project results to the Village Council and the Water Quality Improvement Citizens Advisory Committee.

Unless otherwise stated, the CONSULTANT will provide draft and site plans, and other materials prepared for the PROJECT in both paper and electronic formats as appropriate, excluding material that is available only as photocopy to the VILLAGE. The VILLAGE shall be provided copies of all correspondence from CONSULTANT to any public or private entity or individual that is not employed by or contracted with CONSULTANT and all correspondence received by the CONSULTANT for the PROJECT.

SECTION 3. TERM/TIME OF PERFORMANCE/DAMAGES

3.1 Term. This Project Agreement shall commence on the date this Agreement is fully executed by all parties and shall continue in full force and effect through, **December 31, 2021** unless otherwise terminated pursuant to Section 6 or other applicable provisions of this Project Agreement. The Village Manager may extend the term of this Agreement each year for up to four (4) additional years by mutual written agreement of the VILLAGE and CONSULTANT. No further extensions of this Agreement shall be effective unless authorized by the Village Council.

3.2 Commencement. The CONSULTANT'S services under this Project Agreement and the time frames applicable to this Project Agreement shall commence upon the date provided in a written Notice to Proceed ("Commencement Date") provided to the CONSULTANT from the Village Manager. The CONSULTANT shall not incur any expenses or obligations for payment to third parties prior to the issuance of the Notice to Proceed of Commencement.

3.3 Contract Time. Upon receipt of the Notice to Proceed, the CONSULTANT shall commence services to the VILLAGE on the Commencement Date, and shall continuously perform services to the VILLAGE, without interruption, in accordance with the time frames set forth in the "Project Schedule," a copy of which is attached and incorporated into this Agreement within Exhibit "1." The number of calendar days from the Commencement Date, through the date set forth in the Project Schedule for completion of the Project shall constitute the Contract Time.

3.4 All limitations of time set forth in this Agreement are of the essence.

3.5 CONSULTANT will perform all services hereunder using that degree of skill and care ordinarily exercised under similar conditions by reputable members of CONSULTANT'S profession practicing in the same or similar locality at the time the Services are performed. NO OTHER WARRANTY, EXPRESS OR IMPLIED, IS MADE OR INTENDED.

SECTION 4. AMOUNT, BASIS AND METHOD OF COMPENSATION

4.1 Lump Sum Compensation. VILLAGE agrees to pay CONSULTANT an amount not to exceed Fifty-Two Thousand Dollars **(\$52,000.00)** for the first year of the Project, Fifty Thousand Dollars **(\$50,000.00)** for years two (2) – four (4) if renewed and Fifty-Two Thousand Dollars **(\$52,000.00)** for year five (5) if renewed as compensation for performance of all services related to the Project. It is understood that the method of compensation is that of lump sum which means that CONSULTANT shall perform all services set forth for total compensation in the amount stated above. Said lump sum includes but is not limited to, compensation for all fees, expenses, and out-of-pocket costs of the CONSULTANT.

4.2 Reimbursables. It is acknowledged and agreed to by CONSULTANT that the lump sum amount set forth in Section 4.1 includes Direct Expenses and describes the maximum extent of, VILLAGE'S obligation to reimburse CONSULTANT for direct, non-salary expenses, but does not constitute a limitation, of any sort, upon CONSULTANT'S obligation to incur such expenses in the performance of services hereunder.

SECTION 5. BILLING AND PAYMENTS TO THE CONSULTANT

5.1 Invoices.

5.1.1 Lump Sum Compensation. CONSULTANT shall submit invoices which are identified by the specific project number on a bi-annual basis and in a timely manner following the approval of deliverables by the Village's project manager. An invoice shall be submitted following the completion of each sampling event and following the completion of each data/interpretive report. Completion of the sampling effort will be communicated to the Village project manager in a letter report noting the dates each canal was sampled and any issues the CONSULTANT encountered carrying out the work plan. These invoices shall identify the nature of the work performed, the phase of work, and the estimated percent of work accomplished in accordance with the Payment Schedule as shown on Exhibit "1", attached hereto and made a part of this Agreement. Invoices for each phase shall not exceed the amounts allocated to said phase. The statement shall show a summary of fees with accrual of the total and credits for portions paid previously.

5.1.2 Disputed Invoices. In the event all or a portion of an invoice submitted to the VILLAGE for payment to the CONSULTANT is disputed, or additional backup documentation is required, the Village Manager shall notify the CONSULTANT within fifteen (15) working days of receipt of the invoice of such objection, modification or additional documentation request. The CONSULTANT shall provide the VILLAGE with a written response and any additional information requested by the VILLAGE within five (5) working days of the date of the VILLAGE'S notice. The VILLAGE may request additional information, including but not limited to, all invoices, time records, expense records, accounting records, and payment records of the CONSULTANT. The

VILLAGE, at its sole discretion, may pay to the CONSULTANT the undisputed portion of the invoice.

5.2 Suspension of Payment. In the event that the VILLAGE becomes credibly informed that any representations of the CONSULTANT, provided pursuant to Subparagraph 5.1, are wholly or partially inaccurate, or in the event that the CONSULTANT is not in compliance with any term or condition of this Project Agreement, the VILLAGE may withhold payment of sums then or in the future otherwise due to the CONSULTANT until the inaccuracy, or other breach of Project Agreement, and the cause thereof, is corrected to the VILLAGE'S reasonable satisfaction.

5.3 Retainage. No retainage is required under this Project Agreement.

5.4 Final Payment. Submission of the CONSULTANT'S invoice for final payment and reimbursement shall constitute the CONSULTANT'S representation to the VILLAGE that, upon receipt from the VILLAGE of the amount invoiced, all obligations of the CONSULTANT to others, including its Subconsultants, incurred in connection with the Project, shall be paid in full. The CONSULTANT shall deliver to the VILLAGE all documents and computer files requested by the VILLAGE evidencing payment to any and all subcontractors, and all final specifications, plans or other documents as dictated in the Scope of Services and Deliverables. Acceptance of final payment shall constitute a waiver of all claims against the VILLAGE by the CONSULTANT.

SECTION 6. TERMINATION/SUSPENSION

6.1 For Cause. This Agreement may be terminated by either party upon three (3) calendar days written notice to the other for breach of any material term or condition of this Agreement. In the event that CONSULTANT abandons this Agreement or causes it to be terminated by the VILLAGE, the CONSULTANT shall indemnify the VILLAGE against any loss pertaining to this termination. In the event that the CONSULTANT is terminated by the VILLAGE for cause and it is subsequently determined by a court of competent jurisdiction that such termination was without cause, such termination shall thereupon be deemed a termination for convenience under Section 6.2 and the provisions of Section 6.2 shall apply.

6.2 For Convenience. This Agreement may be terminated by the VILLAGE for convenience upon five (5) calendar days written notice to the CONSULTANT. In the event of such a termination, the CONSULTANT shall incur no further obligations in connection with the Project and shall, to the extent possible terminate any outstanding subconsultant obligations. The CONSULTANT shall be compensated for all services performed to the satisfaction of the VILLAGE and reimbursable expenses incurred prior to the date of termination. In such event, the CONSULTANT shall promptly submit to the VILLAGE its invoice for final payment and reimbursement which invoice shall comply with the provisions of Paragraph 5.1. Under no circumstances shall the VILLAGE make payment of profit to the CONSULTANT for services which have not been performed.

6.3 Assignment Upon Termination. Upon termination of this Project Agreement, the work product of the CONSULTANT shall become the property of the VILLAGE and the CONSULTANT shall, within ten (10) working days of receipt of written direction from the VILLAGE, transfer to either the VILLAGE or its authorized designee, all work product in its possession, including but not limited to, designs, specifications, drawings, studies, reports and all other documents and digital data in the possession of the CONSULTANT pertaining to this Project Agreement. Upon the VILLAGE'S request, the CONSULTANT shall additionally assign its rights, title and interest under any subcontractor's agreements to the VILLAGE.

6.4 Suspension for Convenience. The VILLAGE shall have the right at any time to direct the CONSULTANT to suspend its performance, or any designated part thereof, for any reason whatsoever, or without reason, for a cumulative period of up to five (5) calendar days. If any such suspension is directed by the VILLAGE, the CONSULTANT shall immediately comply with same. In the event the VILLAGE directs a suspension of performance as provided herein, through no fault of the CONSULTANT, the VILLAGE shall pay the CONSULTANT as full compensation for such suspension the CONSULTANT'S reasonable costs, actually incurred and paid, of demobilization and remobilization.

SECTION 7. PERSONNEL ASSIGNED TO PROJECT

7.1 The CONSULTANT shall assign only qualified personnel to perform any services concerning this Project. At the time of execution of this Agreement, the parties anticipate that the following named individuals will perform those supervisory or primary functions indicated:

<u>NAME</u>	<u>FUNCTION</u>
Nadia Locke	Project Manager
Patricia Gertenbach	Technical Advisor
James J. Orioles	Quality Assurance Manager
Rachel E. Vitek	GIS & Data Management
Jennifer Savaro	Field Assessment Lead
Matthew White	Field Assistant

So long as the individuals named above remain actively employed or retained by the CONSULTANT, they shall perform the functions indicated next to their names. Furthermore, the VILLAGE reserves the right to reject any proposed substitution for any of the above-named individuals, and the VILLAGE shall have the further right to require that any individual assigned to the Project by the CONSULTANT be removed from the Project and reassigned for good cause.

SECTION 8. SEVERABILITY

If any provision of this Project Agreement or its application to any person or situation shall to any extent, be invalid or unenforceable, the remainder of this Project Agreement, and the

application of such provisions to persons or situations other than those to which it shall have been held invalid or unenforceable shall not be affected thereby, and shall continue in full force and effect, and be enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the parties have executed this Agreement on the respective dates under each signature: The VILLAGE, signing by and through its Village Manager, attested to by its Village Clerk, duly authorized to execute same, and by CONSULTANT, by and through its President, duly authorized officer to execute same.

VILLAGE

ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA

By: Maria J Bassett
Maria Bassett, Acting Village Manager / Finance Director

The 5th day of October, 2020

AUTHENTICATION:

Kelly S. Toth
Kelly Toth, Village Clerk

(SEAL)

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, ONLY

[Signature]
Roget V. Bryan, Village Attorney

CONSULTANT

E SCIENCES, INC.

By: Peter Pantow

Print Name: Peter Pantow

Title: President

The 28th day of September, 2020

AUTHENTICATE:

[Signature]
Secretary
James Bassett
Print Name

(CORPORATE SEAL)

WITNESSES:

[Signature]
Print Name: Sarah Walcott

[Signature]
Print Name: Lilian Arguello

Appendix A

Scope of Work & Project Approach

(Updated November 18, 2024)

Incorporates updated services noted in the attached Proposal 'RES Number PRJ111891'

SCOPE OF WORK

Water quality and benthic vegetation are to be sampled in conjunction, twice a year, from six canals within Islamorada. Sampling is to be conducted once in the wet season (September-October) and once in the dry season (March-April). Canals to be sampled, labeled here with their County ID, are numbers 114, 116, 132, 147, 152, 157. Three of these canals are located on Plantation Key and three are located on Lower Matecumbe Key. This scope follows methodology and protocols established and carried out since the establishment of the program.

Water Quality Sampling

During each seasonal sampling event, water samples will be collected at two fixed stations within each of the six canals and one location 500m outside the mouths of each of the six canals. At each of these fixed stations, there is to be a 'bottom' and a 'top' sample. Bottom samples are to be collected at a depth of one to three feet above the bottom and top samples from one to three feet below the water surface. Water samples are to be tested for the following chemical variables: Chlorophyll a (CHL a), Ammonium (NH₄), Nitrate+Nitrite (NO_x), Nitrite (NO₂), Soluble Reactive Phosphorous (SRP), Total Nitrogen (TN), Total Phosphorous (TP) and Total Organic Carbon (TOC). Since no trends were continuously observed in the Enterococci results from previous sampling, Enterococci was removed from the list of parameters in 2023. A bottom and top measurement of the following physiochemical parameters are also to be performed from the same fixed location in each canal: depth (m), salinity (psu), specific conductivity, temperature (°C), dissolved oxygen (mg/l & % saturation), pH and turbidity (NTU).

Benthic Habitat Monitoring

Benthic monitoring will occur in Canals 116, 147 and 152. During each seasonal sampling event, five sampling sites evenly distributed from the canal mouth to the rear of the canal are to be surveyed for benthic plants and animals. At each of these sites, three 0.25 m² quadrats are to be haphazardly placed on the sediment and all species of plants, macroalgae and animals are to be recorded, along with a classification of surface sediment type, a sediment depth measurement, and a canopy height. Density of seagrass, algae and benthic animal species are to be measured using a modified Braun-Blanquet scale. Monitoring is to be continued at 0m and 10m outside the mouth of each canal where densities of benthic species and sediment type are to be surveyed using the same methods. Additionally, fish surveys will be conducted along each transect using the roving diver technique.

CONSULTANT will be responsible for the collection and laboratory processing of the physicochemical and chemical parameters. CONSULTANT will be responsible for reporting all

information collected in the field to the Village, which will include the physicochemical, chemical, and benthic parameters.

Following each bi-annual sampling event, the CONSULTANT will be responsible for a deliverable which documents the results of the sampling event. Reporting will include a summary of field activities, dates of sampling events, production of a geo-referenced station map, data in standard spreadsheet format, and an interpretive report which details the results of the sampling event and compares results to historical values. The CONSULTANT will also provide Excel databases of compiled and completed data sets.

The CONSULTANT will be responsible for supplying all equipment necessary to perform the studies. The CONSULTANT will be responsible for obtaining any necessary permits to complete the field studies and be aware of any natural resource protection measures that need to be applied.

Supplemental water quality monitoring may also be requested of the CONSULTANT to be performed in additional canals as they become candidates for or are selected for canal restoration projects. Contractual obligations for this supplemental work would be determined as they arise and do not currently form part of this agreement.

Project Schedule

The project will commence after the execution of this agreement. Field sampling is to be conducted once in the wet season (September-October) and once in the dry season (March-April). The first field work activities will be for the 2025 dry season sampling event. Field work is to be scheduled and completed at the CONSULTANT'S convenience. There are no set dates on when the field work is to be performed; however, it needs to be completed between September 1 - October 31 for the wet season sample and March 1 – April 30 for the dry season sample. During each bi-annual sampling event the Village's project manager is to be notified prior to field activities taking place and is to be notified once they are completed.

The agreement between the VILLAGE and the CONSULTANT is for a one-year term with renewal provisions for four (4) additional one-year periods by the mutual written agreement of both parties. According to this agreement, one year of work will entail one wet and one dry season sample.

PROJECT APPROACH

Provide in detail the methods that will be utilized to perform the field work portion of this project.

There will be two monitoring events per year, one during the wet season (September-October) and one in the dry season (March-April). RES will perform the field work for both the benthic resources surveys and water quality sampling during the same field event. Prior to arrival for each event, we will contact the laboratory to have the bottles and coolers ready for our pickup upon arrival. The following provides our general field work strategy.

The following provides a more prescriptive approach the monitoring process that we would implement.

Prior to sampling, high and low tide times will be obtained. To determine the presence of a thermocline and/or halocline, the following field measurements will be collected at each sampling site at the surface and at the bottom and recorded:

- water depth (meters)
- salinity (practical salinity units),
- specific conductivity
- temperature (°C)
- dissolved oxygen (milligrams per liter and % saturation),
- pH
- turbidity (nephelometric turbidity units)

These measurements will be collected using our in-house meters and a weighted measuring tape. Tides will be documented. The presence of thermoclines and haloclines will be evaluated. Field measurements and samples will be collected one to three feet below the water surface and bottom measurements and samples will be collected one to three feet above the canal bottom. Samples will be collected using a Van Dorn or similar sampler. Field measurements and water samples will be collected from a vessel. Measures to avoid sediment disturbance in the immediate area of the sample will be taken. Water samples will be collected in a manner consistent with the FDEP SOPs for surface water sample collection. Samples will be placed in containers provided to us by the laboratory and stored in an ice filled cooler until delivery to the laboratory. Proper chain of custody protocols will be followed from sample collection until delivery to the laboratory. The laboratory will analyze the samples for the following parameters:

- Chlorophyll a (CHLa)
- Ammonium (NH₄)
- Nitrate + Nitrite (NO_x)
- Nitrite (NO₂)
- Soluble Reactive Phosphorous (SRP)
- Total Nitrogen (TN)
- Total Phosphorous (TP)
- Total Organic Carbon (TOC)

Two RES divers will conduct benthic (seagrass, coral and algae) surveys at each of the three canals during each seasonal sampling event. Prior to the surveys, five evenly spaced transects perpendicular to shore and distributed through the canal (i.e. canal mouth to the rear of the canal). These locations will be determined in ArcGIS in advance of the field work and uploaded into a Global Positioning System (GPS) to be used in the field. Once in the field, a transect tape will be deployed using the predetermined GPS coordinates for the first site of the canal. Diver one will haphazardly place a 0.25 m² quadrat along the transect while Diver two haphazardly places a second 0.25 m² quadrat along the same transect. After the first diver is complete with their quadrat, a third 0.25 m² quadrat will be haphazardly placed along the same transect. Each

quadrat will be monitored using the modified Braun-Blanquet scale. Data sheets will be prepared prior to the field visit with each of the possible sessile functional that could be observed. Estimate percent cover will be measured from a bird's eye view of the quadrat. Functional groups that would be included in the data sheets include sediment, macroalgae, sponge, octocoral, hard coral, tunicate, seagrass and other. Representative photographs will be taken at each quadrat. Seagrass will be identified to the species level. Macroalgae and octocoral will be identified to the genus level. Sponges will be identified to their morphology and corals will be identified to the species level. Additionally, individual coral, octocoral and sponge size (i.e. length and width for coral and height for octocoral), percent mortality and condition for each individual will be recorded. Sediment depths will be collected at the center of each quadrat. Next, RES divers will place three quadrats haphazardly along transects located at 0m, 10m, 50m, 100m and 250m outside of the canal mouth. Benthic species and sediment type will be surveyed using the same methods. These survey methods will be repeated for each of the five canals.

Describe in detail how the water samples are to be processed including proposed laboratory facilities

We have selected Flowers Chemical Laboratories' Marathon laboratory for this project. This will allow us to meet the requisite hold times. We will request three coolers and six sets of sample bottles (one extra in case of breakage) ahead of time so that we have the opportunity to ensure that the correct containers are provided and so that we can partially pre-label them for efficiency. Ice will be purchased in advance of sample collection so that samples never exceed appropriate storage temperatures. Water samples will be collected in the containers provided to us by the laboratory in advance of the field work. Samples will be placed in the laboratory containers, labeled individually, and sealed. Chain of custody forms will be completed for each sample event. We will prearrange each day with the laboratory so that the samples can be processed within the required holding times.

Describe available equipment and field gear to be utilized for this project, including vessel(s) and ability to tow and launch a vessel.

We will use our inhouse equipment to collect salinity, specific conductivity, temperature, dissolved oxygen and pH. We own YSI 556 Water Quality Multimeters and Lamotte Turbidity 2020E meters. A weighted tape measure will be used measure the depth of the canals. A Van Dorn or similar sampler will be used to collect the water samples. Additional equipment required includes sample bottles, ice, coolers, datasheets, clipboards, field notebook, pens, Deionized water and gloves.

During the on-water work, life vests, first aid kits, and a VHF radio will be available for field staff. The following equipment will be utilized during the benthic surveys: vessel dive flag, dive flag buoy, SCUBA equipment, GPS, clipboards, datasheets, pencils, rulers, underwater cameras, location map, transect tapes, and 0.25 m² quadrats.

Describe the ability to enter, analyze, interpret and report the data to the Village as described in the Scope of Work.

In addition to our water quality and benthic survey expertise, RES implements a QA/QC program that includes using FDEP-adopted SOPs for field work and sampling. Our staff regularly use GIS to produce geo-referenced maps in our reports. All of our documents are produced in accordance with our QA/QC program that includes robust reviews and sign-off of documents by senior technical staff of all reports, tables, figures and graphs. This ensures you will receive quality bi-annual reports summarizing field activities, dates of sampling events, data results presented in tabular format, graphs, GIS maps, and a narrative interpretation of the sampling results that includes comparison of current water quality monitoring and benthic surveying results to historical values.

PAYMENT SCHEDULE

% Work Complete	Deliverable	Timeframe	Invoice/ Payment Amount
25	Letter report confirming completion of dry season field sampling event	Within one week following completion of dry season field sampling event	\$18,750
50	Interpretive report and data from dry season sampling event	Within 60 days following the end of the dry season sampling period	\$18,750
75	Letter report confirming completion of wet season field sampling event	Within one week following completion of wet season field sampling event	\$18,750
100	Interpretive report and data from wet season sampling event	Within 60 days following the end of the wet season sampling period	\$18,750



November 18, 2024

Mr. Peter Frezza
Environmental Resource Manager
Islamorada, Village of Islands
86800 Overseas Highway, 3rd Floor
Islamorada, Florida 33036

**Subject: Proposal for Water Quality and Benthic Monitoring – Year 5
Six Residential Canals
Islamorada, Monroe County, Florida
RES Proposal Number PRJ111891**

Dear Mr. Frezza:

RES Florida Consulting, LLC (RES) is pleased to submit this proposal to provide water quality and benthic monitoring for Year 5 to support the on-going water quality and benthic vegetation monitoring being performed for Islamorada, Village of Islands (the Village). Included, and incorporated as part of this proposal, is an outline of the background information, the scope of services, fee and schedule, and authorization procedures including the terms and conditions governing the project.

Background Information

RES' understanding of the project is based upon communication between you and Jennifer Savaro of our Keys office on November 4, 2024, and services being provided under an existing agreement. In 2015, the Village hired Florida International University (FIU) to conduct water quality and benthic vegetation monitoring of five canals (Canal 114, 118, 120, 145 and 152). The selection of these canals was based on changes in local wastewater management. RES was engaged in 2021 to continue water quality and benthic vegetation monitoring of these five canals. After the Spring 2022 monitoring event, the Village concluded that no significant changes were being documented in Canals 120 and 145 and because there are no water quality improvement actions planned for those canals, the Village removed them from the monitoring program for the Fall 2022 event. The Village also terminated the benthic monitoring for Canal 118 for similar reasons. In the third year of monitoring, Canals 155 and 157 replaced Canals 120 and 145. In the fourth year of monitoring, Canals 132 and 147 replaced Canals 118 and 155.

For Year 5, the Village requested a proposal to continue the water quality monitoring of Canals 114, 116, 132, 147, 152 and 157, including background samples taken 500m from each of the canal mouths. Additionally, the proposal would include the benthic monitoring of Canals 116, 147 and 152.

Proposed Scope of Services

Water quality and benthic vegetation are to be sampled in conjunction, twice a year, from six residential canals in Islamorada. RES will conduct sampling twice per year, once in the wet season (September – October) and once in the dry season (March – April). Canals to be sampled for water quality include Canals 114, 116, 132, 147, 152 and 157. Benthic monitoring will occur in Canals 116, 147 and 152. This scope follows methodology and protocols established and carried out since the establishment of the program and with the addition of RES' recommendations provided to the Village after the 2021 sampling.

A Florida Keys National Marine Sanctuary (FKNMS) Research Permit was issued to RES in March 2024 and expires January 31, 2026. This permit authorizes research in nearshore waters of Islamorada.



Task 1: Water Quality Sampling

During each seasonal sampling event, water samples will be collected at two fixed stations within each of the six canals and one location 500m outside the mouths of each of the six canals. At each of these fixed stations, there is to be a 'bottom' and a 'surface' sample. Bottom samples are to be collected at a depth of one to three feet above the bottom and surface samples from one to three feet below the water surface. Water samples are to be tested for the following chemical variables: Chlorophyll *a* (CHL *a*), Ammonium (NH₄), Nitrate+Nitrite (NO_x), Nitrite (NO₂), Soluble Reactive Phosphorous (SRP), Total Nitrogen (TN), Total Phosphorous (TP) and Total Organic Carbon (TOC). Since no trends were continuously observed in the Enterococci results from previous sampling, Enterococci was removed from the list of parameters in 2023. A bottom and top measurement of the following physiochemical parameters are also to be performed from the same fixed location in each canal: depth (m), salinity (psu), specific conductivity (μS/cm), temperature (°C), dissolved oxygen (mg/l & % saturation), pH and turbidity (NTU).

Laboratory samples will be placed in containers provided by the laboratory to be used for this project, Eurofins in Marathon, Florida. The laboratory will analyze the water quality samples for the following parameters.

Laboratory Analytical Parameters	
Parameter Analyzed	Test Method
Ammonium (NH ₄)	EPA350.1
Chlorophyll-a (CHL-a)	SM10200 H
Nitrate + Nitrite (NO _x)	EPA353.2
Soluble Reactive Phosphorous (SRP)	EPA365.1
Total Nitrogen (TN)	TotNit
Total Phosphorous (TP)	EPA365.1
Total Organic Carbon (TOC)	SM5310 C

Task 2: Benthic Monitoring

Benthic monitoring will occur in Canals 116, 147 and 152. During each seasonal sampling event, five sampling sites evenly distributed from the canal mouth to the rear of the canal are to be surveyed for benthic plants and animals. At each of these sites, three 0.25 m² quadrats are to be haphazardly placed on the sediment and all species of plants, macroalgae and animals are to be recorded, along with a classification of surface sediment type, a sediment depth measurement, and a canopy height. Density of seagrass, algae and benthic animal species are to be measured using a modified Braun-Blanquet scale. Monitoring is to be continued at 0m and 10m outside the mouth of each canal where densities of benthic species and sediment type are to be surveyed using the same methods. Additionally, fish surveys will be conducted along each transect using the roving diver technique.

Task 3: Reporting

Following each semi-annual sampling event, RES will provide a deliverable which documents the results of the sampling event. Reporting will include a summary of field activities, dates of sampling events, production of a geo-referenced station map, data in standard spreadsheet format, and an interpretive report which details the results of the sampling event and compares results to historical values. RES will also provide excel databases of complied and completed data sets.

Assumptions

The Village may request changes that would increase, decrease, or otherwise modify the Scope of Services. Such changes must be contained in a written change order executed by the parties, prior to any deviation from the terms of the Project Agreement, including the initiation of any extra work. If unforeseen conditions should require services beyond the scope of services described herein, RES will notify you of additional costs necessary to complete the project, prior to proceeding. Services beyond those described herein would be invoiced in accordance with our standard schedule of fees at the applicable rates.



Fees

Customer shall pay to RES the following lump sum fee of \$75,000 per year. Payable as follows:

Milestone/Date	Payment Amount
Dry Season Field Work	25% - \$18,750.00
Dry Season Summary Report	25% - \$18,750.00
Wet Season Field Work	25% - \$18,750.00
Wet Season Summary Report	25% - \$18,750.00

Schedule

The project will commence after the agreement amendment is executed. Field sampling is to be conducted once in the wet season (September-October) and once in the dry season (March-April). The first field work activities will be for the 2025 dry season. Field work is to be scheduled and completed at RES' convenience. There are no set dates for when the field work is to be performed; however, it needs to be completed between September 1 – October 31 for the wet season sample and March 1 – April 30 for the dry season sample. During each semi-annual sampling event the Village's project manager is to be notified prior to field activities taking place and is to be notified once they are completed.

Authorization

If the Village wishes to proceed with the canal monitoring as outlined herein, please issue an agreement or work order as authorization to proceed.

We appreciate the opportunity to offer our professional services on this project. If you have any questions or comments concerning this proposal, please do not hesitate to contact us at the emails or phone numbers below.

Sincerely,

RES Florida Consulting, LLC

Jennife Savaro
Scientist IV
jsavaro@res.us | 610-304-2165

Gayle Stone
Scientist V
gstone@res.us | 954-484-8500



Council Communication

To: Mayor and Village Council
From: Maria Bagiotti, Founders Park Director
Date: December 10, 2024
SUBJECT: **Resolution the Final Rankings and Recommendations of the RFP 24-17 Evaluation Committee for Selection of a Contractor for the Pickleball Courts and Basketball Court Resurfacing Project TAB 6**

Background:

Islamorada Founders Park, located at 87000 Overseas Highway, is the center of the Village's Park system, offering sports programs, recreational programs and facilities, sports coaching and training and facilities for aquatics, golf, soccer, baseball, tennis, volleyball, swimming, and basketball.

The Pickleball Complex consists of three (3) hard surface lighted courts and the basketball court is a lighted multi-use court lined for basketball and pickleball play. Both amenities are open daily for use by the public and various sports organizations.

Currently, the pickleball and basketball courts are worn, cracked, uneven, and faded due to heavy use and exposure to all weather conditions. The Village desires to have them resurfaced. The vinyl chain-link divider fencing between the pickleball courts are also to be replaced as part of this Project. To minimize impact on park programs and general use of the courts, the Projected is slated to be completed during the time period of March 1, 2025, to May 31, 2025.

This work does not conflict with continuing activity on the Founders Park Master Plan.

Analysis:

The Village issued Request for Proposals ("RFP") 24-17 on October 11, 2024 to solicit proposals from qualified proposers to resurface three (3) existing pickleball courts, replace vinyl chain-link divider fencing between the pickleball courts, resurface the existing basketball court, and line the basketball court for multi-sport use as two (2) pickleball courts, the "Project".

RFP 24-17 was issued in accordance with Sec. 2-327(b) and (c)(4) of the Village's Purchasing Guidelines in the Village Code of Ordinances. RFP 24-17 was published on DemandStar.com and on the Village's website from October 11, 2024 to the bid submittal deadline. The RFP was also advertised on the Village website, posted on Facebook, distributed via Constant Contact email, and published in the Keys Weekly for first week of the advertising period.

The Village received a total of five (5) proposals in response to RFP 24-17. To evaluate the proposals, an Evaluation Committee (the "Committee") was established. Members included Founders Park

Directo Maria Bagiotti, Sr. Staff Accountant Hatti Jenkins, and Founders Park Program Manager Anne Onsgard.

Cost is not the only factor considered during the evaluation. Consideration was also given to each firm's organization, experience with similar projects, qualifications, proposed timeline for completion, and references.

The proposals were reviewed and scored by the Evaluation Committee in a publicly noticed meeting on November 19, 2024. A maximum of 100 points was available in the scoring system, for a total maximum score of 300 points from the three-member Committee. There were no local firms eligible for the possible ten (10) additional points. The Committee ranked the proposals as follows according to the criteria and point system provided in the RFP.

Rank	Proposer/Firm Name	Points	Cost Proposal
1	All in One Courts Construction	286	\$ 30,930.00
2	Advanced Athletic Surfaces	263	\$ 29,980.00
3	McCourt Tennis Courts	197.5	\$ 24,775.00
4	Premier Surface Solutions	192	\$ 41,000.00
5	Southwest Tennis	182	\$ 61,944.65

Adoption of the proposed Resolution would approve the ranking of the RFP 24-17 Evaluation Committee, the recommended selection of All in One Courts Construction for the Pickleball Courts and Basketball Court Resurfacing Project and authorize the Village Manager to enter into an Agreement with All in One Courts Construction.

The estimated project timeline provided in the proposal is fourteen business days from commencement of the project to completion.

Budget Impact:

The proposed cost for the Project is \$30,930 00. The revenue source for the project would be Local Government Discretionary Sales Surtax accounted for in the Capital Project Fund. The approved Fiscal Year 2024-2025 Capital Project Fund Budget includes \$38,000.00 for the project.

Staff Impact:

The Founders Park Director would oversee scheduling, implementation and completion of the Project.

Recommendation:

It is recommended that the Village Council adopt the proposed resolution thereby approving the recommended selection of All in One Courts Construction for the Project and authorizing the Village Manager to enter into an Agreement with All in One Courts Construction in substantially the form provided as Exhibit "1" to the proposed resolution.

Attachments: 1. Reso RFP 24-17 Award and Agrmt Pickelball Resurfacing

RESOLUTION NO. 24-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 24-17 EVALUATION COMMITTEE FOR SELECTION OF A CONTRACTOR FOR THE PICKLEBALL COURTS AND BASKETBALL COURT RESURFACING 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

WHEREAS, Islamorada, Village of Islands (the "Village") strives to enhance the quality of life for residents and visitors by providing safe and attractive recreation areas and locations for sports activities, family gatherings and community events; and

WHEREAS, Islamorada Founders Park, located at 87000 Overseas Highway, is the center of the Village's Park system, offering sports programs, recreational programs and facilities, sports coaching and training and facilities for aquatics, golf, soccer, baseball, tennis, volleyball, swimming, and basketball; and

WHEREAS, Founders Park has three (3) existing pickleball courts and one (1) basketball court that are highly used and very popular; and

WHEREAS, currently, the courts need resurfacing as there are areas in disrepair and lines need to be redrawn as they are faded; and

WHEREAS, on October 11, 2024, the Village issued Request for Proposals (RFP) 24-17 to solicit proposals from qualified firms to complete Pickleball Courts and Basketball Court Resurfacing Project (the "Project"); and

WHEREAS, an Evaluation Committee (the "Committee") was established to review responsive proposals to the RFP and make a recommendation to the Village Council for the

selection of a Contractor to complete the Project; and

WHEREAS, the Committee reviewed the five (5) proposals received using the selection criteria detailed in RFP 24-17 and recommends selection of the highest-ranked proposal from All in One Courts Construction for the Project for an amount not to exceed Thirty Thousand Nine Hundred Thirty and 00/100 Dollars (\$30,930.00) to complete the Project; and

WHEREAS, the Village Council finds that approval and selection of All in One Courts Construction and entering into an Agreement for the Project is in the best interest of the Village and its residents.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Approval of Selection.** The Village Council hereby approves the selection of All in One Courts Construction to complete the Project.

Rank	Proposer/Firm Name	Points	Cost Proposal
1	All in One Courts Construction	286	\$ 30,930.00
2	Advanced Athletic Surfaces	263	\$ 29,980.00
3	McCourt Tennis Courts	197.5	\$ 24,775.00
4	Premier Surface Solutions	192	\$ 41,000.00
5	Southwest Tennis	182	\$ 61,944.65

Section 3. **Authorization of Village Officials.** The Village Manager and/or his designee and the Village Attorney are authorized to negotiate an agreement with All in One Courts Construction substantially in the form attached hereto as Exhibit "1", for completion of the Project in an amount not to exceed Thirty Thousand Nine Hundred Thirty and 00/100 Dollars (\$30,930.00).

Section 4. **Execution of Agreement.** The Village Manager is authorized to execute the Agreement with All in One Courts Construction on behalf of the Village, to execute any

required documents to implement the terms and conditions of the Agreement, and to execute any extension and/or amendments to the Agreement, subject to approval as to form and legality by the Village Attorney.

Section 5. **Authorization of Fund Expenditures.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village’s Purchasing Procedures Ordinance, the Village Manager is hereby authorized to expend budgeted funds for the Project.

Section 6. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Sharon Mahoney	_____
Vice Mayor Don Horton	_____
Councilman Steve Friedman	_____
Councilwoman Deb Gillis	_____
Councilman Joseph B. Pinder III	_____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

SHARON MAHONEY, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:

JOHN J. QUICK, INTERIM VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: Terry Abel, Fire Chief
Date: December 10, 2024
SUBJECT: **Resolution Approving Lifescan, Inc., Expenditure Greater than \$25,000.00 TAB 7**

Background:

The Islamorada Fire Rescue Department has been utilizing the services of Life Scan Wellness Centers ("Life Scan") to conduct NFPA compliant physicals for over ten (10) years. The service comes to Islamorada for one (1) week each year to conduct thorough physicals of the Village's combat firefighters. In recent years, the Village opened this program to non-Fire Rescue Village staff and family members at their own expense.

Attachment B is a brochure of information from Life Scan regarding their services, including the cost quote for services in FY 2024-2025. The process starts with in-house blood draws conducted approximately one (1) month before the onsite physicals. Life Scan then conducts a hands-on physical exam, back assessment, breast examination, vision and hearing examination, skin cancer assessment, detailed review of blood draw panels, behavioral health assessments, colon cancer screening, urinalysis, lipid panel, diabetes tests, thyroid panel, PSA (for men), CA-125 (for women), echocardiogram, ultrasound of all organs, cardiopulmonary assessment, pulmonary assessment, medical clearances on OSHA respirators, and lastly a physical assessment consisting of muscular strength, aerobic endurance, flexibility and BMI assessment. Any abnormal findings are discussed with the individual, and a corrective plan of action is developed with a follow-up with respective primary care physicians, as needed.

In prior years, the annual cost of the service was within Village Manager purchasing authority to approve (under \$25,000.00). However, with the increase in the number of Fire Rescue personnel requiring physicals, increased service and testing costs, expenditures now exceed Village Manager's authority and require approval from the Village Council per the Village's purchasing ordinance.

Analysis:

The services provided have provided vital information to staff in order to avoid future issues, catching cancer more than once, and other potentially dangerous situations by using preventative measures. By conducting physicals specifically tailored to the firefighter career, we are able to keep our staff in the best possible health to ensure their best healthy career in the Village.

The attached Resolution (Attachment A) would approve a payment not to exceed \$34,000.00 to Life Scan for physicals this fiscal year. Staff estimates 50 physicals at the base price of

\$525.00 (\$26,250.00) and 50 blood draws, Tuberculosis tests at \$41.00 each (\$2,050.00) and lab work at a cost of \$40.00 each (\$2,000.00). The additional funds are for any unanticipated extra services required or additional staff testing.

Fire Rescue staff would be covered via the resolution and budgeted funds. Other Village staff, family members and non-combat firefighters who would like a physical must reimburse the Village for the service.

Budget Impact:

The expenditure would be posted to the Professional Services Account of the Fire Rescue Department in the General Fund. The FY 2024-2025 total budget is \$202,000.00 with \$25,000.00 estimated for the Life Scan physicals, budgeted amount is slightly below actual costs once updated estimate was received. A budget amendment would be presented to the Village Council as needed if more funds in the account are needed by fiscal year end.

Staff Impact:

Personnel would report for blood draws approximately 30 days prior to physicals and then report for their physical the scheduled day while on duty. There is no impact on staffing levels or increase in overtime budget resulting from the adoption of the attached Resolution.

Recommendation:

It is recommended that the Village Council approve the expenditure to Life Scan Wellness Centers to conduct NFPA complaint physicals in FY 2024-2025.

- Attachments:**
1. Life Scan Reso_12 10 24 v1
 2. Islamorada Quote 2025 - Life Scan Attachment B
 3. Life Scan Islamorada Fire 2025 Agreement Attachment C

RESOLUTION NO. 24-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING FISCAL YEAR 2024-2025 PURCHASE FROM LIFE SCAN WELLNESS CENTERS, TO PROVIDE ANNUAL PHYSICALS FOR TO THE FIRE RESCUE DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Islamorada, Village of Islands ("Village") Fire Rescue Department combat firefighter personnel are required to have annual NFPA-compliant physicals and other medical testing; and

WHEREAS, the Village Fire Rescue Department identified Life Scan Wellness Centers (Life Scan), as the preferred vendor capable of providing the physicals and associated lab work and other tests timely, at competitive prices, and on-site; and

WHEREAS, pursuant to Section 2-328(a) of the Village's Code of Ordinances concerning waiver of competitive bidding, the requirements of Section 2-327 relating to competitive bidding may be waived by the Village Council upon a documented finding that the purchase of the particular goods or services without competitive bidding is in the best interest of the Village; and

WHEREAS, the Village Council finds that approval of Fiscal Year 2024-2025 not to exceed amount of \$34,000.00 for physicals and lab testing by Life Scan and a waiver of competitive bidding are in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of Fiscal Year Expenditures. The Village Council hereby approves an amount not to exceed Thirty Four Thousand Dollars (\$34,000.00) for physicals and other testing by Life Scan.

Section 3. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds for purchases from Life Scan in Fiscal Year 2024-2025.

Section 4. Approval of Waiver of Competitive Bidding. In accordance with Section 2-238(a) of the Village Code, the Village Council waives the purchasing provisions of the Village Code to utilize the services of Life Scan without conducting a competitive bid process based on the level of service that Life Scan has historically provided and the thorough examination and testing they conduct.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

Motion to adopt by _____ second by _____

**FINAL VOTE AT ADOPTION
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Sharon Mahoney _____

Vice Mayor Don Horton _____

Councilwoman Deb Gillis _____

Councilman Steve Friedman _____

Councilman Joseph B. Pinder III _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

SHARON MAHONEY, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND
LEGALITY FOR THE USE AND BENEFIT
OF ISLAMORADA, VILLAGE OF ISLANDS:

JOHN J. QUICK, VILLAGE ATTORNEY



LIFE SCAN WELLNESS CENTERS

Saving the Lives of America's Heroes

LIFE SCAN WELLNESS CENTERS QUOTE:	
Department: Islamorada Fire City & State: Islamorada, FL Contact: Dabbie Naiser Date: 9/6/24	2025
Number of Physicals: 53	
Public Safety Physical Exam (NFPA 1582 compliant)	
Medical & Occupational/Environmental Questionnaire	Included
Comprehensive Hands-On Physical Exam	Included
Vital Signs: Height, Weight, Blood Pressure, Pulse	Included
Behavioral Health Eval - Epworth Sleep, PCL-5, PHQ-9	Included
Back Health Evaluation	Included
Urinalysis	Included
Audiogram	Included
Titmus Occupational Vision Exam	Included
Breast Exam with Self-Exam education	Included
Personal Consultation with review of testing results	Included
Laboratory Tests:	
Comprehensive Metabolic Panel, Blood Chemistry	Included
Complete Blood Count, Hematology Panel	Included
Hemoccult Stool Test for Colon Cancer Screening	Included
Total Lipid Panel	Included
Thyroid Test TSH	Included
Glucose	Included
Hemoglobin A1C	Included
Men: PSA (Prostate cancer marker) and Testosterone	Included
Women: CA-125	Included
Ultrasound Screenings (Early Detection of Heart Disease and Cancer):	
Echocardiogram (Heart Ultrasound)	Included
Carotid Arteries Ultrasound	Included
Aorta and Aortic Valve Ultrasounds	Included
Liver Ultrasound	Included
Gall Bladder Ultrasound	Included
Kidneys Ultrasound	Included
Spleen Ultrasound	Included
Bladder Ultrasound	Included
Thyroid Ultrasound	Included
Men: Prostate and Testicular Ultrasounds	Included

Women: Ovaries and Uterus Ultrasounds	Included
Cardiopulmonary Testing & Fitness Eval (NFPA 1583 & IAFF WFI)	
Cardiac Stress Test (Treadmill with 12 lead, sub-maximal)	Included
EKG, 12 Lead	Included
Spirometry, PFT with OSHA Respirator Medical Clearance	Included
Fitness tests for muscular strength & endurance	Included
VO2 Max Calc for Aerobic Capacity	Included
Body Weight and Composition	Included
Personal Fitness Rx	Included
LIFE SCAN PUBLIC SAFETY PHYSICAL EXAM BASIC COST Each	\$500.00
Mandatory LifeScan NFPA Proprietary EMR System with Behavioral Health Assessments	\$25.00
Total Life Scan Wellness Center Cost per physical	\$525.00
OPTIONAL TESTS AVAILABLE	Line Item Cost
Chest X-Ray, 2 view with radiologist review (included)	\$103.00
Lumbar X-Ray, 2 view with radiologist review	\$103.00
Hazmat Cholinesterase	\$103.00
Hazmat Heavy Metals	\$103.00
Hepatitis A Screening Test	\$68.00
Hepatitis A Titer	\$49.00
Hepatitis B Screening Test	\$81.00
Hepatitis B Titer	\$45.00
Hepatitis C Screening Test	\$74.00
HIV Test, Gen 4	\$41.00
PPD TB Skin Test	\$41.00
QuantiFeron Gold TB Blood Test	\$109.00
Tdap (Tetanus, Diphtheria, Pertussis) Titer	\$41.00
MMR Booster	\$109.00
MMR Titer	\$109.00
Varicella Titer	\$74.00
Polio Booster	\$42.00
Polio Titer	\$80.00
Vitamin D	\$17.00
OSHA Respirator Mask Fit Testing (PortaCount)	\$65.00
Drug Screen, I CUP	\$65.00
Drug Rescreen with confirmation	\$74.00
Medical Review Officer (MRO) as indicated/secondary review	\$149.00
Phlebotomist (Blood Draw) Fee	\$34.00
Labs Drawn without Appointment	\$100.00
Form Fee - Add'l forms needing to be filled out by APRN (per form)	\$50.00
Secure Wifi if not provided by department (per week)	\$50.00

Minimum 45 appointments: Pricing subject to annual increase. Pricing is based on 9 patients per day, 45 per week. All scheduled appointments will be billed.



2025 Department Scheduling And Additional Testing Agreement

DEPARTMENT INFORMATION

2025-25

Islamorada Fire

Billing & Supply Shipping Address

86800 Oversees Hwy

Islamorada, FL 33036

Life Scan Base Price: \$525.00

Invoices POC

Name:

Email:

Scripts, Schedule & Roster POC

Debbie Naiser

(O) 305-664-6490 (C)

Debbie.naiser@islamorada.fl.us

BLOOD DRAW INFORMATION

X Self Draw

Send Blood Draw Supplies in December 2024

Centrifuge Needed? ☐ Yes ☐ No

Members who do not participate in the on-site blood draws will need to bring their script to a local Lab Corp. For accurate results, blood draws need to be performed between 45 days and 10 days prior to scheduled physicals. ***Reminder, members need to fast 10 hours prior to blood draw***

Supply Shipping Address

86800 Oversees Hwy

Islamorada, FL 33036

PHYSICALS INFORMATION

Set-Up: 7:30 am

Start: 8:30am

Location for Physicals

Members: 50

Total Days: 6

81850 Oversees Hwy

Islamorada, FL 33036

Dates of Physicals

Tues, Jan. 28 – Fri, Jan. 31

Mon, Feb. 3 – Wed, Feb. 5

Fit for Duty POC

Evie

HR@islamorada.fl.us

Requirement for Physicals:

3 private rooms (10 x 10 is sufficient), one room needs to have a treadmill with at least a 15% incline. Each room should have a trash can and a small table and two chairs if possible.

Our staff will need to connect to the WiFi to chart findings during the exam. If your WiFi requires a password to gain access, please provide it here.

WiFi Password:

*****Agreement must be signed and returned a minimum of 30 days prior to scheduled physicals. If dates of physicals are not confirmed a minimum of 30 days prior to, Life Scan Wellness reserves the right to release the dates.*****

ADDITIONAL LABS AND TEST: Check if you agree to additional test/labs

Yes	Test/Lab	Price	QTY	Notes
X	FFD			
X	PPD	\$41	50	

CLIENT AGREEMENT:

As an authorized representative, I have reviewed and agree to these terms, dates, additional tests, labs, and pricing.

Islamorada Representative Name and Title

Islamorada Representative Signature

Signed Date

Jennifer Connelly

11/25/2024

Jennifer Connelly – Administrative Director
Life Scan Representative Name and Title

Signed Date



LIFE SCAN WELLNESS CENTERS
Saving the Lives of America's Heroes



Council Communication

To: Mayor and Village Council
From: Terry Abel, Fire Chief
Date: December 10, 2024
SUBJECT: Resolution Approving Purchase of New Radios TAB 8

Background:

Historically, Fire Rescue has had success with chasing grants to procure new radios for fire rescue until a recent change in the grant program. The last time we were able to procure radios via the grant process was 2022. We unfortunately have had a few radios that were damaged beyond repair and a few others that are no longer supported by the manufacturer and are not P25 compliant with the dispatch center requirements.

In the winter of 2019 and summer of 2022, Islamorada, Village of Islands (the "Village") submitted a grant application to the Florida Forest Service requesting grant funds. We were successful in procuring 6 radios during the two processes for Fire/EMS staff. Under the grant program, Islamorada no longer qualifies to receive the grant, with no other grant funding sources found to aid in the purchase of radios. The fire rescue budgeted this FY 24/25 \$57,000.00 for the replacement of radios to replace damaged and no longer supported obsolete radios.

Analysis:

Section 2-327(c)(4) of the Village's Code of Ordinances (the "Code") which relates to purchasing guidelines, provides that the "purchase of or contracts for materials, supplies, equipment, improvements or services where the anticipated cost is estimated to exceed \$25,000.00" must be competitively bid. Per Section 2-328(2), of the Village Code relating to Waiver of Competitive Bidding, the requirements of Section 2-327(c)(4) may be waived "by use of an existing contract with the state, a state agency, another municipality, a political subdivision or a statement professional association when such contract was awarded by a competitive bidding process and the contract extends the prices, terms and conditions for such goods or services to the state's municipalities."

Adoption of the attached Resolution would approve the purchase of six (6) radios through Motorola in the amount of \$50,668.78. Village's pricing is piggybacking NASPO ValuePoint Master Agreement 00318 Public Safety Communications Products, Services and Solutions contract awarded January 1, 2022, with an expiration date of December 31, 2026. The radios are compliant with the new P-25 radio system implemented within Monroe County's dispatch center with the added feature of being dual-band. The dual-band radio will provide the Fire Department with the ability to communicate with the boating community, mainly the United States Coast Guard and Monroe County Sheriff's Dispatch Office. The new style radios are water-resistant and will aid with patient interaction and firefighting activities. Delivery is

expected in approximately 28 weeks from the executed contract and receipt of the purchase order.

Budget Impact:

The adopted FY 2024-2025 General Fund Fire Rescue Department budget for Capital Projects contains \$57,00.00 budgeted funding to cover the cost. The total costs would be \$50,668.78 expensed through Fire Rescue Capital Projects budgeted funds. The Village would be responsible for procuring the specified equipment.

Staff Impact:

The six (6) radios that would be acquired via budgeted funding to provide vital communication necessary for Fire/EMS staff operations; and ensure compliance with the P25 radio system implemented in the dispatch center. Staff would complete the required financial receiving and tracking reports. Radios work the same as current radios so no additional onboarding or in service training is required.

Recommendation:

It is recommended the Village Council adopt the attached resolution approving the purchase of the radios.

- Attachments:**
1. 4A31901-Resolution re Fire purchase of APX radios
 2. APX NEXT XE Frontline Exhibit A

RESOLUTION NO.

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PURCHASE
OF SIX (6) APX MOTOROLA RADIOS FROM MOTOROLA FOR
THE VILLAGE FIRE RESCUE DEPARTMENT; AUTHORIZING THE
VILLAGE MANAGER TO EXECUTE NECESSARY DOCUMENTS;
AUTHORIZING THE VILLAGE MANAGER TO EXPEND
BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Islamorada, Village of Islands (the "Village") needs handheld radios for the Village Fire Rescue Department; and

WHEREAS, funds in the amount of \$57,000.00 for the purchase of new Motorola handheld radios for the Village Fire Rescue Department were budgeted in the Fire Rescue Capital Outlay budget in the adopted FY 204-2025 Capital Projects Fund; and

WHEREAS, the Village desires to piggyback the National Association of State Procurement Officials (NASPO) Value Point Master Agreement 00318 Public Safety Communications Products, Services and Solutions contract and accept the competitive bid submitted by Motorola in response thereto for the purchase of six (6) APX Motorola Radios for the Fire Rescue Department; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council") desires to approve the purchase of the six (6) APX Motorola Radios from Motorola at a cost not to exceed the prices set forth in Exhibit "A" attached hereto; and

WHEREAS, the Village Council finds that the purchase of the handheld radios for the Fire Rescue Department is in the best interest of the Village and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of Purchase. The Village Council hereby approves the piggyback of the NASPO Value Point Master Agreement 00318 Public Safety Communications Products, Services and Solutions contract and accepts the bid submitted by Motorola for the purchase of six (6) APX Motorola Radios, at a cost not to exceed Fifty Thousand Six Hundred Sixty-Eight Dollars and Seventy-Eight Cents (\$50,668.78), as set forth in Exhibit "A" attached hereto.

Section 3. Authorization of Village Officials. The Village Manager and/or his designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the purchase.

Section 4. Execution of Documents. The Village Manager and the Village Attorney are hereby authorized to execute any required documents on behalf of the Village and authorized to implement the terms and conditions of any documents necessary to effectuate the purchase.

Section 5. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to purchase the fire equipment.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

[Remainder of this page intentionally left blank.]

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Sharon Mahoney	___
Vice Mayor Don Horton	___
Councilman Steve Friedman	___
Councilwoman Deb Gillis	___
Councilman Joseph B. Pinder III	___

PASSED AND ADOPTED THIS ___ DAY OF _____, 2024.

SHARON MAHONEY, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:

JOHN J. QUICK, VILLAGE ATTORNEY



ISLAMORADA VILLAGE OF ISLANDS

APX 8000 (5) & APX NEXT (1)

11/08/2024

11/08/2024

ISLAMORADA VILLAGE OF ISLANDS

86800 OVERSEAS HWY 3RD FL

ISLAMORADA, FL 33036

RE: Motorola Quote for APX 8000 (5) & APX NEXT (1)

Billing Address:
ISLAMORADA VILLAGE OF
ISLANDS
86800 OVERSEAS HWY 3RD FL
ISLAMORADA, FL 33036
US

Quote Date:11/08/2024
Expiration Date:01/07/2025
Quote Created By:
Mike Harrington
mharrington@emciwireless.com

End Customer:
ISLAMORADA VILLAGE OF ISLANDS
Terry Abel
terry.abel@islamorada.fl.us
305 664-6490

AGREEMENT: STATE OF FLORIDA

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

Line #	Item Number	Description	Qty	Term	List Price	Sale Price	Ext. Sale Price
	APX™ NEXT	APX NEXT XE SINGLE BAND					
1	H45TGT9PW8AN	APX NEXT SINGLE BAND MODEL 4.5 PORTABLE*	1		\$6,641.00	\$4,847.93	\$4,847.93
1a	QA00569AP	ADD: 7/800MHZ BAND	1		\$0.00	\$0.00	\$0.00
1b	QA01427AK	ALT: APX NEXT XE HOUSING GREEN	1		\$28.00	\$20.44	\$20.44
1c	QA02006AE	ADD: APX NEXT XE M4.5 RUGGED RADIO	1		\$770.00	\$562.10	\$562.10
1d	H499KC	ENH: SUBMERSIBLE (DELTA T)	1		\$165.00	\$120.45	\$120.45
1e	H38DA	ADD: SMARTZONE OPERATION	1		\$1,320.00	\$963.60	\$963.60
1f	Q806CH	ADD: ASTRO DIGITAL CAI OPERATION	1		\$567.00	\$413.91	\$413.91
1g	Q361CD	ADD: P25 9600 BAUD TRUNKING	1		\$330.00	\$240.90	\$240.90
1h	QA09001AM	ADD: WIFI CAPABILITY	1		\$330.00	\$240.90	\$240.90
1i	QA09030AA	ADD: MOTOROLA HOSTED RADIOCENTRAL W CPS*	1		\$0.00	\$0.00	\$0.00



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products. Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Term	List Price	Sale Price	Ext. Sale Price
1j	QA09017AA	ADD: LTE WITH ACTIVE SERVICE AT&T US*	1		\$0.00	\$0.00	\$0.00
1k	Q445BC	ADD: APX PERSONNEL ACCOUNTABILITY	1		\$165.00	\$120.45	\$120.45
1l	Q173CA	ADD: SMARTZONE OMNILINK	1		\$0.00	\$0.00	\$0.00
1m	QA07710AA	ALT: STUBBY 7-800MHZ 6CM ANTENNA	1		\$0.00	\$0.00	\$0.00
1n	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	1		\$6.00	\$4.38	\$4.38
1o	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	1		\$0.00	\$0.00	\$0.00
1p	Q698AF	ALT: PLASTIC CARRY HOLSTER WITH 3 INCH CLIP	1		\$0.00	\$0.00	\$0.00
1q	QA01843AR	ADD: FALL ALERT / MANDOWN OPERATION	1		\$165.00	\$120.45	\$120.45
2	PSV00S01424A	APX NEXT PROVISIONING*	1		\$0.00	\$0.00	\$0.00
3	LSV01S03447A	APX NEXT DMS ESSENTIAL W ACC DMG	1	5 YEARS	\$751.80	\$751.80	\$751.80
4	LSV01S03082A	RADIOCENTRAL PROGRAMMING	1	5 YEARS	\$160.20	\$160.20	\$160.20
5	PSV01S02940A	SMARTMAPPING ENABLEMENT*	1		\$0.00	\$0.00	\$0.00
6	SSV01S01407A	SMARTPROGRAMMING	1	5 YEARS	\$375.00	\$375.00	\$375.00
7	SSV01S01406A	SMARTCONNECT	1	5 YEARS	\$375.00	\$375.00	\$375.00
8	SSV01S01476A	SMARTLOCATE	1	5 YEARS	\$375.00	\$375.00	\$375.00
9	SSV01S01907A	SMARTMAPPING	1	5 YEARS	\$375.00	\$375.00	\$375.00
10	PMMN4152A	XVE500 DIV 1 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITHOUT KNOB, UL	1		\$707.00	\$516.11	\$516.11
11	RLN6486A	FIREMAN'S RADIO STRAP	1		\$49.23	\$35.94	\$35.94
12	NNTN9199A	IMPRES 2 SUC, 3.0A, 120VAC, TYPE A PLUG, NA	1		\$169.56	\$123.78	\$123.78
13	RLN6488A	ANTI-SWAY STRAP	1		\$18.77	\$13.70	\$13.70
14	NNTN9217A	BATTERY PACK,BATTERY PACK,IMPRES GEN2,	1		\$284.35	\$207.58	\$207.58



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Term	List Price	Sale Price	Ext. Sale Price
		LIION,IP68, 4400T, UL2054 DIV 2					
15	PMLN7948A	APX NEXT HYBRID LEATHER HOLSTER, STANDARD BATTERY	1		\$91.80	\$67.01	\$67.01
	APX™ 8000 Series	APX8000					
16	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5	5		\$7,392.32	\$5,396.39	\$26,981.95
16a	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	5		\$6.00	\$4.38	\$21.90
16b	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION	5		\$567.00	\$413.91	\$2,069.55
16c	Q361AN	ADD: P25 9600 BAUD TRUNKING	5		\$330.00	\$240.90	\$1,204.50
16d	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	5		\$0.00	\$0.00	\$0.00
16e	Q887AU	ADD: 5Y ESSENTIAL SERVICE	5		\$306.00	\$306.00	\$1,530.00
16f	QA09008AA	ADD: GROUP SERVICES	5		\$165.00	\$120.45	\$602.25
16g	QA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	5		\$0.00	\$0.00	\$0.00
16h	QA09001AB	ADD: WIFI CAPABILITY	5		\$330.00	\$240.90	\$1,204.50
16i	H38BS	ADD: SMARTZONE OPERATION	5		\$1,650.00	\$1,204.50	\$6,022.50
16j	QA07682AA	ADD: SMARTCONNECT	5		\$0.00	\$0.00	\$0.00
16k	QA09113AB	ADD: BASELINE RELEASE SW	5		\$0.00	\$0.00	\$0.00

Grand Total **\$50,668.78(USD)**

Notes:

- The Pricing Summary is a breakdown of costs and does not reflect the frequency at which you will be invoiced.
- Additional information is required for one or more items on the quote for an order.

Motorola's quote (Quote Number: _____ Dated: _____) is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then the following Motorola's



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products which is found at <http://www.motorolasolutions.com/product-terms>.

The Parties hereby enter into this Agreement as of the Effective Date.

Motorola Solutions, Inc.

Customer

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead
(PO will not be processed without this)

PO Number/ Contract Number

PO Date

Vendor = Motorola Solutions, Inc.

Payment (Billing) Terms/ State Contract Number

Bill-To Name on PO must be equal to the *Legal* Bill-To Name

Bill-To Address

Ship-To Address (If we are shipping to a MR location, it must be documented on PO)

Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)

PO Amount must be equal to or greater than Order Total

Non-Editable Format (Word/ Excel templates cannot be accepted)

Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept

Ship To Contact Name & Phone #

Tax Exemption Status

Signatures (As required)



Council Communication

To: Mayor and Village Council
From: Peter Frezza, Environmental Resources Manager
Date: December 10, 2024
SUBJECT: **Resolution Approving and Adoption of the Village's Land Acquisition Action Plan TAB 9**

Background:

The Islamorada, Village of Islands (the "Village"), Comprehensive Plan calls for maintaining programs for conservation of lands within the Village. The Comprehensive Plan states that the Village Council shall maintain an "Action Plan" for the Village, developed by the Village's Land Acquisition Advisory Committee (the "LAAC"), in conjunction with Village staff. This Action Plan shall recommend the best means for land acquisition and conservation, including retiring development rights from the vacant lands within the Village, while protecting private property rights, and may include programs such as: a general tax; a transfer tax; tax reduction for easements; unity of title; voluntary dedication; establishment of a Land Trust; outright acquisition and grantsmanship. The Action Plan shall include a system for continued monitoring, evaluation and update of the adopted programs. The Land Acquisition programs shall be maintained to affirm the Village's future conservation/ecological infrastructure, in coordination with the Monroe County Land Authority, current and proposed Land Development Regulations, and Comprehensive Plan policies.

Analysis:

The LAAC has collaborated with Village staff to complete a draft of the Action Plan, attached as Exhibit "A" hereto. The result of the Action Plan is a set of recommendations to the Village Council regarding approaches, including policies and programs, by which land can be acquired and development rights can be retired from private, vacant lands within the Village. A listing and description of mechanisms that can achieve these goals is provided. A short list of strategies was prepared after considering possible mechanisms to achieve these goals. The LAAC also recognizes that land acquisition coincides with a need to ensure land management to protect and enhance the qualities for which properties are acquired. The Action Plan also includes a listing of private, vacant parcels in the Village that are targeted for acquisition by the Village and the State's Florida Forever Program and documented with the Monroe County Land Authority. The Action Plan will be reviewed and updated by the LAAC as necessary.

Budget Impact:

There is no budget impact associated with the adoption of this Resolution.

Staff Impact:

The Village staff shall continue to coordinate with regional, State, Federal and private non-profit programs, including but not limited to the Department of Environmental Protection

(Florida Forever), the Monroe County Land Authority, the Trust for Public Lands, and the Department of Commerce for the acquisition of properties consistent with the Action Plan. Staff shall also continue to offer guidance, support and direction to the LAAC with items pertaining to the Action Plan.

Recommendation:

Staff recommends that the Village Council pass and adopt the proposed resolution, thereby approving and adopting the Land Acquisition Action Plan.

- Attachments:**
1. Resolution_Adoption of Action Plan_121024
 2. Exhibit A_Land Acq. Action Plan 111224

RESOLUTION NO. 24-

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ADOPTING
THE VILLAGE'S LAND ACQUISITION ACTION PLAN; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, The Islamorada, Village of Islands (the "Village"), Comprehensive Plan calls for maintaining programs for conservation of lands within the Village; and

WHEREAS, the Village's Comprehensive Plan states that the Village Council shall maintain an "Action Plan" which shall recommend the best means for land acquisition and conservation including retiring development rights from the vacant lands within the Village, while protecting private property rights; and

WHEREAS, the Village's Land Acquisition Advisory Committee has collaborated with the Village staff to complete a draft of the Action Plan, attached as Exhibit "A" hereto; and

WHEREAS, the result of the Action Plan is a set of recommendations to the Village Council regarding approaches by which land can be acquired and development rights can be retired from private, vacant lands within the Village; and

WHEREAS, upon approval of the Action Plan, the Village will continue to coordinate with regional, State, Federal and private non-profit programs for the acquisition of properties consistent with the Action Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Approval of Action Plan.** The Village Council hereby approves and adopts the Land Acquisition Action Plan, a copy of which is attached hereto as Exhibit "A".

Section 3. **Authorization of Village Officials.** The Village Manager or designee and the Village Attorney are hereby authorized to take all actions necessary to implement the terms and conditions of this Resolution.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Sharon Mahoney _____

Vice Mayor Don Horton _____

Councilman Steve Friedman _____

Councilwoman Deb Gillis _____

Councilman Joseph B. Pinder III _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

SHARON MAHONEY, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:

JOHN J. QUICK, VILLAGE ATTORNEY

ISLAMORADA, VILLAGE OF ISLANDS

LAND ACQUISITION ACTION PLAN



November 12, 2024

LAND ACQUISITION ACTION PLAN EXECUTIVE SUMMARY

This Action Plan has been prepared by the Islamorada, Village of Islands Land Acquisition Advisory Committee (LAAC), in conjunction with Village Environmental and Planning staff. The mission and goals of the LAAC include:

- Provide a public forum to research, analyze and discuss ideas and strategies for land acquisition and to convey those ideas to the Village Council;
- Annually update the acquisition list and recommend budget allocations consistent with the land selection system criteria;
- Recommend strategies to carry out the comprehensive plan goals regarding land acquisition;
- Recommend the best means for land acquisition and conservation including retirement of development rights from vacant land;
- Maintain a working relationship with the Monroe County Land Authority and other public land acquisition entities;
- Identify potential funding sources and prepare grants for land acquisition; and
- Perform specific tasks on an ad hoc basis as assigned by the Village Council.

The result of this Action Plan is a set of recommendations to the Village Council regarding approaches, including policies and programs, by which land can be acquired and development rights can be retired from private, vacant lands within the Village. A listing and description of mechanisms that can achieve these goals is provided. A short list of strategies was prepared after considering possible mechanisms to achieve these goals. The LAAC also recognizes that land acquisition coincides with a need to ensure land management to protect and enhance the qualities for which properties are acquired. This Action Plan will be reviewed and updated by the LAAC as necessary.

This Action Plan specifically includes:

- Listing of private, vacant parcels in the Village that are targeted for acquisition by the Village and the State's Florida Forever Program and documented with the Monroe County Land Authority;
- Listing of a proposed Boundary Amendment to the Florida Forever Florida Keys Ecosystem project;
- Listing of additions proposed for a new project to the Florida Forever program;
- Listing of all publicly owned land in the Village;
- A selection system for acquiring land adopted by the Village Council;
- Comprehensive plan policies regarding land acquisition; and
- Additional information, supplementary to the Action Plan, regarding potential funding sources and other land acquisition strategies.

The Village Comprehensive Plan includes policies directing land acquisition which include developing a list of priority upland habitat sites for acquisition, an annual evaluation of this list including new potential acquisition sites, working cooperatively with the Monroe County land Authority to develop and administer the acquisition program, an annual preparation of budget recommendations for land acquisition and purchase of development rights and seeking local and nonlocal funding sources for land acquisition.

LAND ACQUISITION ACTION PLAN 2024

TABLE OF CONTENTS

Purpose, Mission and Contents	Page 3
Comprehensive Plan Policy Summary of Intent	Page 4
Site Selection Criteria, Categories and Procedures	Page 6
Monroe County Land Authority Partnership	Page 12
Annual Action List for Land Acquisition Committee	Page 13
Table 1. Land Acquisition Priority List (current)	Page 14
Boundary Amendment to Florida Forever List (Proposed)	Page 18
Additions to Florida Forever List (Proposed)	Page 18
Appendix A - Publicly Owned Land Within Islamorada	Page 21
Appendix B - Property Nomination Form	Page 30

ADDITIONAL MATERIAL, SUPPLEMENTARY TO THE ACTION PLAN

Comprehensive Plan Policies regarding Land Acquisition	Page 31
Less Than Fee Program	Page 34
Mechanisms to Retire Development Rights	Page 36
Conservation Easements	Page 36
Less Than Fee Acquisitions	Page 36
Mitigation Banks	Page 37
Transfer of Development Rights	Page 37
Community Land Trusts	Page 37
Donation of Land	Page 38
Dedicated Budget	Page 40
Unanticipated Excess Village Revenue	Page 40
Dedicate TDR Funds	Page 40
Purchase with Bonds	Page 40
Taxation with Exemptions	Page 40
Ad Valorem Tax Reduction	Page 40
Title Transfer Tax, Newcomer Tax or Documentary Stamps	Page 41
Excise Tax	Page 41
Tourist Development Tax	Page 41
Gas Tax	Page 41
Grantsmanship	Page 41
Community Fundraising and Educational Events	Page 41
Contributor Recognition	Page 41
Existing Funding	Page 42

LAND ACQUISITION ACTION PLAN

Purpose, Mission, and Plan Contents

The purpose of this document is to outline a plan that maintains and increases the conservation infrastructure of the Village, provides recreation and open space for the enjoyment of the citizens, and to document the status of land acquisition including the identification of lands targeted for acquisition. This Land Acquisition Action Plan has been prepared by the Islamorada Land Acquisition Advisory Committee (LAAC), in conjunction with Village Environmental Resources and Planning staff overseeing land acquisition. The result is a set of recommendations to the Village Council regarding land which should be targeted for acquisition, including the retirement of development rights through various methods. It also includes sections containing potential funding sources and other strategies for land acquisition, documentation of the partnership with the Monroe County Land Authority, and policies regarding land acquisition from the Village's comprehensive plan.

The mission and goals of the LAAC include:

- To provide a public forum to research, analyze and discuss ideas and strategies for land acquisition and to convey those ideas to the Village Council;
- To annually update the acquisition list and recommend budget allocations consistent with the land selection system criteria;
- Recommend strategies to carry out the comprehensive plan goals regarding land acquisition;
- Recommend the best means for land acquisition and conservation including retirement of development rights from vacant land;
- To maintain a working relationship with the Monroe County Land Authority and other public land acquisition entities;
- Identify potential funding sources and prepare grants for land acquisition; and
- Perform specific tasks on an ad hoc basis as assigned by the Village Council.

The LAAC was initially formed in 1999, through Resolution 99-05-23, to assist coordination of a land acquisition program between the Village Council and the Monroe County Land Authority. Recently, the LAAC recommended a partnership with the Monroe County Land Authority which was adopted through Resolution 23-07-59. This Resolution identifies 61 parcels (161 acres) on the Florida Forever Acquisition developed by the Florida Department of Environmental Protection's (DEP) State Lands Division. The parcels represent habitat containing tropical hardwood hammock, mangrove, buttonwood and submerged lands. The Resolution recommends that the MCLA purchase the parcels and resell them to the DEP and once purchased, the parcels will be managed by the Village of Islamorada. These parcels are currently appraised at a value over \$9.3 Million. These parcels are indicated in Table 1.

The Land Acquisition Action Plan includes:

- Listing of land that is currently targeted for acquisition by the Village, the State's Florida Forever Program and documented with the Monroe County Land Authority;
- Listing of a Boundary Amendment to the Florida Forever Program;
- Listing of additions proposed to the Florida Forever Land Acquisition List;
- Listing of publicly owned land;
- A selection system for acquiring land adopted by the Village Council;
- Comprehensive plan policies regarding land acquisition; and
- Potential funding sources and other strategies.

Within the Village, there are approximately 11,748 acres of combined land and water. There are 166 parcels containing about 1,215 acres within public ownership within the Village. Most of this land has been purchased by the Village or by the Monroe County Land Authority through various means, including the Florida Forever Program (Florida Department of Environmental Protection). A map of publicly owned land can be found on the Village website. A listing of publicly owned land within Islamorada is contained within Appendix A at the end of Section 2.

Comprehensive Plan Policy Summary of Intent

The Village Comprehensive Plan includes policies directing land acquisition which are summarized below.

1. Annual preparation of budget recommendations for land acquisition and purchase of development rights;
2. Annual evaluation of the priority acquisition list including new potential acquisition sites in the Village;
3. Work cooperatively with the Monroe County Land Authority to develop and administer the acquisition program;
4. Develop a list of priority, native upland habitat sites for acquisition that include
 - Land determined to be high quality habitat;
 - Land with plant species of special status;
 - Land documented with habitat for wildlife species of special status;
 - Land located within Improved Subdivisions;
 - Land documented as significant coastal upland natural communities by the Florida Natural Areas Inventory;
 - Nesting sites of the southern bald eagle, osprey, brown pelican and the roseate tern;
 - Wintering grounds for the peregrine falcon and the piping plover;
 - Native upland habitats used by the Schaus' swallowtail butterfly, eastern indigo snake and the white-crowned pigeon;

- Disturbed or transitional habitat that provides wildlife corridors between existing environmentally sensitive lands and tropical flyways; and
 - Land suitable for utilities
5. Seek local and non-local funding. The Village shall continue to coordinate with regional, State, Federal and private non-profit programs, including but not limited to Department of Environmental Protection (Florida Forever Program & Florida Communities Trust), and the Trust for Public Lands, other non-profit groups and land acquisition funding groups for the acquisition of properties consistent with the Action Plan.

SITE SELECTION CRITERIA, CATEGORIES AND PROCESS FOR PROPERTY NOMINATIONS

Land Acquisition Procedures

1. Prior to a Land Acquisition Advisory Committee (LAAC) meeting, any individual, property owner, LAAC or staff member submitting property for consideration for Village acquisition will provide to the Village's Environmental Resources Manager a completed *Property Nomination Form* (see Appendix B) containing the basic site information listed below. If necessary, staff will assist in gathering this information, prior to the meeting.
 - o Aerial map indicating site location
 - o Monroe County Property Records
 - o Legal Description (RE number)
 - o Size
 - o Multiple Listing Service Property Data
 - o Owner(s) including interest in donating property
 - o Contact/Agent
 - o General physical description
 - o Nature and reason for nomination
 - o Proposed use(s)
 - o If available, copies of deed, title insurance and survey.

Property to be considered for utility purposes often requires specialized expertise to properly evaluate. Accordingly, if a property is submitted for utility purposes, including without limitation, for wastewater or storm water improvements, in lieu of LAAC action described below, staff will follow steps 2 through 9 below and will develop information and reports as required therein. Professional internal and outside assistance will be used as necessary to provide a detailed recommendation for the Village Council as described up to and through Step 9.

2. Village staff members from appropriate departments provide comments, make recommendations on land acquisition proposals and offer input on key land management activities to LAAC.
3. Completed *Property Nomination Form* is reviewed at LAAC meeting. Discussion should include the key assets of property, how its acquisition furthers goals and policies of adopted Village comprehensive plan and any factors of urgency. Based upon this preliminary assessment, LAAC determines whether property should be further evaluated for placement on the potential acquisition list.
4. With staff assistance as necessary, LAAC develops a report about the property based upon the following general criteria. This report will also contain a series of recommendations.

LAND ACQUISITION CATEGORIES (And Support Information)

- **Affordable Housing**
- **Conservation**
- **Recreation**
- **Waste Water**
- **Storm Water Facilities**
- **Other Village Use**

Affordable Housing Criteria

1. Presence of structure(s)
2. Compatibility with Future Land Use Map (FLUM)
3. Existing habitat conditions
4. Proximity to services (approximate distance to food store, pharmacy, post office, transportation services & public infrastructure)
5. Type of potential occupancy (rental or homeownership)

Waste Water & Storm Water Facilities Criteria

1. Adequacy of parcel size to accommodate facility type
2. Compatibility with Future Land Use Map (FLUM)
3. Character of existing vegetation

General Criteria for all categories

1. Consistency with comprehensive plan goals & policies and Land Development Regulations
2. Availability
3. Funding
4. Potential for multiple benefits
5. Ecological value
6. Scenic value
7. Geologic, historic, archaeological value
8. Accessibility

5. After evaluating the above criteria, the LAAC will discuss the items listed below and outline its recommendations for staff use in completing the detailed site report to Village Council.

Recommendations should include:

- Most appropriate future specific use(s) for site after acquisition;
- Most appropriate potential funding source; and
- Level of acquisition urgency (high, medium or low).

The LAAC shall then forward to the Village Manager the legal description of the property and owner/agent information.

6. Village Manager or designee or the Monroe County Land Authority is authorized to solicit and obtain from the landowner/agent one of the following:
 - An exclusive negotiating rights agreement and letter of intent;
 - A purchase option contract (followed by step 11); or

- o If appropriate, assistance from the Monroe County Land Authority or Trust for Public Land (TPL) or a similar conservation organization in immediately acquiring property, allowing the Village Council to approve the method of funding (followed by step 10).
7. Guided by LAAC discussion and recommendations from other committees and departments, staff summarize these comments.
 8. (Optional) LAAC holds public information meeting on potential acquisition of site and proposed use(s).
 9. LAAC submits a written report about the site containing results of its criteria evaluation (Step 3 above), recommendation regarding placement on potential acquisition list and other important elements (listed below) through Village Manager to Village Council and presents this information at a regularly scheduled Village Council meeting.
 - o Acquisition category: affordable housing, conservation, recreation, affordable housing, wastewater or storm water facilities, or other Village uses;
 - o Most appropriate future specific use(s) for site after acquisition;
 - o Most appropriate potential funding source;
 - o Level of acquisition urgency (high, medium or low) within acquisition category;
 - o Conceptual land management plan; and
 - o All supporting documentation including completed property nomination form and site information listed in #1 above.
 10. The Village Council will consider LAAC or staff recommendations, as applicable, and may take the following actions:
 - o Not approve property for placement on the potential Village Land Acquisition List; or
 - o Approve property for placement on potential Village Land Acquisition List; and
 - o Approve method of funding the acquisition and direct staff to implement *subsequent steps of land acquisition procedures as appropriate:*
 - A. *If the method of funding is through Monroe County Land Authority (MCLA), then a resolution is submitted from the Village Council requesting MCLA to pursue site acquisition. Staff will coordinate with MCLA to draft a suitable conservation easement agreement if necessary. Once proposed conservation easement is approved by MCLA, then an interlocal agreement and the conservation easement is presented to the Village Council for acceptance and the MCLA Governing Board approves purchase and conveyance to Village of the conservation easement.*
 - B. *If the method of funding is through Village operating funds or state grants, then Village Council authorizes expenditures to gather*

documents required as part of due diligence or by grantor (see items 11A-J listed below).

C. Acquisition of lands with FCT grant funds shall be performed in accordance with Sec. 253.025, F.S. and Rule Chapter 18-1, F.A.C. This includes provisions that every appraisal, offer, or counteroffer must be in writing; and that such appraisals, offers, and counteroffers are not available for public disclosure or inspection and are exempt from Sec. 119.07(1) until an option contract is executed; if no option contract is executed, until 30 days before a contract or agreement for purchase is considered for approval by the Village Council.

- o Establish level of urgency for site acquisition (high, medium or low) based upon acquisition category, specific proposed use(s) and potential funding source;
- o The Village Council may at its discretion authorize the Village Manager to request assistance from the MCLA or the Trust for Public Land (TPL) or other similar entity in acquiring the property in a timely manner and a commitment to repurchase the property (from TPL) if the purchase price is approved by the Village Council. The council also may authorize staff to coordinate with TPL or other similar entity in preparing state or federal grant applications to aid the Council in leveraging acquisition funds for the property, if appropriate.
- o Direct staff to negotiate purchase option contract (site control), described in Step 11.

11. Appropriate staff verifies receipt of necessary documents (11 A-J below) and carries out other relevant acquisition activities, including but not limited to referring property acquisition to MCLA or other appropriate organizations and preparing grant applications.

A. Purchase Option Contract - Purchase Option Contract with owner to sell property to Village that includes the purchase price and a contingency period to determine acceptability with a right to terminate if unacceptable, and exclusive option to sell to Village and obtain an appraisal; and

B. Monroe County Land Authority Approval - If utilizing the assistance of the Monroe County Land Authority, the MCLA is required to bring all purchases using MCLA funds to an advisory committee which recommends denial or approval; and

C. Appraisal - An appraisal of the fair market value of property that shall be prepared by a certified appraiser and submitted to staff *prior to* any offer being made. If using the assistance of the MCLA, the MCLA uses all DEP approved appraisers. If the MCLA resells the land to the DEP through the Florida Forever program, the appraiser and appraisal then meets the requirements. There is no time limit on the DEP approved appraisals; and

D. Title Commitment - Written agreement by a Florida licensed title insurer agreeing to issue an owner's policy of title insurance showing marketable title free and clear of all liens and encumbrances. If using the assistance of the MCLA, the MCLA does not get an agreement. They order a title commitment and then review it. If there are title issues, the contract purchase requires sellers be able to sell with a clear title; and

E. Payment of Taxes - Evidence of full payment of all taxes due the County, as well as all outstanding fees owed to the Village, unless specifically waived by the Village Council; and

F. Certified Survey - (can occur *after* binding contract is produced). A Class 1 survey shall be prepared conforming to minimum standards of FL Board of Professional Land Surveyors. This document shall contain an adequate legal description of the subject property, identify and locate all title exceptions shown in the title commitment, and identify all areas which are to be preserved for open space purposes. If using the assistance of the MCLA, the MCLA only order surveys if they think it is necessary. If there are no visible encroachments after one of their land stewards inspects the property, they may not order a survey; and

G. Environmental/Contamination Assessment - (can occur *after* purchase option contract) A narrative analysis of subject property including soils and groundwater performed by an environmental engineer, licensed in the State of Florida, shall determine any places or areas from or at which a release of petroleum products or hazardous materials has occurred or where a threat of such a release exists. Signs of contamination indicated in the report may lead to termination of purchase option contract. Upon receipt of a favorable analysis, staff may be required to prepare a Land Management Plan (depends on requirements of funding source). If using the assistance of the MCLA, the MCLA only conducts an Environmental Assessment if within their initial research, there were uses on the property that may have contaminants or if they observed dumping on the site; and

H. Grant Application (if appropriate) - Completed application package including required forms, supporting documentation and resolution of support from the Village Council is prepared and submitted to appropriate funding source; and

I. Land Management Plan - (can be finalized *after* closing) Narrative statement, including map of property identifying areas proposed for open space acquisition, and a description of proposed activities, provisions for public access to property (if any), responsibility for property maintenance, protection of habitat and any special conditions; and

J. Other Due Diligence -Any other due diligence inspections deemed necessary prior to implementation of the Land Management Plan.

12. Appropriate staff negotiates suitable purchase prices with the seller. A purchase

contract is then brought to the Village Council for formal approval. All offers or counteroffers shall be documented in writing and shall be confidential and exempt from the provisions of Sec. 119.07(1) F.S. until an option contract is executed, or if no option contract is executed, until two weeks before a contract or agreement for purchase is considered for approval by the MCLA and Village Council. Staff shall maintain complete and accurate records of all offers and counteroffers for all projects.

13. Village Council holds public meeting to consider granting final approval to the following:

- Process for execution of agreements to purchase property
- Purchase Price
- Agreement terms
- Purchase option contract
- Draft Land Management Plan
- Execution of agreements to purchase property.

A final offer shall be in the form of a purchase option contract or agreement for purchase and shall be signed and attested to by the owner and the designated representative of the Village. Before the Village Council executes the purchase option contract or agreement for purchase, the contract or agreement shall be reviewed for form and legality by Village legal staff. Before the Village signs the agreement for purchase or exercises the purchase option contract, the provisions of Sec. 286.23 F.S. (public disclosure in form of a written affidavit of every person having a beneficial interest in the real property) shall be complied with.

14. Upon final approval by the Village Council, staff are authorized to execute the property closing process, disburse funding and finalize the Land Management Plan, if necessary.

15. Land recommended for acquisition by the Division of State Lands as a boundary amendment or new project will follow the State of Florida Statutes, Rules, and application procedures.

MONROE COUNTY LAND AUTHORITY PARTNERSHIP

The Village has entered into an Interlocal Agreement with the Monroe County Land Authority (MCLA) to purchase land on behalf of the Village (Resolution No. 23-12-137). The MCLA currently acts as the purchasing agent on behalf of the Village for the Florida Forever Program and can be reimbursed for purchases made from the adopted Florida Forever Program acquisition list.

The MCLA annually receives funding from the half of 1 cent Tourist Impact tax (pursuant to s. 125.018, F.S.) which provides an annual revenue for the Florida Keys Area of Critical State Concern (ACSC) of approximately \$1.8 million. This tax also generates the same amount for the City of Key West ACSC that must be used for land acquisition or affordable

housing. The second reoccurring fund revenue is through a State Park surcharge that generates approximately \$470,000 annually countywide. Any land purchased with Florida Forever funds must identify a land manager which can be the Village of Islamorada, the Land Authority in unincorporated Monroe County or a State or Federal Agency depending on the land lease and management plan between the MCLA and DEP. Additionally, Monroe County dedicated over \$7.5 Million in County Infrastructure Sales Tax funds to further land acquisition efforts, primarily used for density reduction or less than fee purchases.

**ANNUAL ACTION LIST FOR LAND ACQUISITION
By QUARTER**

January to March

1. Review and revise acquisition list as needed
2. Conduct public open house at one property
3. Review/adopt management plans when necessary
4. Develop maintenance schedules

April to June

1. Review and Update Action Plan as necessary
2. Conduct site visits and schedule exotic/invasive vegetation removal
3. Plan public engagement opportunities
4. Review potential contracts for management activities

July to September

1. Assess past year expenditures including appraisals, studies, management, equipment, supplies, title research and acquisitions
2. Estimate budget demand for upcoming budget year
3. Prepare budget recommendation, present to advisory committee and Village Manager
4. Make annual budget recommendation to Council and make any necessary revisions to the Action Plan

October to December

1. Meet with MCLA to review final land acquisition budget
2. Remove developed properties from land acquisition list as appropriate
3. Assess property naming needs

**Table 1. VILLAGE OF ISLAMORADA LAND ACQUISITION PRIORITY LIST
(As of November 12, 2024)**

This list indicates vacant properties within the Village that have been identified by the LAAC and Village staff as a priority for acquisition. The last column on this list indicates if the property is located on the Florida Forever acquisition list established by DEP State Lands. These Forever Florida properties shown on this list are contained within the agreement made between the Village and the MCLA. Properties in the last column noted “No” must be purchased with Village or other non MCLA funding sources. Properties highlighted in green are those that were identified as highly desirable vacant developable lands due to their significant habitat during the Villages vacant developable lands analysis.

PARCEL ID	ACRE S	FLUM/ Zonin g	Habitat	KEY	Florida Foreve r
00418770-000600	0.23	RM	Hammock	Plantation	Yes
00403900-000000	0.35	MU/H C	Buttonwood	Upper Matecumbe	Yes
00395590-000000	1.65	RL/RE	Hammock/disturbed	Lower Matecumbe	Yes
00404260-000000	0.86	RC	Mangrove	Upper Matecumbe	Yes
00093170-000000	3.45	RL/RE	Hammock	Plantation	Yes
00404270-000000	0.86	RC/NR	Hammock	Upper Matecumbe	Yes
00402150-000000	0.29	VC	Hammock	Upper Matecumbe	Yes
00093800-000000	6.10	RL/RE	Hammock	Windley	Yes
00419400-000300	0.77	RM/R1	Hammock	Plantation	Yes
00092250-000101	0.28	RM/R1	Hammock	Plantation	Yes
00092250-000100	1.00	MU/H C	Hammock	Plantation	Yes
00092510-000100	0.36	RC/NR	Hammock	Plantation	Yes
00093900-000000	0.99	RC/NR	Mangrove	Windley	Yes
00093900-000200	2.13	RC/NR	Hammock	Windley	Yes
00395500-000000	2.12	RL/RE	Hammock/waterfront	Lower Matecumbe	Yes

00395520-000000	1.81	RM/R1	Hammock/waterfront	Lower Matecumbe	Yes
00395510-000000	2.18	RL/RE	Hammock/waterfront	Lower Matecumbe	Yes
00093360-000000	10.00	RC/NR	Hammock	Plantation	Yes
00093350-000000	4.55	Na	Submerged	Plantation	Yes
00415850-000000	0.28	RC/NR	Hammock	Plantation	Yes
00415860-000000	0.28	RC/NR	Hammock	Plantation	Yes
00092450-000100	0.30	RC/NR	Hammock	Plantation	Yes
00092350-000100	0.59	RC/NR	Hammock	Plantation	Yes
00412980-000000	0.14	MU/H C	Hammock	Plantation	Yes
00404280-000000	0.91	RC/NR	Hammock	Upper Matecumbe	Yes
00404520-000000	3.80	RC/NR	Wetlands	Upper Matecumbe	Yes
00404290-000000	1.05	RC/NR	Hammock/waterfront	Upper Matecumbe	Yes
00418770-000400	0.23	RM/R1	Hammock	Plantation	Yes
00419380-000100	0.33	RM/R1	Hammock	Plantation	Yes
00419390-000100	0.25	C/C	Hammock	Plantation	Yes
00414560-000000	1.33	RM/R1	Hammock	Plantation	Yes
00092030-000000	1.00	IND.	Hammock	Plantation	Yes
00092120-000000	20.25	RC/NR	Hammock/wetland	Plantation	Yes
00092000-000000	1.00	RC/NR	Hammock	Plantation	Yes
00091880-000500	0.42	RM	Hammock	Plantation	Yes
00414570-000000	0.91	RM/R1	Hammock/disturbed	Plantation	Yes
00092250-000102	0.41	RM/R1	Hammock	Plantation	Yes
00093790-000000	0.10	RL/RE	Hammock	Windley	Yes

00092570-000000	1.20	RC/NR	Hammock	Plantation	Yes
00092320-000000	0.97	RC/NR	Hammock	Plantation	Yes
00092390-000000	0.33	RC/NR	Hammock	Plantation	No
00097690-000000	3.49	C/C	Mangrove/submerged	Lower Matecumbe	Yes
00097680-000000	67.88	C/C	Mangrove/buttonwood	Lower Matecumbe	Yes
00402210-000000	0.41	RM/R1	Hammock	Upper Matecumbe	Yes
00096840-000100	0.41	C/C	Hammock	Upper Matecumbe	Yes
00095580-000200	1.58	C/C	Hammock/Mangrove	Upper Matecumbe	Yes
00412800-000000	0.14	MU/H C	Hammock	Plantation	Yes
00092110-000000	1.17	C/C	Mangrove	Plantation	Yes
00092070-000000	3.0	I/I	Hammock/disturbed	Plantation	Yes
00419390-000200	0.27	C/C	Hammock	Plantation	Yes
00097680-000100	0.37	C/C	Mangrove/disturbed	Lower Matecumbe	Yes
00415890-000000	0.28	MU/H C	Hammock/disturbed	Plantation	No
00093770-000000	37.31	C/C	Mangrove	Windley	No
00093780-000000	0.69	C/C	Hammock	Windley	No
00093290-000000	2.70	RL/RE	scarified waterfront	Plantation	No
00401260-000000	2.87	RL/RE	Hammock	Upper Matecumbe	No
00405180-000000	0.51	RL/RE	Hammock	Upper Matecumbe	No
00405190-000000	0.25	RL/RE	Hammock	Upper Matecumbe	No
00413240-000000	0.14	RM/R1	Hammock/disturbed	Plantation	No
00413250-000000	0.07	RM/R1	Hammock	Plantation	No

00419390-000300	0.27	C/C	Hammock	Plantation	No
00091880-000200	0.45	RM/R1	Hammock	Plantation	No
00395550-000000	2.43	RL/RE	hammock/waterfront	Lower Matecumbe	No
00395560-000000	2.53	RL/RE	hammock/waterfront	Lower Matecumbe	No
00400860-000000	1.56	RL/RE	hammock/canal	Upper Matecumbe	No
00095920-000000	5.33	RC/NR	Hammock/wetlands	Upper Matecumbe	No
00396950-000200	3.20	RC/NR	Hammock	Lower Matecumbe	No
00397060-000000	5.00	RC/NR	hammock/waterfront	Lower Matecumbe	No
00094700-000000	0.22	RC/NR	hammock/exotics	Upper Matecumbe	No
00403940-000000	0.33	RC/NR	hammock/exotics	Upper Matecumbe	No

BOUNDARY AMENDMENT TO FLORIDA FOREVER LIST (Proposed – October 2025)

Village staff, with assistance from the LAAC developed a list of desirable properties which are not currently on the Florida Forever Acquisition List. The list was submitted to DEP for evaluation as a 'Boundary Amendment' to the Florida Forever List. Staff at DEP State Lands indicated that the following two parcels are eligible as a boundary amendment, but that the balance of the list must be submitted as a "New" Additions Project due to the cost of the land.

Parcel Id	Key	Acreage	FLUM
00093770-000000	Windley	37.31	(C) Conservation
00396950-000200	Lower Matecumbe	3.2	(RC) Residential Conservation

Staff at DEP State Lands indicated that the remainder of the list must be submitted as a "new additions project" for full review and evaluation by the Florida Forever Acquisition and Restoration Council (ARC). The ARC reviews proposals and decides evaluation needs. The ARC determines final project boundaries and establishes the priority ranking of projects. The Florida Natural Areas Inventory (FNAI) conducts a scientific review of all proposed land acquisition projects using the "Conservation Needs Assessment". The lots that meet these criteria may be added to the State Lands Acquisition List following site evaluations by various state agencies.

ADDITIONS TO FLORIDA FOREVER TO BE SUBMITTED APRIL 2025

The following "Additions" are currently under analysis by LAAC and staff. The "Additions" will be analyzed according to the DEP protocol. The list and staff analysis will be submitted to DEP State Lands in April 2025 for consideration as a new project. New projects are accepted twice a year and require detailed analysis based upon the Conservation Needs Assessment protocol.

Parcel Id	Key	Acreage	FLUM
00394870-000000	Lower Matecumbe	1.45	(RL) Residential Low
00395550-000000	Lower Matecumbe	2.37	(RL) Residential Low
00395560-000000	Lower Matecumbe	2.46	(RL) Residential Low
00397060-000000	Lower Matecumbe	5.02	(RC) Residential Conservation

00397130-000000	Lower Matecumbe	0.99	(C) Conservation
00096850-000200	Upper Matecumbe	6.52	(C) Conservation
00400220-000000	Upper Matecumbe	0.38	(MU) Mixed Use
00400210-000000	Upper Matecumbe	0.38	(MU) Mixed Use
00400860-000000	Upper Matecumbe	1.56	(RL) Residential Low
00403940-000000	Upper Matecumbe	0.33	(RC) Residential Conservation
00094700-000000	Upper Matecumbe	0.22	(RC) Residential Conservation
00404540-000000	Upper Matecumbe	1.96	(RC) Residential Conservation
00091900-000000	Plantation	5.7	(C) Conservation
00091910-000000	Plantation	18.38	(C) Conservation
00091900-000100	Plantation	9.18	(C) Conservation
00091880-000200	Plantation	0.46	(RM) Residential Medium
00415180-000000	Plantation	1.09	(C) Conservation
00414380-000000	Plantation	0.40	(MU) Mixed Use
00414370-000000	Plantation	0.31	(MU) Mixed Use
00414390-000000	Plantation	0.26	(RM) Residential Medium
00413070-000000	Plantation	0.14	(MU) Mixed Use
00413080-000000	Plantation	0.14	(MU) Mixed Use
00412810-000000	Plantation	0.14	(MU) Mixed Use
00415280-000000	Plantation	0.54	(RL) Residential Low
00415310-000000	Plantation	0.70	(RL) Residential Low
00415300-000000	Plantation	0.66	(RL) Residential Low

00415290-000000	Plantation	0.59	(RL) Residential Low
00415880-000000	Plantation	0.14	(RC) Residential Conservation
00415890-000000	Plantation	0.28	(MU) Mixed Use
00415560-000100	Plantation	0.96	(RL) Residential Low
00415560-000200	Plantation	0.90	(RL) Residential Low
00415590-000000	Plantation	0.85	(RL) Residential Low
00419390-000300	Plantation	0.27	(C) Conservation

APPENDIX A

LISTING OF PUBLICLY OWNED LAND WITHIN ISLAMORADA

Parcel ID	Ownership	Habitat Classification	Acres
00091836-000000	VILLAGE	Commercial and Services	0.112
00413900-000000	VILLAGE	Hammock	0.155
00096820-000000	VILLAGE	Hammock	1.775
00096440-000100	VILLAGE	Hammock	1.72
00413890-000000	VILLAGE	Hammock	0.176
00413470-000000	VILLAGE	Hammock	0.208
00413870-000000	VILLAGE	High Intensity Urban	0.209
00396950-000201	VILLAGE	Mangrove Swamp	26.323
00403670-000000	VILLAGE	Hammock	0.172
00403910-000000	VILLAGE	Hammock	0.344
00092230-000000	VILLAGE	Hammock	15.86
00096830-000100	VILLAGE	Commercial and Services	3.635
00413880-000000	VILLAGE	Hammock	0.195
00398780-000000	VILLAGE	Transportation	1.258
00097900-000000	VILLAGE	Transportation	1.407
00418280-000000	VILLAGE	Utilities	0.135
00418090-000000	VILLAGE	Utilities	0.162
00097910-000000	VILLAGE	Transportation	0.435
00397800-000000	VILLAGE	Hammock	4.54

00418100-000000	VILLAGE	Utilities	0.138
00419400-000000	VILLAGE	Hammock	1.608
00398790-000000	VILLAGE	Transportation	1.028
00413480-000000	VILLAGE	Hammock	0.191
00403680-000000	VILLAGE	Hammock	0.07
00411290-000000	VILLAGE	High Intensity Urban	0.196
00414410-000000	VILLAGE	Hammock	0.335
00392160-000000	VILLAGE	Mangrove Swamp	0.226
00416520-000000	VILLAGE	Hammock	0.152
00392150-000000	VILLAGE	Mangrove Swamp	0.18
00096350-000000	VILLAGE	Hammock	3.841
00095990-000000	VILLAGE	Hammock	1.479
00417250-000000	VILLAGE	Hammock	0.176
00413090-000000	VILLAGE	Commercial and Services	0.138
00093420-005401	VILLAGE	Hammock	0.224
00418040-000000	VILLAGE	Urban Open Land	0.568
00418030-000000	VILLAGE	High Intensity Urban	0.498
00095940-000000	VILLAGE	Marine	0.982
00418060-000000	VILLAGE	Hammock	0.571
00415800-000000	VILLAGE	Hammock	0.275
00415820-000000	VILLAGE	Hammock	0.275
00415870-000000	VILLAGE	Commercial and Services	0.138
00418050-000000	VILLAGE	Hammock	0.771

00095970-000000	VILLAGE	Hammock	1.502
00421670-000000	VILLAGE	High Intensity Urban	0.152
00418770-000500	VILLAGE	Hammock	0.284
00418770-000000	VILLAGE	Hammock	0.281
00419295-000200	VILLAGE	Hammock	0.482
00093301-000000	VILLAGE	Hammock	4.631
00415810-000000	VILLAGE	Hammock	0.275
00415790-000000	VILLAGE	Hammock	0.25
00419401-000000	VILLAGE	Hammock	2.204
00418150-000000	VILLAGE	Utilities	0.138
00419390-000000	VILLAGE	Hammock	1.03
00419380-000000	VILLAGE	Hammock	1.102
00091820-000200	VILLAGE	Parks and Zoos	0.596
00418220-000000	VILLAGE	High Intensity Urban	0.031
00091820-000103	VILLAGE	Parks and Zoos	1.68
00418210-000000	VILLAGE	High Intensity Urban	0.125
00419295-000100	VILLAGE	Hammock	0.169
00418160-000000	VILLAGE	Utilities	0.138
00418270-000000	VILLAGE	Utilities	0.121
00403660-000000	VILLAGE	Hammock	0.172
00095190-000100	VILLAGE	Transportation	0.059
00091820-000101	VILLAGE		0.14
00093300-000000	VILLAGE		8.71

00096230-000000	VILLAGE		5.15
00400330-000000	VILLAGE		1.15
00437491-005501	VILLAGE		0.14
00420200-000100	VILLAGE	Hammock	0.195
Glynn lots (149)	VILLAGE	Wetland & Hammock	84.85
00396950-000100	BOT TIIF	Mangrove Swamp	11.998
00096460-000000	BOT TIIF	Marine	2.314
00397110-000000	DOT/ST.OF FL	Rockland Hammock	0.687
00097320-000000	BOT TIIF	Mangrove Swamp	5.199
00396970-000000	BOT TIIF	Estuarine	19.699
00096450-000000	BOT TIIF	Rockland Hammock	4.851
00097310-000000	BOT TIIF	Rockland Hammock	0.221
00396950-000000	BOT TIIF	Mangrove Swamp	23.808
00097600-000000	BOT TIIF	Marine	3.552
00403930-000000	BOT TIIF	Rockland Hammock	0.344
00397100-000000	DOT/ST.OF FL	Rockland Hammock	5.132
00403920-000000	BOT TIIF	Rockland Hammock	0.344
00091940-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Mangrove Swamp	17.564
00390120-000000	BOT TIIF	Marine	0.14
00396940-000000	BOT TIIF	Mangrove Swamp	49.713
00092140-000000	BOT TIIF	Tidal Flat	28.522
00419400-000100	BOT TIIF	Rockland Hammock	0.413

00092220-000000	BOT TIIF	Rockland Hammock	68.942
00092130-000000	BOT TIIF	Mangrove Swamp	6.149
00092270-000100	MONROE COUNTY	Transportation	0.561
00096980-000000	DOT/ST.OF FL		16.626
00428280-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.121
00428540-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.138
00412830-000000	BOT TIIF	Rockland Hammock	0.138
00412840-000000	BOT TIIF	Rockland Hammock	0.132
00092340-000000	MONROE COUNTY BOARD OF COUNTY COMMISSIONERS	Rockland Hammock	0.943
00092530-000100	BOT TIIF	Rockland Hammock	0.442
00096880-000000	BOT TIIF	Mangrove Swamp	44.397
00095630-000100	BOT TIIF	Marine	0.391
00096850-000000	BOT TIIF	Rockland Hammock	1.785
00096910-000000	BOT TIIF	Mangrove Swamp	36.333
00093600-000000	BOT TIIF	Mangrove Swamp	68.719
00093610-000000	BOT TIIF	Mangrove Swamp	140.461
00096970-000000	DOT/ST.OF FL		82.007
00094290-000100	BOT TIIF	Rockland Hammock	3.816
00399360-000000	MONROE COUNTY		0.535
00092480-000000	BOT TIIF	Rockland Hammock	7.664
00428260-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.121
00428240-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.121

00428270-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.121
00428520-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.138
00428530-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.138
00428510-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.138
00428550-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.138
00428250-000000	SCHOOL BOARD OF MONROE COUNTY	Commercial and Services	0.121
00092360-000100	BOT TIIF		1.48
00094435-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Mangrove Swamp	0.315
00403470-000000	MONROE COUNTY FLA	Mangrove Swamp	0.498
00096870-000000	BOT TIIF	Rockland Hammock	11.03
00096890-000000	BOT TIIF	Mangrove Swamp	9.299
00096860-000000	BOT TIIF	Mangrove Swamp	23.49
00096500-000000	DOT/ST.OF FL	Urban Open Land	2.446
00418550-000000	BOARD OF PUBLIC INSTRUCTION MONROE COUNTY	Rockland Hammock	0.266
00418580-000000	BOT TIIF	Rockland Hammock	0.293
00419295-001400	BOT TIIF	Rockland Hammock	1.352
00418590-000000	BOT TIIF	Rockland Hammock	0.294
00412910-000000	BOT TIIF	Rockland Hammock	0.138
00412850-000000	BOT TIIF	Rockland Hammock	0.128
00412900-000000	BOT TIIF	Rockland Hammock	0.138
00092890-000000	BOT TIIF	Rockland Hammock	0.493
00092270-000000	BOT TIIF	Mangrove Swamp	62.956

00092890-000100	BOT TIF	Rockland Hammock	1.071
00092290-000000	BOT TIF	Marine	15.282
00415650-000200	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Rockland Hammock	0.172
00091790-000100	BOT TIF	Mangrove Swamp	65.977
00419295-001201	BOT TIF	Rockland Hammock	0.356
00419295-000400	MONROE COUNTY BOARD OF COUNTY COMMISSIONERS	Rockland Hammock	0.523
00418690-000000	BOT TIF	Rockland Hammock	0.253
00419295-001202	BOT TIF	Rockland Hammock	0.356
00437750-000100	DOT/ST.OF FL	Transportation	0.068
00418620-000000	BOT TIF	Rockland Hammock	0.139
00435990-000100	BOT TIF	Transportation	0.008
00419295-001401	BOT TIF	Rockland Hammock	0.819
00418610-000000	BOT TIF	Rockland Hammock	0.294
00418570-000000	BOT TIF	Rockland Hammock	0.291
00418600-000000	BOT TIF	Rockland Hammock	0.294
00412820-000000	BOT TIF	Transportation	0.138
00411090-000000	DOT/ST.OF FL	Commercial and Services	0.371
00412860-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Rockland Hammock	0.138
00091970-000000	BOT TIF	Mangrove Swamp	0.002
00412890-000000	BOT TIF	Rockland Hammock	0.138
00092170-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Marine	11.201

00092080-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Mangrove Swamp	0.059
00092100-000000	BOT TIIF	Mangrove Swamp	2.046
00412870-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Rockland Hammock	0.138
00092190-000000	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	Mangrove Swamp	35.682
00096840-000000	BOT TIIF	Rockland Hammock	5.408
00091837-000000	MONROE COUNTY FLORIDA	Commercial and Services	0.085
00418880-000300	MONROE COUNTY BOARD OF COUNTY COMMISSIONERS	Rockland Hammock	0.345
00093820-000000	BOT TIIF	Mangrove Swamp	47.348
00412880-000000	BOT TIIF	Rockland Hammock	0.138
00093600-000100	BOT TIIF	Mangrove Swamp	26.856
00093590-000000	BOT TIIF		3.42
00396950-000400	BOT TIIF		10.46
00396950-000300	BOT TIIF		25.1
00094490-000100	MONROE COUNTY FL		0.82

APPENDIX B

PROPERTY NOMINATION FORM

			MTG. DATE REVIEWED
Aerial map showing site location (<i>Attached</i>):	Yes	No	_____
Monroe Co. Property Record Sheets (<i>Attached</i>):	Yes	No	_____
Legal Description (<i>RE number</i>):	_____		_____
Size:	_____ Acres		_____
MLS Property Data Sheet (<i>Attached, if any</i>):	Yes	No	_____
Owner Name(s):	_____		_____
Has owner stated interest in donation of land?	Yes	No	_____
Contact/Agent Name:	_____	Phone: _____	_____
Email:	_____	_____	_____
General physical description:	_____		_____

Reason for Nomination:	_____		_____

Proposed Use(s):	_____		_____

Additional Information

VILLAGE COMPREHENSIVE PLAN POLICIES REGARDING LAND ACQUISITION

Policy 1-3.1.2: Maintain Programs for Conservation of Lands Within Islamorada

The Islamorada Village of Islands Council shall maintain an Action Plan for the Village, developed by the Village's Land Acquisition Advisory Committee, in conjunction with Village staff. This Action Plan shall recommend the best means for land acquisition and conservation including retiring development rights from the vacant lands within the Village, while protecting private property rights, and may include programs such as: a general tax; a transfer tax; tax reduction for easements; unity of title; voluntary dedication; establishment of a Land Trust; outright acquisition; grantsmanship and/or fundraising events. The Action Plan shall include a system for continued monitoring, evaluation and update of the adopted programs.

The Land Acquisition Selection System shall be maintained to affirm the Village's future conservation/ecological infrastructure, in coordination with the Monroe County Land Authority, current and proposed Land Development Regulations, and Comprehensive Plan policies. Evaluation of each of the current LAAC priority properties and other potential conservation properties in the Village shall be completed and shall result in an amended conservation lands listing. Subsequently, during the following budget cycle, the Village shall prepare a Capital Investment Plan for land acquisition and purchase of development rights in coordination with regional, State, Federal and private non-profit programs, including but not limited to the Department of Environmental Protection (CARL), the Monroe County Land Authority, the Department of Community Affairs and other agencies with an interest in conservation lands. This Capital Investment Plan shall be incorporated into the Village's Capital Improvement Program.

The Village shall continue to coordinate with regional, State, Federal and private non-profit programs, including but not limited to the Department of Environmental Protection (CARL/Florida Forever), the Monroe County Land Authority, the Trust for Public Lands, and the Department of Community Affairs (Florida Communities Trust) for the acquisition of properties consistent with the Action Plan.

Policy 6-1.4.8: Develop A List of Priority Upland Habitat Acquisition Sites

As part of the Land Acquisition Program a list of priority, native upland habitat acquisition sites shall be drafted and updated annually. This list shall be developed in consultation with Department of Community Affairs, the Department of Environmental Protection, the National Audubon Society Research Department, the Nature Conservancy, the Monroe County Land Authority and other agencies as appropriate. Priority native upland vegetation acquisition sites shall include those which:

1. Are determined to be high quality habitat;
2. Include plant species of special status;
3. Are documented habitat for wildlife species of special status;
4. Are located within Improved Subdivisions; and/or
5. Are documented as significant coastal upland natural communities by the Florida Natural Areas Inventory.

Policy 6-1.4.9: Cooperate with The Monroe County Land Authority to Acquire Land Within Islamorada, Village of Islands

Islamorada, Village of Islands Planning and Development Services Department shall work cooperatively with the Monroe County Land Authority to develop and administer the acquisition program established in Policy 1-3.1.3 to acquire environmentally sensitive lands. Islamorada, Village of Islands shall work cooperatively with the Monroe County Land Authority to develop land acquisition lists.

Policy 6-1.4.10: Establish Criteria for Prioritizing Sites for Conservation Purposes.

Islamorada, Village of Islands shall continuously identify, in cooperation with the FWS and FWCC, the following as priority sites for acquisition or protection:

1. Nesting sites of the southern bald eagle (*Haliaeetus leucocephala*), osprey (*Pandion haliaetus*), the brown pelican (*Pelecanus occidentalis*) and the roseate tern (*Sterna dougallii*); and
2. Wintering grounds for the peregrine falcon (*Falco peregrinus*) and the piping plover (*Charadrius melodus*); and
3. Native upland habitats in private ownership used by species listed by a State or Federal agency as threatened or endangered, such as the Schaus' swallowtail butterfly, eastern indigo snake (*Drymarchon corais couperi*) and the white-crowned pigeon (*Columba leucocephala*); and
4. Disturbed habitat with potential for restoration or that provides wildlife corridors between existing environmentally sensitive lands or buffers environmentally sensitive lands from the encroachment of development; and
5. Transitional habitat with potential for wildlife corridors or tropical flyways.

Particular emphasis shall be placed upon acquisition of identified native upland sites located within residential subdivisions. These priority sites shall be identified on the Existing Conditions and Threatened and Endangered Animal Species Map.

OBJECTIVE 7-1.1: PROVIDE A SYSTEM OF RECREATION AND OPEN SPACE SITES AND FACILITIES.

The Village shall comprehensively review the need for new recreation and open space sites and facilities, predicated on data, standards and policies contained in the Comprehensive Plan, and shall adequately maintain the provided sites and facilities.

Policy 7-1.4.4: Seek Grants and Alternative Sources to Finance Recreation And Open Space Acquisition, Planning, Design And Development

Islamorada, Village of Islands shall ensure that local and non-local sources of financial and technical assistance for land acquisition, planning, design and development of

recreation and open spaces are sought and received to ensure that recreation objectives are achieved in a cost effective and fiscally equitable manner.

LESS THAN FEE PROGRAM

A parcel of land contains multiple development rights. Purchase of all the rights and the land is called Fee Simple. There are other ways to purchase portions of development rights. The MCLA manages a 'Less than Fee Program' which was launched by Monroe County in October 2018. With the program, the county purchases some of the rights, such as "density" from owners of lots zoned residential when the adjacent lot to the seller's primary residence is vacant. The Property owners can continue to use the land for non-habitable accessory structures such as a pool, garage, parking or recreational open space. The adjacent lot owner continues to own and manage the land but loses all development rights on it. As of September 2024, approximately \$7.5 million has been dedicated by the County to the program and the program has resulted in the acquisition of development rights for 104 less than fee lots.

Less Than Fee Process. Upon sale, owners must execute a restrictive covenant agreeing to unify the parcels and agreeing to never seek a building permit allocation to develop detached habitable space.

The Village staff identified approximately one hundred and two vacant adjacently owned lots which could be candidates for this program with identified Village funding in the budget. If the Village elects to implement a "Less Than Fee" Program, the interlocal agreement with the MCLA must be amended.

The purchase of development rights under the "less than fee" Program could be coordinated with the MCLA through a dedicated line item in the Village budget. A source of funding for the program is Islamorada's share of the County's 304 one half cent infrastructure sales taxes. To justify the use of infrastructure sales surtax funds for land acquisition, the County has relied upon F.S. 212.055(2)(d).

Applicants submit the Less than Fee application

- The Village will conduct a review of the property to determine its eligibility for the program and provide written determination that a whole density right (1 TDR) exists on the lot.
- If the property is eligible, the MCLA will send the owner an agreement to purchase the building development rights (TDR), along with the sample Unity of Title for their review. Once the owner has returned the signed agreement, the MCLA will determine if there is a mortgage on the property, the MCLA will require the mortgage company to sign a Joinder.
- The agreement will be placed on a Village Council meeting agenda for consideration. All agreements are subject to final approval by the Village Council at a public meeting. The agreement must also be approved by the MCLA Governing Board. At closing, the deed restriction (a Covenant of Unity of Title & Restriction on Future Development and/or Conveyances) will be recorded in the public records.

1. The Village will pay for the costs of the title search and all recording fees.
2. If there is a mortgage or other lien on the lot, the owner will need to gain the bank or lienholder's consent. There may be some expenses in resolving these issues.
3. If the owner chooses to designate a representative (e.g., attorney, realtor, etc.) as their contact person, they will be responsible for paying lawyer or agents.

MECHANISMS TO RETIRE DEVELOPMENT RIGHTS

Provide an Ad Valorem Taxation Reduction for voluntary Conservation Easements

A conservation easement is a legal agreement effected under Chapter 704.06, Florida Statutes, between a landowner and a charity, land trust or government agency that perpetually limits uses of land in order to protect its conservation and open space values, while the landowner continues to own the property. A conservation easement may apply to just a portion of the property and need not require public access. Future owners also will be bound by the easement's terms. The land trust or government agency is responsible for ensuring the easement's terms are followed. Conservation easements can provide a strong incentive for private landowners to protect their land.

A landowner sometimes sells a conservation easement, but usually easements are donated. If the donation benefits the public by permanently protecting important conservation resources and meets other federal tax code requirements it can qualify as a tax-deductible charitable donation. The amount of the donation is the difference between the land's value with the easement and its value without the easement. The Village requires conservation easements on parcels clearing low, moderate and high-quality hammock. This paragraph does not apply to mandatory conservation easements.

Currently, according to staff at the Monroe County Property Appraiser, tax assessments do not differentiate between the market value of parcels with conservation easements or restrictive covenants and those without. Therefore, there are currently no tax deductions for properties with conservation easements regardless of the terms of the easement.

Assessment for taxation purposes of 'environmentally endangered' properties on which a conservation easement has been placed, is governed by Chapter 193.501, Florida Statutes. Section 193.501(3)(a) specifies for qualifying covenants that are enacted for longer than 10 years, *"...the property appraiser, in valuing such land for tax purposes, shall consider no factors other than those relative to its value for the present use, as restricted by any conveyance or covenant under this section."*

Experts consulted indicated that a property owner can petition the Property Appraiser or challenge the appraised value based on demarcation of a conservation easement which is registered on the property deed. The Property Appraiser must assign value to the land which exists, based on the utility of the land. If there is no utility or use of the land, then it has no value as the value of land is reflected in the right to build as placed in the development interest of a parcel. Therefore, this provision for ad valorem taxation reductions extends to the retirement of voluntary removal of partial rights from a portion of parcel. The rights given up, considering the size of lot, permitted density, or whether accessory uses will be allowed on it would be reflected as a prorated scale of taxation incentives for the various levels of protection. Other rights associated with a parcel (mineral, underground) may have value.

Purchase Development Rights or Less than Fee

The purchase of development rights can save taxpayer dollars. The purchase of less than fee simple can offset the need for public investments in infrastructure to support land development. In this mechanism, the local government buys the future development rights from willing sellers but allows continued ownership and use of the land for purposes such as limited recreation access or green space. A permanent conservation easement or restrictive covenant is recorded in the property deed and transfers with the land, thus ensuring its long-term protection. This cost-effective mechanism provides both a cash incentive and eligibility for an ad valorem tax reduction and helps ensure ongoing land management by the property owner.

Establish a Mitigation Bank of Restoration Funds

By creating a bank of available land restoration funds for restricted properties, the Village could encourage owners of scarified or disturbed properties to protect them through placing a conservation easement or restrictive covenant on them. Funds could be accessed by landowners for replanting the lots with native vegetation to restore the habitat. An inventory of lots for which restoration funds have been expended would need to be kept by the Village and an annual inspection undertaken to ensure that the properties are being protected.

Transfer of Development Rights

To protect land from development in an area designated for conservation, the development rights are separated from the land and transferred to another area that can better accommodate the development. These rights can thereby be sold to compensate the owner of the land designated for conservation. To have value, TDR's must allow increased levels of development elsewhere that are not already permitted.

Regulations That Promote TDRs for Land Conservation

The Village's Comprehensive Plan includes policies to encourage TDR's. Sender and receiver sites will be designated through the Land Development Regulation process. The Village has provided such a program in the land development regulations.

Establish a Community Land Trust

Community Land Trusts (CLT's) are increasingly being used to provide affordable housing and preserve farmland and open space. There are over 1,200 local and regional land trusts in the United States, which acquire land and then put it to the use for which the trust was created. As a tax-exempt charitable organization, a land trust can acquire land through charitable donations that may result in tax savings for the grantor landowners. A municipality can establish a land trust as a 501(C)(3) and appoint people to the governing unit of the trust, but not the majority. A key benefit of a non-governmental organization (NGO) establishing a trust is that people may be more likely to donate to an NGO than a governmental entity. Often, the trust may recoup its investment by selling the property to the local government at a lower price than the government would otherwise have to pay.

CLT's are increasingly used to acquire land to create permanently affordable housing. By taking the land out of the speculative market, the trust insulates the property from future

price escalation. The CLT controls the type of housing that is built on the land and may lease it at very low rates to developers who are willing to build housing that meets criteria established by the trust.

There are specific costs associated with operating a land trust established for conservation purposes. Any donation to the trust above \$5,000 requires that an appraisal be conducted to assist the IRS with taxation of the property. Other costs include long-term scrutiny and management of the parcel. On Sanibel Island, when you donate or sell a conservation easement, at the time of the transfer an Easement Documentation Report is prepared, detailing the existing conditions on the property, to be used as evidence to resolve disagreements about changes to the property over time. In the past, the Nature Conservancy required \$10,000 for monitoring for large parcels and a donation of \$5,000 per parcel as a legal fund. The larger the acquisition, the more the donations sought from the owner or others for land management. Both non-profit and government need to ask for enough to cover these costs when donations are made. Small parcels are even more difficult to track than large, with small residential lots costing about \$100 per year. These numbers are from 1999 and likely have increased.

The Florida Keys Land and Sea Trust, located in Marathon, purchased the Crane Point Hammock property and continues to manage this reserve.

The creation of such a trust requires a sound legal foundation to ensure that land remains in public ownership should the trust become non-functional.

Encourage Donations of Land

Donating land for conservation releases landowners from the responsibility of managing the land and can provide substantial income tax deductions if donations are made to 501(c)(3) organizations, and estate tax benefits, while avoiding any capital gains taxes that would have resulted from selling the property.

Remainder Interest. Donating a remainder interest in land is another way to give land. In this scenario, a landowner can continue to live on the land and retain a reserved life estate. In this arrangement, the property is donated during the owners' lifetime, but the owner continues to live on and use the property. Upon death (or sooner as desired by the landowner), the land trust or government agency gains full title and control over the property. By donating a "remainder interest", landowners may be eligible for an income tax deduction when the gift is made. The deduction is based on the fair market value of the donated property less the expected value of the reserved life estate.

Donation by Will. If a landowner wants to own and control their land during their lifetime, but assure its protection after death, wills can be used to donate land to the Village.

Charitable Gift Annuity. This option allows landowners to protect their property by donating it to a land trust, and to receive income during their lifetime by using the land as a charitable gift annuity. In a charitable gift annuity, an agreement is made to transfer certain property to a charity, and the charity makes regular annuity payments to one or two beneficiaries specified by the donor for life. This gift of land usually qualifies for a

charitable income tax deduction at the time of the gift, based on the value of the land less the expected value of the annuity payments.

Charitable Remainder Unitrust. Another option for donating property and receiving regular income is a charitable remainder unitrust. Using this mechanism, land is placed in a trust, first putting a conservation easement on it if it is to be protected. Then the trustee sells the land and invests the net proceeds from the sale. One or more beneficiaries specified by the donor receive payments each year for a fixed term or for life, then the trustee turns the remaining funds in the trust over to the land trust. The gift qualifies for a charitable income tax deduction when the land is put in the trust, based on the value of the land less the expected value of the payments.

Charitable gift annuities and charitable remainder unitrusts are most useful for highly appreciated land, the sale of which would incur high capital gains tax.

Bargain Sale. If a landowner needs immediate income from selling land yet would like the property to go to a land trust, a bargain sale might be the answer. In a bargain sale, land is sold to a land trust for less than its fair market value. This not only makes it more affordable for the land trust but offers several benefits to the seller: it provides cash, avoids some capital gains tax, and entitles the seller to a charitable income tax deduction based on the difference between the land's fair market value and its sale price.

Create an Endowment

Endowments are defined as funds used to accumulate those assets that have been donated on the condition that the principle of the gift is to be kept intact and that only the investment income it produces can be used to meet the organization's needs. Endowment funds are investment vehicles whose principle is never touched and will continue in perpetuity. Only the interest or dividend earnings are spent.

Non-profit organizations are required to report assets and statements of activity under three funds: unrestricted, temporarily restricted, and permanently restricted. Unrestricted funds are those that may be used for any purpose deemed appropriate for the organization, such as the organization's operations. Both types of restricted funds are those funds that can only be used for the purpose defined, including donor restrictions and grants. In addition, the board may also launch campaigns to solicit donations for specific projects. When a solicitation is made for a stated purpose, even if the donor does not state specifically in the letter of transmittal that it is restricted, if the donor is responding to a solicitation for a specific purpose the donation can be considered restricted. Temporarily restricted funds include all monies restricted by outside donors and grantors. Permanently restricted funds are the true endowment funds. It is possible for a municipality to create an endowment, provided they specify that money would be spent in a particular manner, following clear criteria.

FINANCING OUTRIGHT ACQUISITION

Public land acquisition can save local taxpayers money. Studies show that in many cases the taxpayer costs of providing, maintaining or operating infrastructure to accommodate growth are greater than the costs of outright acquisition of the development parcels.

Dedicate a Percentage of the Annual Budget

A budget line item for land acquisition would assure that dedicated revenue is annually available for land acquisition. This would also enable staff to obtain surveys and appraisals required for grant applications.

Dedicate a Percentage of Unanticipated Excess Village Revenue

This mechanism would dedicate all or a percentage of excess Village revenues to land acquisition rather than rolling it over into a future budget. This may happen if, for example, property values accrue faster than projected resulting in more money coming into the general fund. This would require that the Village Council adopt a policy to dedicate all or a percentage of unanticipated budget excesses to a land acquisition account. This would first require a budget amendment to account for excess revenues and an amendment to the expenditure to transfer the revenues to the acquisition account.

Dedicate all TDR Funds in Lieu and Other Relevant Revenues

Funds in lieu could be provided to the Village to be used to target acquisition of specific environmentally sensitive lands, restoration, or other Village priorities. Other revenues generated from planning activities, such as “funds- in lieu” of land acquisition points under the building permit allocation system could also be dedicated to a growing fund for land acquisition. Monroe County has adopted this process for increasing points instead of using land dedication to increase points. This accomplishes the same goal but provides more flexibility for the local government to select property with appropriate attributes.

Purchase with Bonds

Many local governments enact bonds to pay for land acquisition. Such a purchase would require a vote. This is typically done to get a fixed amount of money that is needed immediately, not so much for gradual acquisition. Choosing this option requires a comprehensive understanding of the long-term acquisition needs, goals and a strategic plan.

Utilize Forms of Taxation with Exemptions

Consider a non-binding referendum to fund land conservation. Broward County, for example, held a referendum for \$400 million dollars.

Ad Valorem Tax

An ad valorem or general tax refers to a raising of the millage rate. If the property goes up in value, a surcharge would be paid. If a house is valued at less than a certain amount, the additional millage would be waived. Alternatively, the extra millage could be paid only on non-homesteaded properties. There may be exemptions to payment of this tax, for example for affordable housing, primary residence (homestead), or commercial

exemptions. Vacation rental properties have greater impacts therefore should not have an exemption.

Any such referenda could specify a set period of time during which the tax will be effective, a limitation on use of the funds for matching grants only, or other provisions to stretch the public contribution.

Title Transfer Tax, Newcomer Tax or Documentary Stamps

Transfer tax is a property sales tax either paid by the buyer or the seller.

Excise Tax

An excise tax is a governmental levy on specific goods produced and consumed inside a country, including liquor, gasoline, tobacco and luxury goods. The Internal Revenue Service collects these taxes on behalf of the states and municipalities. Such a tax would impact businesses selling these goods.

Tourist Development Tax

The Tourist Development Council (TDC) dedicates a portion of bed tax revenues to ‘brick and mortar’ investments to increase the quality of life for Florida Keys residents. In 2024, Monroe County was able to have legislation passed to use \$38 million of TDC funds for affordable housing. The mandates of the TDC could be expanded by an act of legislature to include land acquisition to protect the character and beauty of the Florida Keys.

Gas Tax

Dade County added 5% to the gas tax to accomplish specified projects. Monroe County could do this as well. Again, tourists as well as locals would contribute to these funds.

Grantsmanship

Grants may be available to fund land acquisition and related stewardship projects. The applications typically require completed surveys and appraisals to meet application requirements. Without a Village budget “set-aside” to pay for such costs, it is difficult to complete the required steps within 12 months. Federal and State grants generally do not pay for costs incurred prior to execution of grant documents. Other hurdles to good grantsmanship include planning to demonstrate qualification, the availability of staff resources to apply for potential grants and the ability to utilize the funding once it becomes available. Resources need to be available for this to be a viable option.

Community Fundraising and Educational Events

Education is imperative to ensure land stewardship. The LAAC could lead the development of a brochure to draw attention to land stewardship issues. Brochures and other education materials can also be used to attract people who you want to make donations.

Contributor Recognition

Kiosks, plaques, public art, plantings or other forms of recognition are essential to acknowledge donors who have helped preserve the ecology of Islamorada.

Existing Funding Programs

Ongoing programs for funding land acquisition and management activities including Infrastructure Sales Tax, assistance of the Monroe County Land Authority, the Florida Forever Program, and applications to other agencies and non- profit organizations will be ongoing.



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: December 10, 2024
SUBJECT: **Resolution Considering Guidance to Monroe County Board of County Commissioners Regarding any Future BPAS Allocations TAB 10**

Background:

In the Fall 2023, the State Department of Commerce issued their Florida Keys Hurricane Evacuation Modeling Report. This report provided several scenarios for clearance times in the event of a hurricane. After the report was issued, all the jurisdictions in Monroe County decided to let the County lead the effort on future consideration of additional ROGO/BPAS allocations. In early 2024, the state legislature agreed to include Key West in the evacuation modeling and to include mobile homes in Phase 1.

On March 20, 2024, the Monroe County BOCC held a ROGO workshop in Key Largo. It was attended by myself, Jamie Terry and Rob Cole from staff. A lot of good information was presented at this workshop. The County has been conducting their public process with the intent of presenting a report and findings to the BOCC for a decision in December. They will be looking to each municipality to provide guidance on what we will be looking for in regard to the allocations. At the April 11, 2024, Village Council meeting, I presented a timeline for Islamorada's concurrent public process.

Over the summer, the Planning Department hosted 2 workshops and created 2 surveys for the residents of Islamorada. The first workshop was held on July 30th and was attended by 24 people. The second workshop was held on August 28th and 26 people attended. Both surveys ran for 2-week periods, one in July and one in August. Each survey had just under 400 respondents. We also received 10 emails from various residents with their comments.

All the PowerPoint presentations were posted to the Village website and the meetings were recorded and posted there as well.

As a reminder, in early 2024, the Village adopted a moratorium on market rate building permits. This became effective on February 6th and was extended in June for an additional 6 months. The moratorium will now expire on February 6, 2025.

Allocations Currently Available:

Market Rate: 3

Affordable: 10

Early Evac Affordable: 292

Administrative Relief: 23

Analysis:

As part of the analysis, the Planning Department has completed a vacant parcel analysis. This analysis yielded 178 properties to further evaluate. I have attached our white paper on this analysis to your package. The current BPAS list has 54 properties on the list.

In considering the comments from the workshops and the surveys, it appears that traffic and the environment are the biggest concerns for the community. In our second workshop, our Review Engineer did a presentation on infrastructure and in the discussion regarding traffic it was noted that the fact that we have one arterial road that connects Islamorada from Key West to Miami-Dade, traveling by vehicle is a necessity. Also, our geography plays a role in that a lot of pass through traffic drives through Islamorada going South then again to come North. Monroe County is required to do a traffic study every 2 years. The study from 2023 was not accepted by the BOCC due to some changes to traffic signals and construction impacts. They are planning another study in March 2025.

The Village's environmental regulations provide for protection during any development. Currently, we limit clearing, require conservation easements, protect wetlands, replace trees and require certain percentages of open space. There are also protections for seagrass and coral and sea turtle nesting.

During the second workshop there was also a presentation by Weiss Serota on takings. There was discussion about the types of takings claims and other issues around takings. It was noted by the presenter that having some allocations would put the Village in a position to negotiate if a takings claim was filed.

Based on the data reviewed and comments received, it is the staff's position that The Village Council should request at least 250 additional allocations. These 250 would cover the 54 on the BPAS list plus the 178 from the vacant parcel analysis and provide a small cushion. How the allocations are handed out can be determined later when and if any allocations are received. It is the staff's opinion that changes to the BPAS scoring sheet need to be made and would have to be done through a change to the LDR's. The Village Council could also decide not to issue any, but at least the Village would have some to protect itself.

At its meeting on October 10, 2024, the Village Council voted to send a letter to Monroe County requesting 104.75 additional allocations to be used throughout a 12 year period.

At Council's meeting on November 19th, Council asked for this item to be continued until this meeting. Staff is working on analyzing the sales dates of vacant parcels in the Village and hope to have that information to you before the meeting. I am also attaching the Vacant Commercial analysis we did for the Department of Commerce. This adds 54 lots to the list.

Budget Impact:

None at this time

Staff Impact:

None at this time

Recommendation:

Based on the data collected and reviewed, Staff recommends the approval of the attached resolution.

- Attachments:**
1. Clearance times
 2. Vacant Parcel Analysis White Paper one pager
 3. Nov 2024 Islamorada Commercial Vacant Report
 4. ROGO-BPAS Engagement Survey 2 results
 5. Future BPAS Allocation Discussion 101024
 6. Vacant Parcel Analysis_With Sold Price and Year
 7. FILTERED Commercial Vacant Excel - to Kim
 8. 4A02370-Resolution recommending additional BPAS allocations (November 2024) (Final)
 9. Oppose-Support Packet

Clearance Times Summary - 2023

Baseline Modeling			Phases	Florida Keys Including Key West		Florida Keys Excluding Key West	
				Mobile Homes in Phase 2 (hours)	Mobile Homes in Phase 1 (hours)	Mobile Homes in Phase 2 (hours)	Mobile Homes in Phase 1 (hours)
Baseline Modeling		Shows baseline - does not include additional prospective allocations	Phase 2	26.0	24.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
Prospective Modeling to Inform Future Policy Considerations							
S1	3,550 Allocations	Distribute based on county/municipality population size	Phase 2	27.5	25.5	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S2	3,550 Allocations	Distribute based percentage of vacant lands per county/municipality	Phase 2	28.0	26.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S3	3,550 Allocations	Distribute based on current allocations: (1,970-Monroe, 300-Marathon, 280-Islamorada, 910-Key West, 30-Layton, 60-Key Colony Beach)	Phase 2	28.0	26.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S4	Minimal Allocations (11 allocations/yr)	Distributes Monroe County (5); Marathon (2); Islamorada (2); Key West (2 – affordable only)	Phase 2 (10 Years Growth)	26.5	24.0	15.5	15.5
			Phase 2B (20 Years Growth)	26.5	24.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S5	One Unit/Vacant Lot	Distributes 7,954 units	Phase 2	31.0	28.5	17.0	16.5
			Phase 1	15.5	15.5	15.0	15.0

Vacant Parcel Analysis

Staff have been performing an analysis of residential vacant parcels within the Village. The Village's Graphical Information System (GIS) was queried using the following criteria:

- Residential zoning districts
- Parcel size (must meet the minimum sq ft for residential lot size)
- Parcel is "vacant" according to Monroe County Property Appraiser data as of 2022

The vacant parcel count obtained using the criteria yielded a count of 212 parcels which was reported to Monroe County for their vacant parcel study.

Staff has since then completed a line-by-line analysis of the parcel list to pull out any data anomalies (removing parcels on BPAS, errors in GIS data, parcels that have been subsequently developed or unified from the last data update in 2022). This initial "scrub" of the data yielded a total of 178 properties to further evaluate.

Further evaluation of the 178 parcels is detailed in this report. Categories for the parcels were developed during the analysis and are outlined below:

1. There are eight (8) parcels in Tavernaero. These parcels have beneficial use as the zoning district allows for accessory uses without a primary residence.
2. There are nine (9) parcels that are owned by HOA's or are associated with condominium type communities "green space" or common areas and are not considered "buildable" for the purposes of new residential development.
3. There are four (4) parcels that have been split without Village approval and are now non-conforming and not considered "buildable".
4. There are twenty-four (24) parcels that have habitat/hammock and have been cross-referenced with the Florida Forever List and Land Acquisition Committee list. Ten (10) of these parcels are on the lists as highly desirable properties for acquisition.
5. There are two (2) parcels that currently have Billboard signs on them. One billboard parcel, 00415880-000000 (owned by Security Storage Limited Partnership), is adjoining parcel 00415870-000000 which is owned by the Village.
6. There are 103 properties that could be unified. These properties are adjoining or adjacent to properties with single-family homes on them with same ownership and could be developed with accessory structures.
7. There are twenty-two (22) parcels that cannot be combined or otherwise categorized as above. These properties require further analysis from staff.

Commercial Vacant Parcel Analysis

Staff have performed an analysis to determine the quantity of commercial vacant parcels within the Village. To accomplish the task, the Village's Geographical Information System (GIS) was queried using the criteria:

- Commercial zoning districts (CF, HC, MR, NC, TC, VC).
- Parcel size (must meet the Village's minimum lot area standards, 4,500 sqft or greater).
- Parcel is "vacant" according to Monroe County Property Appraiser as of 2024.
- Parcels owned by FCAA, Monroe County, and the State of Florida were not included.

The result of the analysis is a list of vacant commercial properties. There are 54 parcels that fit the criteria above. Please refer to **Table 1** on the following page.

References

Monroe County Property Appraiser 2024 parcel data provided by Monroe County Planning & Environmental Resources

(https://mcgis4.monroecounty-fl.gov/public/rest/services/Planning_Environmental_Public/MapServer)

Village of Islamorada zoning data layer:

(<https://services6.arcgis.com/SaNI2PQPK6JCBCbN/arcgis/rest/services/BaseZoning/FeatureServer>)

**TABLE 1 -
ISLAMORADA COMMERCIAL VACANT PARCELS**

2024-11-26

#	RECHAR *	NAME	LOCATION	KEYNAME	ZONING
1	00094080-000000	KARMA ISLAMORADA LLC	VACANT LAND, WINDLEY KEY	WINDLEY KEY	TC
2	00392210-000200	GREENWALD WILLIAM G	VACANT LAKE VIEW Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	NC
3	00392210-000400	GREENWALD WILLIAM G	VACANT LAKE VIEW Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	NC
4	00392230-000000	WHITE MARLIN BEACH LLC	VACANT LAKE VIEW Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	NC
5	00392240-000000	WHITE MARLIN BEACH LLC	VACANT LAKE VIEW Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	NC
6	00392250-000000	WHITE MARLIN BEACH LLC	VACANT LAKE VIEW Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	NC
7	00392290-000000	WHITE MARLIN BEACH LLC	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	NC
8	00397880-000000	BASS PRO OUTDOOR WORLD LP	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
9	00399180-000000	COLLINS WALTER H JR	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	MR
10	00399230-000000	JACOBS PARKING LLC	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
11	00399600-000100	81990 OVERSEAS HWY LLC	VACANT MADIERA Rd, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
12	00400210-000000	HOPMAN ANDREAS B	VACANT OVERSEAS Hwy, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
13	00400220-000000	HOPMAN ANDREAS B	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
14	00402150-000000	VAN SANT DAVID M	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
15	00402720-000000	83000 OVERSEAS HIGHWAY LLC	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	HC
16	00403530-000000	GRANDCHILDRENS ISAAC FRYD TRUST	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
17	00403540-000000	82883I TATENDA ISHE LLC	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
18	00403780-000000	BILL'S CUSTOM AUTOMOTIVE INC	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	VC
19	00403900-000000	BONEFISH HOLDINGS LLC	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	HC
20	00412780-000000	OUTDOOR SYSTEMS ADVERTISING COMPANY	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
21	00412790-000000	OUTDOOR SYSTEMS ADVERTISING COMPANY	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
22	00412800-000000	ATLANTIC CORAL HARBOUR CONDO ASSN INC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
23	00412810-000000	ATLANTIC CORAL HARBOUR CONDO ASSN INC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
24	00412980-000000	SUMMER ISLANDS II LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
25	00413040-000000	LOOKOUT INVESTMENTS LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
26	00413070-000000	SAMURAI CONCHSTRUCTION LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
27	00413080-000000	SAMURAI CONCHSTRUCTION LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
28	00413090-000000	ISLAMORADA VILLAGE OF ISLANDS FLORIDA	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
29	00413120-000000	OUTDOOR SYSTEMS ADVERTISING COMPANY	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
30	00415920-000000	VAUGHN ROBERT R	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
31	00415930-000000	VAUGHN ROBERT R	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
32	00417300-000000	ISLAND HOME GARDEN CENTER LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
33	00417310-000000	ISLAND HOME GARDEN CENTER LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
34	00417330-000000	ISLAND HOME GARDEN CENTER LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
35	00418090-000000	ISLAMORADA VILLAGE OF ISLANDS	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
36	00418100-000000	ISLAMORADA VILLAGE OF ISLANDS	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
37	00418270-000000	ISLAMORADA VILLAGE OF ISLANDS	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
38	00418280-000000	ISLAMORADA VILLAGE OF ISLANDS	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
39	00422070-000000	OUTDOOR SYSTEMS ADVERTISING COMPANY	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
40	00422080-000000	OUTDOOR SYSTEMS ADVERTISING COMPANY	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HC
41	00422130-000100	89140 OVERSEAS HWY LLC	VACANT OVERSEAS Hwy, PLANTATION KEY	PLANTATION KEY	HC
42	00431650-000000	PLANTATION KEY NORTH LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
43	00431680-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
44	00431690-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
45	00431700-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
46	00431710-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
47	00431810-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
48	00431820-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
49	00431830-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
50	00431840-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
51	00431850-000000	HACK CORPORATION	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
52	00431860-000000	PLANTATION KEY NORTH LLC	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VC
53	00436090-000000	OLD CONCH HARBOR INC	VACANT LAN OLD Hwy, PLANTATION KEY	PLANTATION KEY	VC
54	00436670-000000	OLD CONCH HARBOR INC	VACANT LAN PLANTATION Dr, PLANTATION KEY	PLANTATION KEY	VC



ROGO/BPAS Engagement Survey 2

(Rate of Growth Ordinance/Building Permit Allocation System)

Important Notes:

- Survey only for **Islamorada residents** (either full or part-time)
- # of Islamorada resident respondents: 368
- Response rate to each question (you could skip): 83-94%
- # of survey questions: 7
- Survey Topics:
 - *Do we want more allocations and how many **units** do we want?*
 - *If we accept more allocations, how should we use them?*
 - *What are the primary concerns with getting more allocations?*
 - *Specifically, regarding a 24-hr hurricane evacuation?*

Survey Results

Do we want more allocations and how many units do we want?

Most popular answer based on survey question was “none” with 36.6%; however, the remaining majority **63.3%** voted in favor of **some** allocations **rather than none**.

66.9% would rather use additional BPAS allocations from the state to handle potential takings liabilities over the alternative of a tax increase.

If we accept more allocations, how should we use them?

If we did get more allocations, highest support would be granted to allocating a combo of market rate, affordable, and workforce housing.

What are the primary concerns with getting more allocations?

1. Traffic impacts
 2. Environmental impacts
 3. Financial impacts to tax bill due to takings liability
 4. Infrastructure impacts
- ...24-Hour Hurricane Evacuation ranked around 10%

Specifically, regarding 24-hr hurricane evacuation?

When asked **directly** about concern over ability to maintain a 24-hour hurricane evacuation, 76.2% of respondents were “very” or “somewhat” concerned.

When asked about concerns with accepting BPAS allocations, 24-Hour Hurricane Evacuation ranked in the lower 10% of concerns **comparatively** to the concerns listed above.

Do we want more allocations and how many units do we want?

If we accept more allocations, how should we use them?

"If the State were to allocate additional Building Permit Allocations (BPAS), in your opinion, **how many should Islamorada accept?**"

ANSWER CHOICES	RESPONSES	
Enough to cover the estimated buildable lots	13.54%	44
Enough to cover those that are currently on the BPAS list	20.92%	68
Enough to cover the buildable lots and an additional percentage dedicated to affordable/workforce housing projects	19.69%	64
All the BPAS that is offered (allocated) from the State	9.23%	30
None	36.62%	119
TOTAL		325

Some: 63.38%

"There are approximately **220 vacant lots with possible development rights** throughout Islamorada. These vacant lots may have **potential takings claims**. How would you support handling potential takings liabilities?"

ANSWER CHOICES	RESPONSES	
Use any additional BPAS allocations received from the State	66.89%	204
Pay liabilities through a tax increase	33.11%	101
TOTAL		305

"Which of the following **purposes** would you support accepting additional allocations for?"

ANSWER CHOICES	RESPONSES	
Market Rate (single-family residential)	10.33%	34
Affordable Housing	5.78%	19
Workforce Housing	20.36%	67
A combination of the above	40.12%	132
None	23.40%	77
TOTAL		329

What are the primary concerns with getting more allocations?

"When you consider additional residential development, what concerns you the most?"

ANSWER CHOICES	RESPONSES	
Traffic impacts	33.96%	108
Environmental Impacts	23.90%	76
Infrastructure impacts	15.41%	49
Evacuating during a hurricane or named storm (Hurricane Evacuation Times)	10.06%	32
Community character	9.43%	30
Property values (up/down)	7.23%	23
TOTAL		318

"What concerns you the most as you consider the future of BPAS?"

ANSWER CHOICES	RESPONSES	
How it may impact day-to-day traffic	28.53%	93
The financial impact for my tax bill due to potential takings liabilities	19.94%	65
Potential impacts on the environment	15.64%	51
Potential impacts on the infrastructure	13.80%	45
My rights as a property owner	12.27%	40
How it may impact my ability to exit the Keys during a hurricane or named storm evacuation	9.82%	32
TOTAL		326

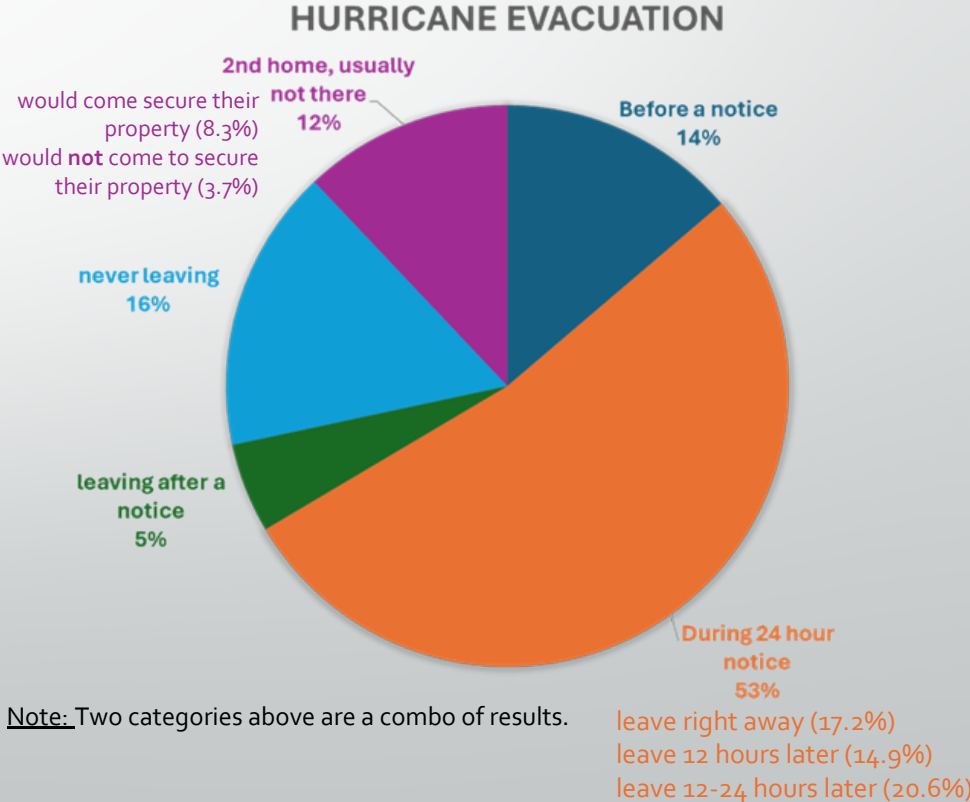
24-Hour Hurricane Evacuation

“How concerned are you with the ability to maintain a 24-hour hurricane evacuation time on US-1 (leaving the Florida Keys) as required by Florida Statute?”

ANSWER CHOICES	RESPONSES	
Very Concerned	60.06%	209
Somewhat concerned	16.95%	59
Not concerned	13.51%	47
Neutral	8.33%	29
I didn't know there was a 24-hour evacuation requirement	1.15%	4
TOTAL		348

“If a hurricane or named storm is imminent, do you: (select one that best describes your **usual approach**)”

ANSWER CHOICES	RESPONSES	
Leave the Keys as soon as I see the weather report that concerns me there is a potential storm	1.15%	4
Watch the weather and local news and leave early when they say one is approaching	12.61%	44
Leave the Keys immediately when Monroe County calls for an evacuation (within a couple of hours)	17.19%	60
Leave approximately 12 hours (or the next morning) after the evacuation order from Monroe County is issued	14.90%	52
Leave between 12 and 24 hours after the evacuation order is issued	20.63%	72
Wait and leave as the winds and rains start coming from the hurricane	5.16%	18
I am never leaving my home or the Keys	16.33%	57
My home in Islamorada is a 2nd home and I'm not usually here, but I DO come in to secure my property when the threat of a hurricane or named storm is imminent	8.31%	29
My home in Islamorada is a 2nd home and I'm not usually here during hurricane season (June - Oct) and I do NOT come in before a hurricane or named storm	3.72%	13
TOTAL		349



FUTURE BPAS ALLOCATION
DISCUSSION
VILLAGE COUNCIL MEETING
OCTOBER 10, 2024

Jennifer DeBoisbriand
Planning Director



WHAT IS BPAS?

BUILDING PERMIT ALLOCATION SYSTEM (BPAS)

Division 30-IV-11 of the Village Code

The way we issue building permits for all new construction in the Village because we are in an Area of Critical State Concern.

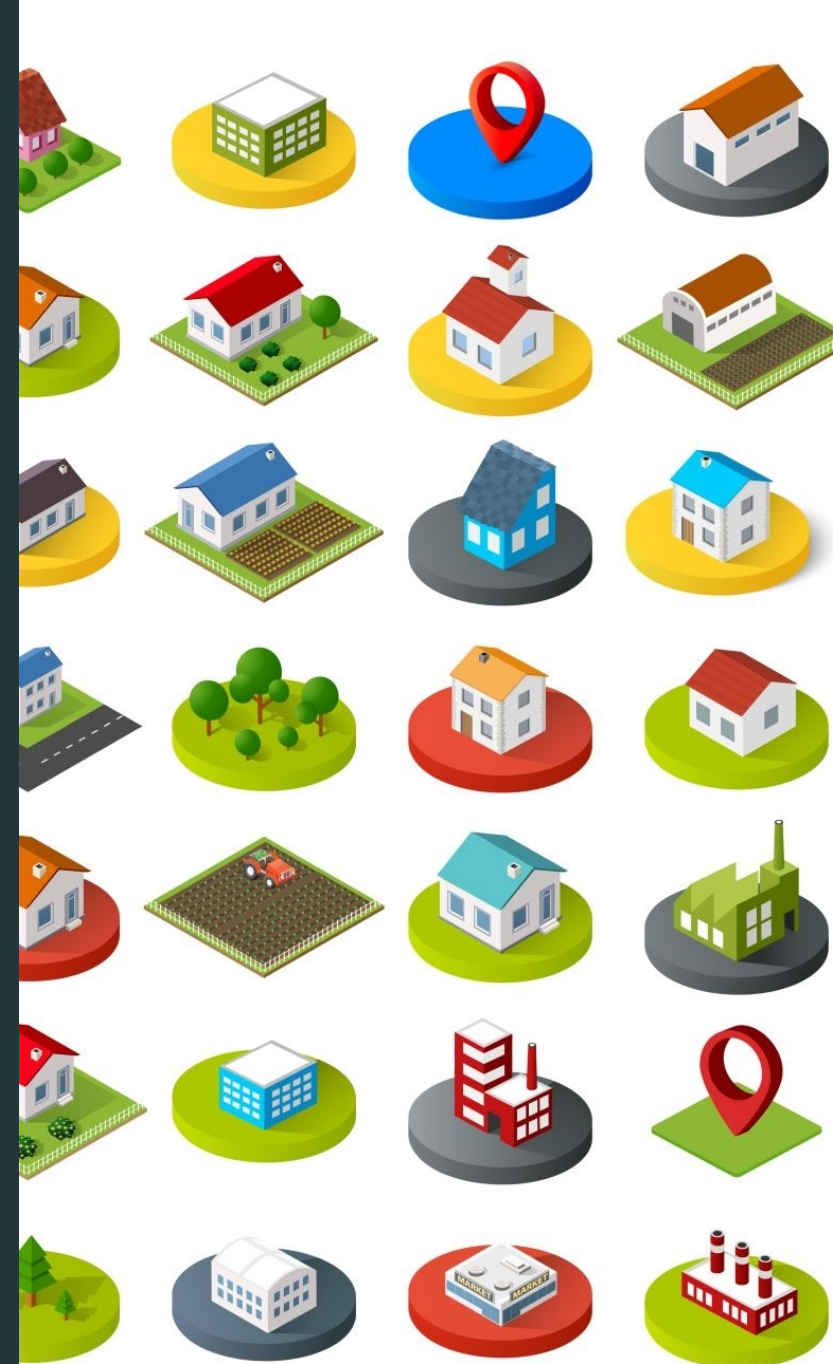
In 2002, the Village adopted a BPAS ordinance with an original number of 302 allocations.

In 2012, the Department of Economic Opportunity (DEO) completed the hurricane evacuation clearance modeling. To maintain a 24-hour evacuation time Islamorada received an additional 263 allocations for a total of 565.

In 2017, the Village entered into a 380 Agreement with DEO, Monroe County, the cities of Key West, Layton, and Marathon in which the Village received at additional 10.25 allocations.

CURRENT BPAS SITUATION

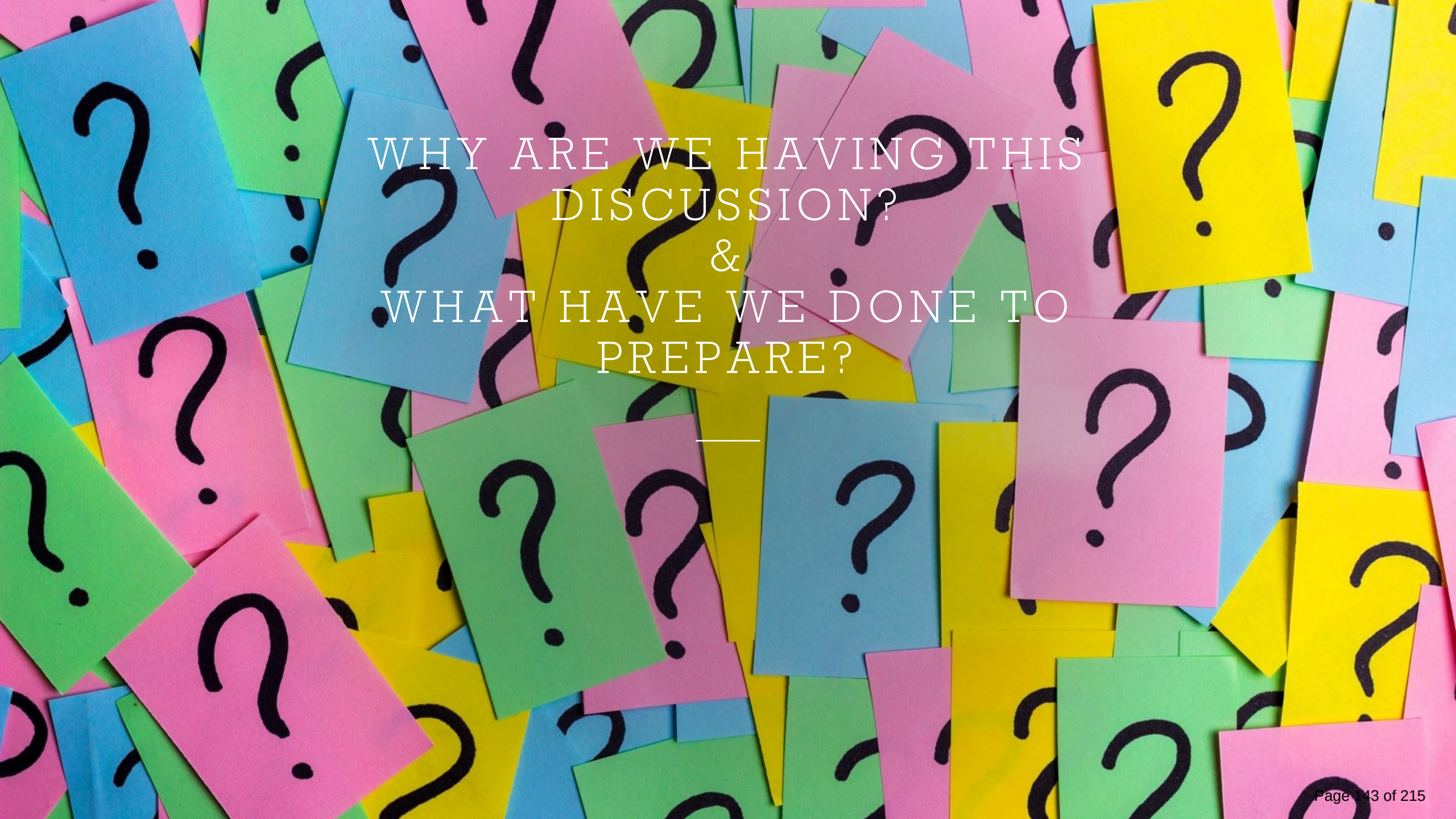
- 3 Market Rate Available
- 10 Affordable Available (8 reserved for Village use)
- 292 Early Evacuation Affordable Available (165 reserved for Village use)
- 23 Administrative Relief Available
- 54 Permits in Queue
- The Village Council has approved a temporary moratorium on Market Rate BPAS Applications which will expire on February 6, 2025.
- The Village Council has approved a temporary moratorium on Administrative Relief Applications. The Department of Commerce (DOC) is still reviewing the proposed moratorium. We expect to hear from the DOC no later than October 18, 2024.



HURRICANE EVACUATION MODELING UPDATE

IN 2023 THE DEPARTMENT OF COMMERCE (FORMERLY DEO) AND THE DIVISION OF EMERGENCY MANAGEMENT (DEM) RAN AN UPDATED HURRICANE EVACUATION MODEL BASED ON THE 2020 CENSUS AND OTHER RELEVANT DATA.

Baseline Modeling			Phases	Florida Keys Including Key West		Florida Keys Excluding Key West	
				Mobile Homes in Phase 2 (hours)	Mobile Homes in Phase 1 (hours)	Mobile Homes in Phase 2 (hours)	Mobile Homes in Phase 1 (hours)
Baseline Modeling		Shows baseline - does not include additional prospective allocations	Phase 2	26.0	24.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
Prospective Modeling to Inform Future Policy Considerations							
S1	3,550 Allocations	Distribute based on county/municipality population size	Phase 2	27.5	25.5	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S2	3,550 Allocations	Distribute based percentage of vacant lands per county/municipality	Phase 2	28.0	26.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S3	3,550 Allocations	Distribute based on current allocations: (1,970-Monroe, 300-Marathon, 280-Islamorada, 910-Key West, 30-Layton, 60-Key Colony Beach)	Phase 2	28.0	26.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S4	Minimal Allocations (11 allocations/yr)	Distributes Monroe County (5); Marathon (2); Islamorada (2); Key West (2 – affordable only)	Phase 2 (10 Years Growth)	26.5	24.0	15.5	15.5
			Phase 2B (20 Years Growth)	26.5	24.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S5	One Unit/Vacant Lot	Distributes 7,954 units	Phase 2	31.0	28.5	17.0	16.5
			Phase 1	15.5	15.5	15.0	15.0

The background of the slide is a dense, overlapping collage of numerous small, rectangular sticky notes. These notes are in various colors including bright blue, green, pink, and yellow. Each sticky note features a large, bold, black question mark. The text is centered over this pattern.

WHY ARE WE HAVING THIS
DISCUSSION?
&
WHAT HAVE WE DONE TO
PREPARE?

COUNTY WIDE ROGO/BPAS DISCUSSIONS



**Discussion is being
led by Monroe County**



**BOCC will make a
decision at its
December meeting**



**The Village wanted to
inform the BOCC
before a decision is
made of its preference
regarding allocations.**



**Questions we wanted
to answer:**

*Do we want more allocations?
If yes, how many?
What kind? Market?
Affordable? Both?*



**Considerations
Included:**

*Infrastructure
Environmental
Traffic
Potential Takings Liabilities*

VILLAGE PROCESS TO DATE



Planning Staff undertook a Vacant Parcel Analysis:

Initial analysis shows 178 vacant residential parcels



Planning Department hosted 2 community workshops:

*July 30, 2024 – attended by 24 people
August 28, 2024 – attended by 26 people – included presentations on takings, infrastructure and environment*



Created 2 surveys for Village residents – Each survey had just under 400 respondents



Received 11 emails from residents



COMMUNITY FEEDBACK - SURVEY

- 63.3% of survey takers voted in favor of **SOME** allocations and 66.9% would rather use additional BPAS allocations for taking liabilities over the alternative of a tax increase.
- Majority of survey takers supported a mixture of market rate, affordable and workforce housing.
- Top 2 concerns in the survey were traffic and the environment

COMMUNITY FEEDBACK - EMAILS

- 8 residents email stating they wanted no more development
- 1 specially asked the Village to secure additional allocations
- 1 asked for balanced considerations
- 1 asked that we consider all impacts



STAFF RECOMMENDATION

Based on the data and community input, Staff would recommend requesting an additional 250 allocations for Islamorada.

These 250 would cover the 54 in the queue plus the 178 from the vacant parcel analysis.



QUESTIONS?

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
	00393960-000000	1979	\$50,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATECUMBE SANDY BEACH	R1	\$ 1,699,347
		2005	\$850,000.00					
		2012	\$0.00					
		2015	\$980,000.00					
		2015	\$980,000.00					
		2021	\$1,850,000.00					
	00412241-000600	2006	\$220,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION POINT	R1	\$ 1,423,240
		2022	\$10,000,000.00					
parcel 00414580-000000 - SFR encroaching into it - different owners	00414570-000000	2001	\$150,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1	\$ 409,090
	00389180-000000	2013	\$100.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 357,129
		2020	\$1,420,000.00					
	00406620-000000	1979	\$11,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 2	R1	\$ 353,944
		2016	\$100.00					
	00409960-000000	1988	\$67,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 3	R1	\$ 300,638
		1989	\$93,000.00					
	00413360-000000	2009	\$0.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1	\$ 214,958
		2009	\$0.00					
		2015	\$50,000.00					
		2015	\$50,000.00					
	00430440-000000	2011	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY REV	R1M	\$ 210,898
		2016	\$0.00					
		2024	\$350,000.00					
	00404690-000200	2004	\$150,000.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	MATECUMBE SUB LOTS 3 & 4	SR	\$ 189,870
		2020	\$125,000.00					
	00431560-000000	1971	\$2,400.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY 1ST ADD	R1M	\$ 135,689
	00398280-000000	1985	\$11,500.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	GROVE PARK	SR	\$ 85,184
		1992	\$17,000.00					
	00423571-000000	1998	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN WATERWAYS	R1M	\$ 75,319
	00422640-000000	1973	\$2,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN WATERWAYS	R1	\$ 75,319
		2008	\$100,800.00					
	00408220-000000	1993	\$30,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 2	R1	\$ 75,027
		2018	\$100.00					
	00416790-000000	1989	\$20,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 2	R1	\$ 72,454
		2003	\$63,000.00					
	00419580-000000	1987	\$22,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	HIGH POINT	R1	\$ 68,635
		1990	\$50,000.00					
	00420110-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 67,522
	00425740-000000	2012	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 59,892
		2024	\$170,000.00					
	00410502-010360	1990	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 6	R1	\$ 56,183
		1994	\$28,000.00					
		2009	\$50,000.00					
	00091890-000000	1994	\$125,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 55,271
		2010	\$100.00					
	00410502-010230	1978	\$10,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 6	R1	\$ 54,043
		1981	\$34,200.00					
		2023	\$225,000.00					
	00433020-000000	1991	\$13,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	FONTAINE LAKE ESTATES	R1	\$ 31,560
		1992	\$13,000.00					

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
could be combined - same ownership -00395550-000000	00395520-000000	1995	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE OCEAN BAY SUBD SEC 1 AMD EXT	RE	\$ 1,230,548
		2002	\$1.00					
SFR on 00391730-000000	00391900-000000	1977	\$42,500.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	SAFETY HARBOR SEC 1	R1M	\$ 1,004,589
		1992	\$275,000.00					
		1993	\$137,500.00					
		2019	\$3,400,000.00					
SFR on 00406530-000000	00406520-000000	1997	\$105,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 1	R1	\$ 718,740
		2019	\$950,000.00					
		2023	\$3,099,000.00					
SFRs on 00397050-000000	00397060-000000	1970	\$75,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATECUMBE OCEAN BAY SEC 2	NR	\$ 575,120
		2002	\$750,000.00					
SFR on 00391480-000000	00391490-000000	1978	\$17,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	SAFETY HARBOR SEC 1	R1M	\$ 563,826
		1980	\$17,000.00					
		2000	\$120,000.00					
		2014	\$600,000.00					
SFR on 00394270-000000	00394280-000000	1979	\$63,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATECUMBE SANDY BEACH	R1	\$ 528,821
		2009	\$100.00					
		2022	\$4,100,000.00					
Sunset dr ocean lot - SFR on 00389480-000000	00390030-000000	2002	\$1.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 488,951
		2006	\$2,000,000.00					
Pool on lot for SFR on 00394010-000000	00394040-000000	1976	\$20,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATECUMBE SANDY BEACH	R1	\$ 474,825
		1980	\$68,000.00					
		2005	\$250,000.00					
		2012	\$825,000.00					
SFR on 00415560-000000	00415560-000100	2014	\$400.00	VACANT OLD Hwy, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 1	RE	\$ 410,319
SFR on 00402430-000000	00402440-000000			VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	PEN KEY CLUB SUBD	R1	\$ 408,686
Lots can be combined with Lindo Mar property (00398880-000000)	00398870-000000	1985	\$120,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATECUMBE OCEAN BEACH SEC A	R1	\$ 407,792
Lots can be combined with Lindo Mar property (00398880-000000)	00398860-000000	1985	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATECUMBE OCEAN BEACH SEC A	R1	\$ 381,949
SFR on 00430480-000000	00430480-000100			VACANT BOUGAINVILLEA St, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY REV	R1M	\$ 333,891
could be combined - same ownership -00395550-000000	00395550-000000	1995	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE OCEAN BAY SUBD SEC 1 AMD EXT	RE	\$ 332,346
		2002	\$1.00					
SFR on 00415560-000000	00415560-000200	2010	\$0.00	VACANT OLD Hwy, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 1	RE	\$ 331,214
		2014	\$400.00					
SFR on 00406300-000000	00406310-000000	1986	\$40,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VENETIAN SHORES NO 1	R1	\$ 323,228
SFR on 00404530-000000	00404540-000000	1973	\$55,300.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	PEACON LEATHERMAN TRACT, THE	NR	\$ 320,746
		2015	\$100.00					
SFR on 00415560-000000	00415590-000000	1985	\$130,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 1	RE	\$ 281,457
		2010	\$0.00					
		2014	\$400.00					
SFR on 00389150-000000	00389680-000000	2001	\$1.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 270,249
		2004	\$1.00					
Lot unified with 00412241-000500	00412241-001000	2019	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION POINT	R1	\$ 253,359
SFR on 00092510-000000	00092510-000100	1991	\$50,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 249,191
		2012	\$25,000.00					
Sunset ocean lot 00389350-000100	00389880-000000	1990	\$1.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 245,867
		2012	\$100.00					
SFR on 00413840-000000	00413850-000000	2002	\$12,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1M	\$ 236,808
		2006	\$110,000.00					
		2014	\$75,000.00					
		2022	\$1,175,000.00					
		2022	\$1,175,000.00					
Sunset ocean lot - SFR on 00389800-000000	00389790-000000	1983	\$75,000.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 229,595
CHURCH on Adj property 00433810-000000	00434030-000000	2019	\$689,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	EDENAIRE	R1	\$ 211,750
SFR on 00437491-004900 - tiki built on both lots	00437491-005000	1990	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION TROPICAL PARK	RMH	\$ 200,694
		2001	\$65,000.00					
		2014	\$100.00					
		2018	\$235,000.00					
Sunset canal lot 00389880-000000	00389350-000100	2012	\$100.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 192,479
could combine with 00416060-000000	00416050-000000	2021	\$300,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 2	R1	\$ 183,678
could combine with 00416050-000000	00416060-000000	2021	\$300,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 2	R1	\$ 183,678

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
SFR on 00424140-000000	00424150-000000	1984	\$43,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN WATERWAYS	R1M	\$ 172,072
		2001	\$66,000.00					
Sunset canal lot - SFR on 00389800-000000	00389260-000000	1981	\$250,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 171,799
		1993	\$1.00					
SFR on 00403041-001000	00403041-000800	1994	\$50,000.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	BAY HAMMOCK COMMUNITY	R1	\$ 169,969
		2013	\$100.00					
SFR on 00421020-000000	00421040-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1	\$ 162,611
SFR on 00430400-000000	00430410-000000	2000	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY REV	R1M	\$ 159,515
		2020	\$100.00					
SFR on 00096150-000000	00400760-000000	2014	\$100.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	STRATTON'S SUBD	SR	\$ 156,648
		2016	\$100.00					
SFR on 00433980-000000	00433990-000000	1973	\$3,300.00	131 PEARL Ave, PLANTATION KEY	PLANTATION KEY	EDENATRE	R1	\$ 151,901
		1981	\$8,000.00					
		2020	\$155,000.00					
Accessory structure on it - SFR on 00436130-000000	00436120-000000	1985	\$47,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TROPICAL ATLANTIC SHORES	R1	\$ 151,373
		1985	\$47,500.00					
		2014	\$100.00					
		2014	\$100.00					
SFR on 00425250-000000	00425260-000000	1973	\$6,400.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KAHIKI HARBOR	R1	\$ 149,774
		2023	\$3,000,000.00					
SFR on 00427470-000000	00427460-000000	1986	\$25,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 147,187
		1998	\$44,000.00					
SFR on 00403041-001000	00403041-000900	2013	\$100.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	BAY HAMMOCK COMMUNITY	R1	\$ 146,880
		2013	\$100.00					
SFR on 00433160-000000	00092250-000102	2014	\$75,000.00	VACANT LAN WRENN St, PLANTATION KEY	PLANTATION KEY		R1	\$ 141,607
could be combined - same ownership -00395550-000000	00395560-000000	1995	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE OCEAN BAY SUBD SEC 1 AMD EXT	RE	\$ 132,261
		2002	\$1.00					
SFR on 00389020-000000	00389030-000000	1986	\$35,000.00	VACANT IROQUOIS Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 129,844
		2001	\$65,900.00					
could be combined - same ownership -00395550-000000	00395510-000000	2006	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE OCEAN BAY SUBD SEC 1 AMD EXT	RE	\$ 128,191
		2009	\$2,500,000.00					
SFR on 00395530-000000	00395500-000000	2006	\$2,500,000.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE OCEAN BAY SUBD SEC 1 AMD EXT	RE	\$ 127,172
		2009	\$2,500,000.00					
SFR on 00394860-000000	00394870-000000	1998	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE OCEAN BAY SUBD SEC 1 AMD EXT	RE	\$ 117,663
		2012	\$0.00					
SFR on 00398100-000000	00398110-000000	1986	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	GROVE PARK	SR	\$ 115,606
		1994	\$1.00					
		2017	\$750,000.00					
Could be combined with 00437493-002500 - using it as storage	00434060-000000	1980	\$7,800.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	EDENATRE	R1	\$ 114,054
		1986	\$4,800.00					
		1988	\$16,500.00					
		2005	\$100,000.00					
		2005	\$200,000.00					
		2016	\$132,500.00					
Sunset canal lot - SFR on 00390080-000000	00389540-000000	1988	\$1.00	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 106,827
		2012	\$100.00					
SFR on 00411440-000000	00411440-000100			228 CORAL Rd, PLANTATION KEY	PLANTATION KEY			\$ 106,456
SFR on 00437491-001400	00437493-003900	1999	\$45,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 88,949
		2011	\$100.00					
SFR on 00424390-000000	00424390-000100			VACANT LAND, TAVERNIER	TAVERNIER	INDIAN WATERWAYS	R1M	\$ 85,834
SFR on 00400610-000000	00400620-000000	1978	\$13,000.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	STRATTON'S SUBD	SR	\$ 84,899
		2016	\$100.00					
Airpark property - SFR 00437493-003400	00437493-003300	1999	\$75,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 82,786
		2004	\$187,500.00					
SFR on 00096150-000000	00400740-000100	2014	\$100.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	STRATTON'S SUBD	SR	\$ 81,532
		2016	\$100.00					
SFR on 00094430-000400	00094490-000600	1987	\$52,000.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 80,015
		2004	\$1.00					
SFR on 00094430-000400	00094490-000500	1987	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 80,015
		2004	\$1.00					

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
Non-conforming Sunset canal lot - SFR on 00389800-000000	00389230-000000	1988	\$40,000.00	VACANT SUNSET Dr., LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 78,984
		1996	\$34,600.00					
SFR on 00429170-000000	00429180-000000	2016	\$0.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 76,203
SFR on 00428740-000000	00428600-000000	1986	\$18,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 75,835
		2002	\$1.00					
SFR on 00411230-000000	00411220-000000	1985	\$20,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	CORAL SHORES	R1	\$ 73,076
		1991	\$26,000.00					
SFR on 00428090-000000	00428100-000000	1991	\$13,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 69,276
		2015	\$385,000.00					
could be combined - same ownership - 00429900-000000	00429080-000000	1973	\$3,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 69,276
		1980	\$8,500.00					
		1981	\$14,000.00					
		2016	\$82,000.00					
SFR on 00094430-000400	00094490-000401			VACANT LOT OVERSEAS Hwy, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 69,026
SFR on 00094430-000400	00094490-000400	1987	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 69,023
		2004	\$195,000.00					
SFR on 00093420-004700	00093420-005300	2001	\$10,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 67,816
SFR on 00424290-000000	00424280-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN WATERWAYS	R1M	\$ 67,522
Primary SFR lot 00420300-000000	00420310-000000	1997	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 67,522
		1999	\$1.00					
Primary SFR lot 00420300-000000	00420290-000000	1994	\$20,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 65,782
		2001	\$18,300.00					
SFR on 00426540-000000	00426550-000000	2011	\$52,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 64,283
SFR on 00411330-000000	00411350-000000	1992	\$16,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	CORAL SHORES	R1	\$ 64,144
		2002	\$25,000.00					
could be combined - same ownership - 00411900-000000	00411340-000000	1996	\$11,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	CORAL SHORES	R1	\$ 64,144
		2000	\$14,000.00					
could be combined - same ownership -00395550-000000	00396070-000000	2002	\$1.00	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	MATE-LIDO BEACH	RE	\$ 64,008
SFR on 00429060-000000	00429070-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION KEY COLONY	R1M	\$ 59,892
SFR on 00092300-000000	00092320-000000	2014	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 59,282
		2018	\$100.00					
SFR on 00413960-000000	00413950-000000	1995	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1M	\$ 52,325
SFR on 00416400-000000	00416390-000000	1998	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 2	R1	\$ 52,126
SFR on 00434110-000000	00434120-000000	2000	\$15,000.00	VACANT LAN PEARL Ave, PLANTATION KEY	PLANTATION KEY	EDENAIRE	R1	\$ 51,874
		2012	\$0.00					
Peacan Leatherman Lots	00404290-000000	2007	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	RUSSELL ESTATES	NR	\$ 46,196
		2007	\$1.00					
Peacan Leatherman Lots	00404280-000000	2004	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	RUSSELL ESTATES	NR	\$ 42,701
		2007	\$1.00					
SFR on 00091880-000101	00091880-000500	1999	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 37,762
		2007	\$1.00					
could be combined - same ownership - 00413650-000000	00413640-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1M	\$ 34,880
could be combined - same ownership - 00413640-000000	00413650-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1M	\$ 34,880
SFR on 00420630-000000	00420680-000000	1984	\$13,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 31,757
		1993	\$12,000.00					
could be combined - same ownership -00421580-000300	00421580-000300			VACANT LAN MOHAWK St, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 30,924
SFR on 00432790-000000	00432950-000000	1992	\$15,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	FONTAINE LAKE ESTATES	R1	\$ 30,890
		2009	\$100.00					
SFR on 00421580-000100	00421580-000200			VACANT LAN MOHAWK St, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 30,048
SFR on 00421020-000000	00421030-000000	1983	\$9,600.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1	\$ 28,993
		2004	\$11,500.00					
SFR on 00420940-000000	00420930-000000	2000	\$20,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 28,993
Vacant lot (hammock) SFR on 00416710-000000	00416700-000000	2002	\$39,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 2	R1	\$ 25,792
Peacan Leatherman Lots	00404520-000000	2004	\$1,111,000.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	PEACON LEATHERMAN TRACT, THE	NR	\$ 25,504
		2007	\$600,000.00					
Vacant lot (hammock) SFR on 00416710-000000	00416690-000000	2002	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 2	R1	\$ 24,346
SFR on 00411660-000000	00411670-000000	2016	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION RIDGE	R1	\$ 16,620
		2023	\$95,000.00					

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
could be combined - same ownership - 00421900-000000	00421890-000000	1985	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1	\$ 14,269
		1999	\$249,800.00					
could be combined - same ownership -00421890-000000	00421900-000000	1985	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1	\$ 14,269
		1999	\$1.00					
Peacan Leatherman Lots	00404260-000000	2004	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	RUSSELL ESTATES	NR	\$ 11,205
		2007	\$1.00					
Peacan Leatherman Lots	00404270-000000	2007	\$1.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	RUSSELL ESTATES	NR	\$ 11,205
		2008	\$1.00					
SFR on 00418740-000000	00418730-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	RANDAL ADAMS SUBD	R1	\$ 7,941
SFR on 00096510-000000	00405180-000000	2021	\$3,350,000.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	KEY SUBD OF LOT 7, THE	RE	\$ 7,147
Can be combined - hammock lots SFR on 00092350-000000	00092350-000100	2019	\$70,000.00	VACANT OLD STATE Rd, PLANTATION KEY	PLANTATION KEY		NR	\$ 5,310
Can be combined - hammock lots SFR on 00092350-000000	00092390-000000	2019	\$0.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 2,970
Can be combined - hammock lots SFR on 00092350-000000	00092450-000100	2003	\$1.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 2,700
		2019	\$15,000.00					
SFR on 00419295-000600	00419295-000700	1979	\$16,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TROPICAL CORAL REEF ESTATES	NR	\$ 55
		1991	\$19,000.00					

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
On the FF list & LAAC list; Scozak - Windley Key - may be in the process of being developed; highly desirable if not	00093800-000000	2019	\$100.00	VACANT OLD Hwy, WINDLEY KEY	WINDLEY KEY		RE	\$ 1,593,396
On the FF list & LAAC list; Rorira property; highly desirable	00414560-000000	1985	\$75,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1	\$ 591,667
		2001	\$150,000.00					
hammock, buttonwood, mangroves	00093360-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 586,892
hammock lot	00091880-000200	1970	\$7,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 250,657
		2012	\$92,500.00					
		2014	\$200,000.00					
		2021	\$8,000,000.00					
hammock lot	00415300-000000	2018	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PEARL CITY	RE	\$ 245,225
hammock lot	00403030-000000	1971	\$5,500.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	CORAL VIEW	R1	\$ 129,413
		2010	\$100.00					
		2014	\$1,195,000.00					
hammock lot	00094630-000300	2011	\$100.00	VACANT RUSSELL Ln N, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 127,318
On the FF list & LAAC list; in between US1 & Old Hwy 89.5; highly desirable	00092570-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 95,173
dist w/hammock	00418311-002300	1984	\$28,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	LAKE HARBOR 1ST ADD	R1	\$ 78,997
		1989	\$36,000.00					
On the FF list & LAAC list; Mike Murphy property on Plantation Key in between US1 & Old hwy	00415860-000000	2019	\$150,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 1	NR	\$ 70,389
hammock lot	00420580-000000	1973	\$4,500.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	INDIAN HARBOR	R1M	\$ 67,522
		2004	\$20,000.00					
hammock lot	00411320-000000	1986	\$20,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	CORAL SHORES	R1	\$ 66,681
hammock lot	00437493-003800			VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 61,203
hammock lot	00403041-000400	1994	\$89,500.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	BAY HAMMOCK COMMUNITY	R1	\$ 59,037
		1995	\$95,100.00					
On the FF list & LAAC list; Key Honey; highly desirable	00419380-000100	1973	\$6,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	LYSILOMA SUBD	R1	\$ 39,371
		2011	\$2,800,000.00					
hammock lot	00414260-000000	2019	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1M	\$ 34,880
On the FF list & LAAC list; large property on US1 in between Pippin & Royal; highly desirable	00093170-000000	1981	\$100,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		RE	\$ 27,324
		1992	\$100,000.00					
On the FF list & LAAC list; adjacent to a Village owned property; highly desirable	00418770-000400	1983	\$8,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	RANDAL ADAMS SUBD	R1	\$ 22,063
		1984	\$10,000.00					
On the FF list & LAAC list; adjacent to 2 Village owned properties; highly desirable	00418770-000600			VACANT LAND, PLANTATION KEY	PLANTATION KEY	RANDAL ADAMS SUBD	R1	\$ 13,527
On the FF list & LAAC list; Next to OV; highly desirable	00093900-000200			VACANT LAND, WINDLEY KEY	WINDLEY KEY		RE	\$ 9,393
On the FF list & LAAC list; Smith property - Plantation Key; highly desirable	00092000-000000	2018	\$100.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY		NR	\$ 8,797
hammock lot	00094550-000000	1977	\$29,750.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		RE	\$ 7,650
		2012	\$100.00					
dist w/hammock and mangroves	00400860-000000	2011	\$100.00	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY	STRATTON'S SUBD	RE	\$ 7,258
check habitat	00391720-000000			VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	SAFETY HARBOR SEC 1	R1M	\$ 74

Billboard

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value		
Billboard lot	00413240-000000	1985	\$ 1	VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION BEACH	R1	\$ 27,685		
		1999	\$ 1							
Billboard lot	00415880-000000	2000	\$30,000.00	VACANT LAND, PLANTATION KEY	PLANTATION KEY	KEY HEIGHTS SEC 1	NR	\$ 17,992		

Non-Conforming

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
Non-conforming lot split	00389220-000100	1984	\$ 16,000	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 114,058
		2011	\$ 100					
		2011	\$ -					
		2021	\$ 2,100,000					
Lots not subdivided through county or village	00094430-000110	2008	\$ 275,000	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 39,480
non-conforming - lot split 2,000 sq ft	00389220-000200	1984	\$ 16,000	VACANT SUNSET Dr, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE BEACH	R1	\$ 34,550
		2012	\$ 100					
Lots not subdivided through county or village	00094430-000000	1977	\$ 20,000	VACANT LAND, UPPER MATECUMBE KEY	UPPER MATECUMBE KEY		R1	\$ 33,382
		2005	\$ 90,000					
		2008	\$ 275,000					

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
Part of Futura Yacht Club homeowners	00417380-000000	2009	\$ 100	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VACATION VILLAGE	R1	\$ 48,716
		2016	\$ 400,000					
Part of Futura Yacht Club homeowners	00417390-000000	2009	\$ 100	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VACATION VILLAGE	R1	\$ 48,716
		2016	\$ 400,000					
Part of Futura Yacht Club homeowners	00417400-000000	2009	\$ 100	VACANT LAND, PLANTATION KEY	PLANTATION KEY	VACATION VILLAGE	R1	\$ 48,716
		2016	\$ 400,000					
HOA Property	00425530-000000			VACANT LAND, PLANTATION KEY	PLANTATION KEY	KAHIKI HARBOR	R1	\$ 5,000
HOA Property	00394640-000000	1979	\$ 70,000	VACANT LAND, LOWER MATECUMBE KEY	LOWER MATECUMBE KEY	LOWER MATECUMBE HARBOR	R1	\$ 103,142
HOA Property	00093420-005500			VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 2,310
HOA Property - entry gate sliver	00093420-005101			VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 100
HOA Property - entry gate sliver	00093420-004801			VACANT LAND, PLANTATION KEY	PLANTATION KEY		R1	\$ 100
HOA Boat Ramp	00418621-004800			VACANT LAND, PLANTATION KEY	PLANTATION KEY	PLANTATION SHORES REV	R1	\$ 1,666

Airpark

COMMENTS	PARCEL ID	year sold	amount	LOCATION	KEYNAME	SUBDIVISION	ZONING	Total Assessed Value
Airpark lot - can build hangar - hammock	00437493-005100	1994	\$ 46,400	VACANT AIRPORT Rd, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 695,143
		2021	\$ -					
Permit application for hangar on property (abandoned status)	00437493-002101	2020	\$ 400,000	N VACANT AIRPORT Rd, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 393,281
		2020	\$ 400,000					
		7/9/2020	\$ 400,000					
		2021	\$ 421,400					
SFR/hangar on 00437493-001700	00437493-001600	1998	\$ 70,000	N VACANT LAN AIRPORT Rd, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 255,839
		2018	\$ -					
Airpark property - could build hangar	00437493-001800	1978	\$ 7,500	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 133,938
		1994	\$ 48,100					
Airpark property - could build hangar	00437493-000700	1974	\$ 8,000	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 120,153
		1987	\$ 39,000					
Airpark property - SFR 00437493-003400	00437493-003300	1999	\$ 75,000	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 82,786
		2004	\$ 187,500					
Airpark property - could build hangar - hammock	00437493-003600	1979	\$ 15,000	VACANT LAN AIRPORT Rd, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 59,980
Airpark property - could build hangar - hammock	00437493-003200	1975	\$ 11,300	VACANT LAND, PLANTATION KEY	PLANTATION KEY	TAVERNAERO	TA	\$ 57,538
		1995	\$ 40,000					

Page 2 of 2

RESOLUTION NO. 24-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING A RECOMMENDATION TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE NUMBER OF ADDITIONAL RESIDENTIAL BUILDING PERMIT ALLOCATIONS THE VILLAGE WOULD LIKE TO RECEIVE IN POTENTIAL FUTURE ALLOCATIONS; REPEALING RESOLUTION NO. 24-10-122; PROVIDING FOR TRANSMITTAL OF THIS RESOLUTION TO CERTAIN PEOPLE WITH THE COUNTY

WHEREAS, Islamorada, Village of Islands (the "Village") has implemented the Building Permit Allocation System ("BPAS") as codified in Chapter 30, Article IV, Division 11 of the Village's Code of Ordinances (the "Village Code"); and

WHEREAS, in the Fall of 2023, the State Department of Commerce issued their Florida Keys Hurricane Evacuation Modeling Report which provided several scenarios for clearance times in the event of a hurricane; and

WHEREAS, all the jurisdictions in Monroe County, including the Village, decided to let the County lead the effort on future consideration of additional ROGO¹/BPAS allocations; and

WHEREAS, the Village Planning Department has held a community engagement process to discuss the impacts of receiving additional allocations including infrastructure, the environment and takings claims; and

WHEREAS, based upon, *inter alia*, the community input received and recommendations of Village staff, the Village Council desires to recommend to the Monroe County Board of County Commissioners ("BOCC") that the Village of Islamorada receive 250 additional BPAS allocations; and

WHEREAS, on October 10, 2024, the Village Council passed and adopted Resolution No. 24-

¹ / ROGO refers to Rate of Growth Ordinance, which is a term utilized by other jurisdictions.

10-122; and

WHEREAS, the Village Council believes that the repeal of Resolution No. 24-10-122 is in the best interest of the Village;

WHEREAS, the Village Council desires to repeal Resolution No. 24-10-122 and replace it with this resolution.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Recommendation.** The Village hereby recommends to the BOCC that the Village receive ____ BPAS allocations, should future allocations be made available by the State of Florida.

Section 3. **Repeal of Resolution No. 24-10-122.** Resolution No. 24-10-122 is hereby repealed in its entirety.

Section 4. **Direction to the Clerk.** The Village Clerk is directed to furnish copies of this resolution to:

- A. Mayor Holly Merrill Raschein and all members of the BOCC;
- B. County Clerk Kevin Madok; and
- C. County Administrator Christine Hurley.

Section 5. **Effective Date.** This resolution shall become effective immediately upon its adoption.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

Mayor _____

Vice Mayor _____

Councilmember _____

Councilmember _____

Councilmember _____

PASSED AND ADOPTED THIS 19TH ____ DAY OF NOVEMBER 2024.

_____, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE OF AND RELIANCE BY
ISLAMORADA, VILLAGE OF ISLANDS ONLY:

JOHN QUICK, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this ____ day of _____, 2024.

From: [Alexander Villarreal](#)
To: [Marne McGrath](#)
Subject: BPAS additional permits
Date: Sunday, December 8, 2024 7:38:11 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Good morning, Village Council Members,

We have had homes in Islamorada since 1985. We currently own 2 homes in Port Antigua and 1 home in White Marlin Beach. I speak for my dad and my brother. We do NOT support asking for any additional permits. We believe that Islamorada is already over developed.

Sincerely,

Alexander Villarreal 137 Nautilus drive
Jorge Villarreal 87 West Plaza del Lago
Carlos Villarreal 88 West Plaza Granada

From: [SABRINA WAMPLER & SARAH EWALD](#)
To: [Marne McGrath](#)
Subject: BPAS issues
Date: Thursday, December 5, 2024 10:13:19 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

My lifelong local opinion on this matter...

> Given it is State mandated issue, the hypothetical lawsuits can turn that way. The Village is just following the State and the Village should not have taken more applications knowing there were only X amount of permits, so those people currently in permitting should be issued, or there will def be lawsuits there. Anyone buying a vacant lot in the last 25 years has known this was coming. We're overdeveloped as it is. So no, not as many as the State will give. Unless we're looking to further stress our sensitive environment. Please don't ask for more than what we need.

Sarah Ewald, Realtor
Ocean Sothebys Int'l Realty

Please excuse any brevity, this message sent from my iPhone

December 8, 2024

To: The Village Council

From: William C Bond, resident-Tollgate Shores

After carefully reviewing Brian Schmitt's "white paper" regarding his suggested actions by the Village Council and rather than readdressing each of his conclusions and suggestions, I agree that what he has put forth should be adopted by the Council. I believe that Mr. Schmitt has presented a logical approach to resolving the issues related to ROGO/BPA allocations, together with the necessary protections for our citizens and environment.

Also, I urge the Council to weigh the cost/tax impact that litigation could have on our citizens if such actions are not implemented. In many respects our community will live with your decisions in perpetuity.

Thank you for your attention.

Respectfully,

Bill Bond

From: [Ann Olsen](#)
To: [Sharon Mahoney](#); [Buddy Pinder](#); [Don Horton](#); [Deb Gillis](#); [Steve Friedman](#)
Cc: [Robert Cole](#); [Marne McGrath](#); [Jennifer DeBoisbriand](#); [Moses Dottie](#); [Stuart](#)
Subject: Florida Keys ROGO Coalition Materials - Part 2
Date: Tuesday, December 3, 2024 10:49:31 AM
Attachments: [ENVIRONMENTAL CARRYING CAPACITY WHITE PAPER.pdf](#)
[Hurricane Evacuation White Paper.pdf](#)
[Executive Summary of Evacuations White Paper.pdf](#)
[J Alexander Keys Evac Report Review.pdf](#)
[Resume - Jeff Alexander 23.pdf](#)

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Dear Mayor and Village Council,

The Florida Keys ROGO Coalition -- now consisting of 21 organizations throughout the Keys -- represents many thousands of members. In our effort to advance a more data-driven approach to the consideration of more ROGOs, we worked with several subject matter experts to provide these documented and referenced reports. I attach several additional White Papers to aid in your decision-making:

1. Carrying Capacity White Paper – a review of environmental issues and costs,
2. Hurricane Evacuation White Paper – a well-documented and cited report,
3. Executive Summary of Hurricane White Paper – a more concise overview of the issues,
4. Review of the FloridaCommerce Hurricane Evacuation Report by Jeffrey Alexander – State-wide Hurricane Evacuation expert, and
5. Jeffrey Alexander's extensive emergency management Resume.

We hope these documents assist you in this important decision.

Respectfully submitted,

Ann Olsen, on behalf of the
Florida Keys ROGO Coalition



From: [Stuart](#)
To: [Sharon Mahoney](#); [Buddy Pinder](#); [Don Horton](#); [Deb Gillis](#); [Steve Friedman](#)
Cc: [Robert Cole](#); [Marne McGrath](#); [Jennifer DeBoisbriand](#); [Olsen Ann](#); [Moses Dottie](#)
Subject: Florida Keys ROGO Coalition Materials on More Allocations
Date: Monday, December 2, 2024 8:37:23 AM
Attachments: [11302024 Islamorada White Paper Executive Summary.docx](#)
[11302024 Islamorada Property Rights White Paper.docx](#)
[10122024 AWH White Paper.docx](#)
[Property+Rights+Analysis+October+2024 \(1\).pdf](#)

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Dear Mayor and Village Council:

The Florida Keys ROGO Coalition consists of 20 organizations throughout the Keys representing many thousands of members. Our goal is for the Keys local governments to conduct objective, transparent, and data-driven analyses of whether to request more residential building allocations from the State.

In advance of the Village Council meeting on Dec. 10, we thought we would share with you the following documents:

1. Our white paper on more allocations and affordable housing. Notably, this white paper points out that there are 616 affordable housing allocations already available or soon to be available Keyswide, 302 of which are Islamorada's.
2. Our white paper on more allocations and takings liability. This white paper suggests a methodology for determining the number of additional market-rate allocations to be requested by Islamorada from the State, based on an analysis of takings risk. We are concerned, based on public statements by some of the Councilmembers, that the Council is being asked to assume that the Village will lose every single takings claim made by owners of the buildable lots if allocations were to run out. We strongly disagree with that conclusion.
3. A more bite-sized executive summary of the white paper on takings.
4. A detailed legal analysis of the takings issue by Richard Grosso.

We hope these documents will assist you in making the important decision whether to request more allocations from the State and, if so, how many.

Respectfully submitted:

Stuart Schaffer, on behalf of the
Florida Keys ROGO Coalition

From: dadmanwk@aol.com
To: [Marne McGrath](#)
Subject: Housing
Date: Tuesday, December 10, 2024 11:34:11 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

As a full time Islamorada resident I voted to make support every effort to put Isla residents "quality of life " first! above and beyond all other interests. Unfortunately. due to my out of state surgery, I cannot stand in person at this meeting to express that position. So simply put. NO to modified expansion proposal in Isla. Regards
Hobie Kostyk 6099293104.

From: [Kris Friedman](#)
To: [Sharon Mahoney](#)
Subject: Permits
Date: Tuesday, December 10, 2024 9:12:44 AM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Hi Sharon.

I'm emailing you, as Mayor, in the understanding that all council members & the clerk will be copied.

As a resident at MM87 for 23 years, I'm writing to oppose the proposition to increase allotted building permits in the village, on the agenda for December 10.

The previous council already dove into the issue and landed on the 104 number.

Bringing the issue back into play at the FIRST meeting of the newly elected council seems like a waste of resources (two steps forward, three back). It seems a little suspect, to be honest, and is technically against policy.

If there are deadlines this week of concern, don't over commit in fear of as-of-yet nonexistent complaints or lawsuits. And regarding that feared legal action, please have your law team show the data. Analyze the plots and report how many parcels could actually justify litigation and win. I don't want to waste tax dollars in law suits either, but surely this limited permit policy was in place when some of these properties were purchased — buyer beware! Some may be upset at the facts, but are not legally entitled to any variance.

The overdevelopment in south Florida is rampant. That's rippling into the Keys. That business in the county with the Publix is a prime example of backwards governing. The will of the residents going ignored surely for someone's profit. That feels like what's happening here as well. Saying that the village wants to preserve its character, but actually building it from shore to shore so that some people can cash in.

Pull back the reigns. Support what the previous council already hashed out. At least do your due diligence and rely on data, not unfounded fears, to motivate your decision.

I thank you and all council members for your time reading this, and for your service to the people you represent.

Regards,
Kris Friedman

From: erizzo@bellsouth.net
To: [Marne McGrath](#)
Subject: ROGO and additional permits email to Village Council members.
Date: Thursday, December 5, 2024 12:54:21 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Good afternoon, Village Council Members,

As a resident of Islamorada for many years, I do NOT support asking for any additional permits. Everyone who lives and owns property in the Village and the Florida Keys has been well informed on this matter. Just because they “sat on their rights” for many decades now, does not mean that they have a valid claim now.

To “predict” what courts may find on this issue in the future to persuade the residents to vote one way or the other is irresponsible.

I urge you to collectively retain an expert on takings to advise you all, as well as the citizens of Islamorada in a very transparent manner about the nature of takings claims.

There is entirely too much misinformation being spread; and why are Village council member(s) calling residents and asking them to email the council in support of asking for more permits. Should this not be an open and publicly discussed issue rather than calling and asking for support? If everyone’s agenda is the benefit of the Village of Islamorada’s residents’ public health and safety—then let’s keep the dialogue in the public sphere.

To assert that takings claims are inevitable as a way of creating fear among the residents is unacceptable and underhanded without any valid proof to that effect. I have worked with quite a few clients with vacant land who have no intention of making a takings claim because: 1) they were aware of ROGO and properly notified by the county, long before the Village existed; 2) they are very honest and admit that they “sat on their rights” and did not seek a ROGO exemption, they did not sell their property, and they did not apply for a building permit timely.

Thank you for your attention to this matter as well as your service,

Eric M. Rizzo
Islamorada, Florida Resident.

From: [Eddie Wightman](#)
To: sharon.mahoney@islamord.fl.us; [Don Horton](#); [Buddy Pinder](#); [Deb Gillis](#); [Steve Friedman](#)
Cc: carolyn_wightman@islamorada.fl.us
Subject: VOTE NO TO MORE DEVELOPMENT
Date: Tuesday, December 10, 2024 9:48:52 AM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

To: Islamorada Village Council

Our Mission

- To Protect the Residents' Right to Quiet Enjoyment of Life
- To Plan for Enhancing Our Village Character
- To Preserve Our Community; Its People, Natural Resources, and Pride
- To Provide Basic Services to Support our Quality of Life
- Islamorada, Village of Islands
- Incorporated December 31, 1997

Honorable Council Members:

As a fulltime resident of Islamorada for 75 years, I urge you to adhere to the Village's Mission Statement.

VOTE NO!! ON RESOULTION / B / Tab 10

Please uphold the previous Council's vote for an additional 104.75 Building Permit Allocation System (BPAS) allocations.

Islamorada, in my opinion is already over-developed and does not need any **additional** development beyond the 104.75 permits approved by the previous village council.

Charles E. Wightman Sr.

115 South Drive
Islamorada, Fl. 33036

Considerations for new Rate of Growth Dwelling Unit Allocations

The implications for the outcome of the debate in the above constitutes one of the most important functions of local government which will have generational impacts. I believe that the considerations supported by surveys, facts and data can only lead to one reasonable conclusion which is that local government should request as many new dwelling unit allocations from the State of Florida as needed so that the inherent property rights of people who own buildable land in Monroe County are preserved along with the safety and welfare of its citizens. Additionally, at a ratio of 2 market rate to 1 affordable allocation, more deed restricted affordable dwelling unit allocations should be requested to provide sorely needed housing for the existing critical need for affordable/workforce housing in the Keys.

While there has been much discussion about mitigating the “Taking” of property rights and the resultant liability and associated costs there has been virtually no discussion about preserving people’s existing inherent property rights that are constitutionally protected. While government may have the power to take people’s property rights there is a burden to demonstrate the public benefit of doing so. If local government does not request more dwelling unit allocations, as many argue - people – not lots - will be denied the right to build on their land which they have economically based expectations to be able to use, for which they pay real estate taxes every year to preserve.

The vast majority of the property rights related to buildable land in the Keys that is being discussed relates to smaller single family zoned lots accessed by existing paved roads and served by infrastructure including potable water, sewer and electric which are owned by individuals and not large development tracts owned by faceless corporations. This analysis answers the questions related to the concerns of Monroe County Residents of allowing more homes to be built vs. any demonstrable public benefit of denying the right of property owners to build on their land. The concerns, as voiced by the public in response to the County’s Surveys taken to understand the perceived challenges associated with requesting or not requesting more ROGO/BPAS allocations list: Safe Evacuation, Infrastructure needs, Liability for Takings Cases, Affordable/Workforce Housing, Quality of Life and Impacts on the Environment as the most important considerations. The question before us is how the answers to these concerns weigh on the ultimate decision of how many, if any, new market rate and affordable homes should be built and over what time frame.

The 24 Hour Evacuation Time:

There is the fear mongering narrative that more homes will serve to exceed the 24-hour evacuation time which is codified in State Statute which will endanger the public. The 24-hour evacuation standard was developed over 30 years ago. Since that time storm track forecasting has become much more accurate and the demographics of the Keys has changed with dramatically fewer full time residents hence fewer people to evacuate. It is important to recognize that the 24-hour standard is arbitrary. It has no demonstrated basis for that number in science. It is not sacrosanct. There is no expert who has said that 24 hours is safe and anything more than that is not. If so, why would planners and legislators allow the residents of Miami-Dade to suffer an evacuation time of

over 50 hours to allow their residents to reach safety? While there is no documented case of anyone not being able to evacuate from the Keys prior to a storm there are sadly cases of residents who chose to evacuate and shelter in South Dade prior to Hurricane Andrew who unfortunately perished there. Those unfortunate people would have been safe if they remained in the Keys. The doomsdayers predict that there will be more storms which will be unpredictably prone to rapid intensification. The data recently presented by The National Weather Service does not support that claim however, at least as it relates to the unique Florida Keys which is protected by the large and high land masses of Cuba.

Clearly there is no demonstrable public benefit to take people's property rights away to maintain an unsupportable arbitrary evacuation time of 24 hours. All of the data support the fact that residents of the Keys have always been able to safely evacuate and that construction of homes on the remaining buildable lands will not endanger our residents.

Infrastructure Costs:

While there will inevitably be costs associated with providing the infrastructure needed to accommodate more dwelling units - costs will continue to exist and will continue to rise whether there are more ROGO/BPAS allocations or not – there will just be fewer taxpayers to bear those costs. The significant portion of the costs of infrastructure for new homes is paid by the homeowner in the form of Impact fees levied by local government and connection fees paid to the utilities to be able to connect to potable water, sewer and electric service. Impact fees and connection fees are adjustable to reflect the current costs to provide the infrastructure and can and should be raised to reflect those costs. New development can and should then bear the costs of any added infrastructure.

Again, there is no data to support any claim that the costs of providing the infrastructure to allow property owners to build homes on their property will unfairly burden the citizens of Monroe County. There is also no data to support the claim that the cost of this infrastructure will exceed the cost of purchasing the land taken from taxpayers. Depending on the horizon over which new allocations are given out which could be 10, 20, or even 30 years there is adequate time for infrastructure to keep pace with any new homes.

Liability for Regulatory Takings:

According to the County's own Survey 80% of the respondents believe Regulatory Takings to be a Very Serious or Somewhat Serious Concern. That concern is warranted and relates to a general understanding that property rights are protected both constitutionally and by State Statute in the form of the Bert Harris Act. These protections essentially say that if government takes away property rights through regulations, then the property owner is entitled to relief which includes compensation for the loss of fair market value of the real property. Government has in some cases in the past been able to mitigate that loss and hence the compensation paid to the owners by granting the owner alternative rights and uses such as transferable development rights and the ability to keep bees on the property. The recent Shands vs City of Marathon decision by the 3rd

District Court of appeals severely limits government's ability to mitigate their taking of property rights by regulation. This case has been pending since 2004 and is currently under appeal by government. Irrespective of the outcome of this case there have been a number of regulatory takings cases in Monroe County over the years which were very expensive to litigate and which went against local government resulting in large judgements which were paid by the taxpayers. With the recent runup in property values in the Keys - which have essentially doubled in the past 5 years - the cost of defending, settling or paying judgments levied by the courts will again fall to the taxpayers of Monroe County. The State of Florida takes no responsibility for defending against these takings cases or the associated costs or judgements. There are those who would argue that the costs of these takings is being overblown. These folks are essentially saying that government should take people's property rights away and the taxpayers won't have to compensate them. I don't think that any elected legislative official would openly express that sentiment.

The costs in terms of time, money and more importantly the taking of people's property and the protected bundle of rights that come with it does not support any reasonable conclusion other than to request more building rights from the State of Florida. This is not just a dollars and sense question it is a question of what is right for the people who own this land - taxpayers in Monroe County.

Affordable/Workforce Housing:

The need for more affordable/workforce housing is always ranked as the #1 challenge in the Keys. 95% of the respondents to the County's recent surveys say that there is need for more affordable housing. The 2015 FIU Study concludes that the need for affordable housing to support the normal functions of life in the Keys is critical and that thousands of units need to be constructed to meet that need. There can be virtually no more affordable/workforce housing built in the Keys unless more ROGO/BPAS units are requested. There are unsubstantiated claims that affordable housing does not house the workforce but allows retirees and other non-workers to live cheaply in the Keys. A recent census in Marathon of over 200 residents showed that over 92 % were full time employees with the balance being disabled or semi-retired.

There is no way to provide for the critical need for more affordable/workforce housing without asking for more allocations from the State of Florida. Any sentiment to the contrary is selfish, ignorant and discriminatory.

Quality of Life:

The quality of life in the Keys is why most of us live or moved here. Preserving that quality of life is important to us all. The question is will depriving landowners of their inherent property rights result in any improved quality of life for the existing residents. There are those who say that enough is enough - lets shut the gates - we have our piece of paradise. Anyone who waited too long to build on their property or purchased it after ROGO was enacted should have known better - tough luck to them. As a lifetime resident of the Keys I, along with many others, could have called for no more homes 20, 30 or even 40 or 50 years ago which would mean that virtually every one of the

proponents of taking people's property rights would not be here today to argue their selfish position.

There is no metric that can measure quality of life. Quality of life is subjective to individuals. There is no data that says that allowing people to build on their buildable lots will erode our quality of life. Yes, there may be more traffic and there may be more people at the grocery store checkouts, but growth is already managed by stringent land development regulations including, Density and Intensity of use, level of service on US #1, Open Space Ratios, Buffer yards, etc. The question is whether government should sacrifice property rights for some immeasurable, subjective personal standard that some residents may have.

Impacts on the Environment:

One of the intrinsic standards of quality of life is the state of the environment in the Keys which is protected in many ways – more ways than any jurisdiction in Florida. Monroe County is the only County in Florida that is designated as an Area of Critical State Concern which serves to protect the environment and its residents- some people would say that this designation was put in place because we were deemed incapable of doing that ourselves. The proponents of no more ROGO Allocations would agree with that premise. We were one of the first counties in Florida to go through a Comprehensive Land Planning Process which amongst other things developed Principles for Guiding Development into the future – Land Development Regulations, ROGO/BPAS, The Tier System, The Monroe County Land Authority, etc. all created as a function of that process to protect the environment. As a result, The Keys are held to the highest building code standards to harden and protect buildings against hurricanes. Keys wastewater is treated to advanced wastewater standards – the highest anywhere in Florida. Our solid waste garbage is hauled out of the Keys. Our nearshore waters are managed and protected by the National Marine Sanctuary. All of these existing regulations along with Concurrency requirements will remain in effect to protect the environment. Over 95% of the land in Monroe County which includes the Everglades– more than virtually any other County in Florida - is owned publicly and largely serves as open green space and cannot be developed. Protected lands in the Keys, outside the Everglades constitutes what is estimated at over 60% of the remaining land area and comprises over 26,000 acres of land. The good work of the Monroe County Land Authority and various State and Federal agencies who continue to purchase land from willing sellers – without taking it- grows that percentage. The attached maps illustrate how little land is in private ownership. The land area comprising the remaining buildable land in question is less than 500 acres and represents only 2% of what is already protected.

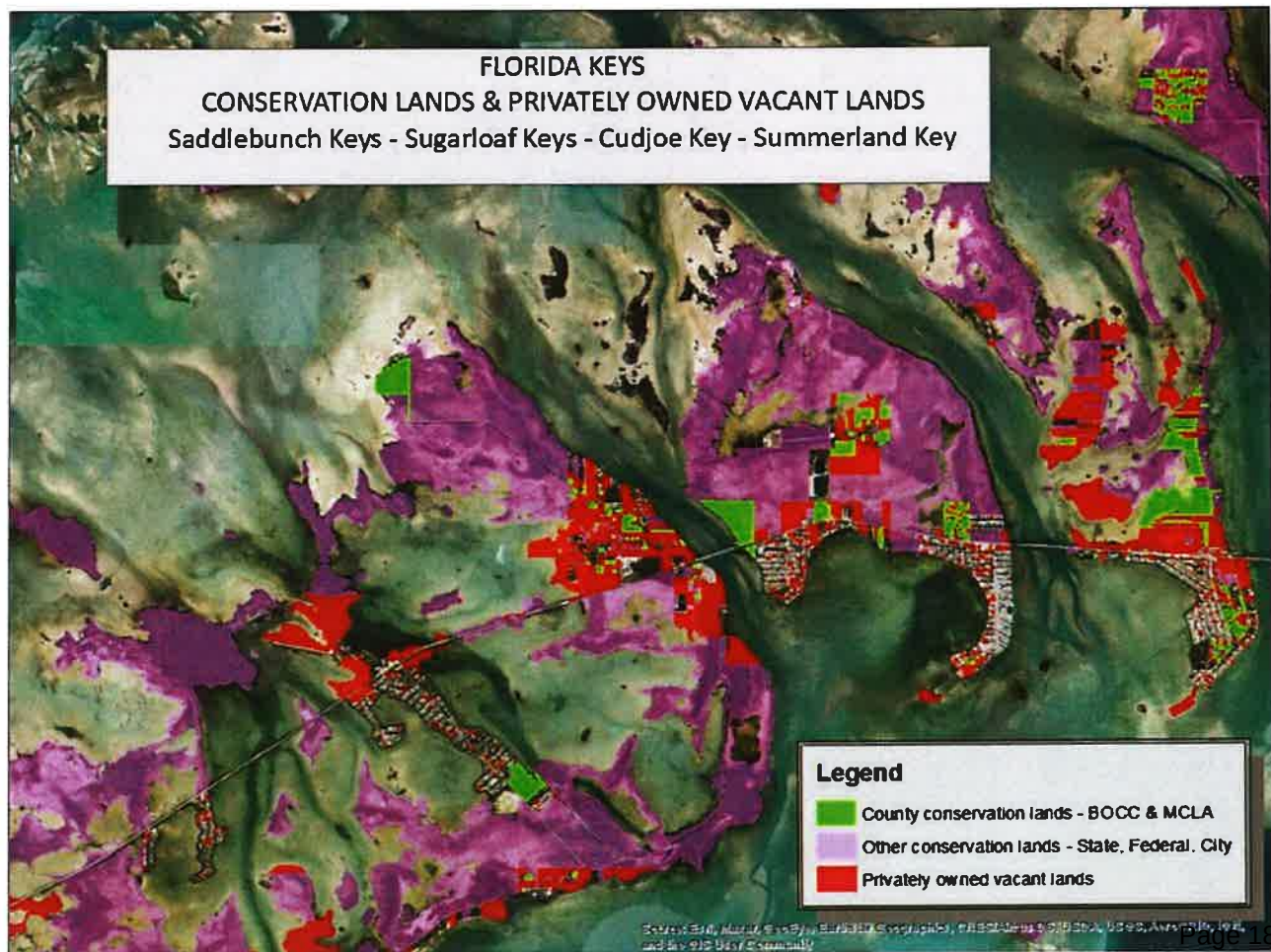
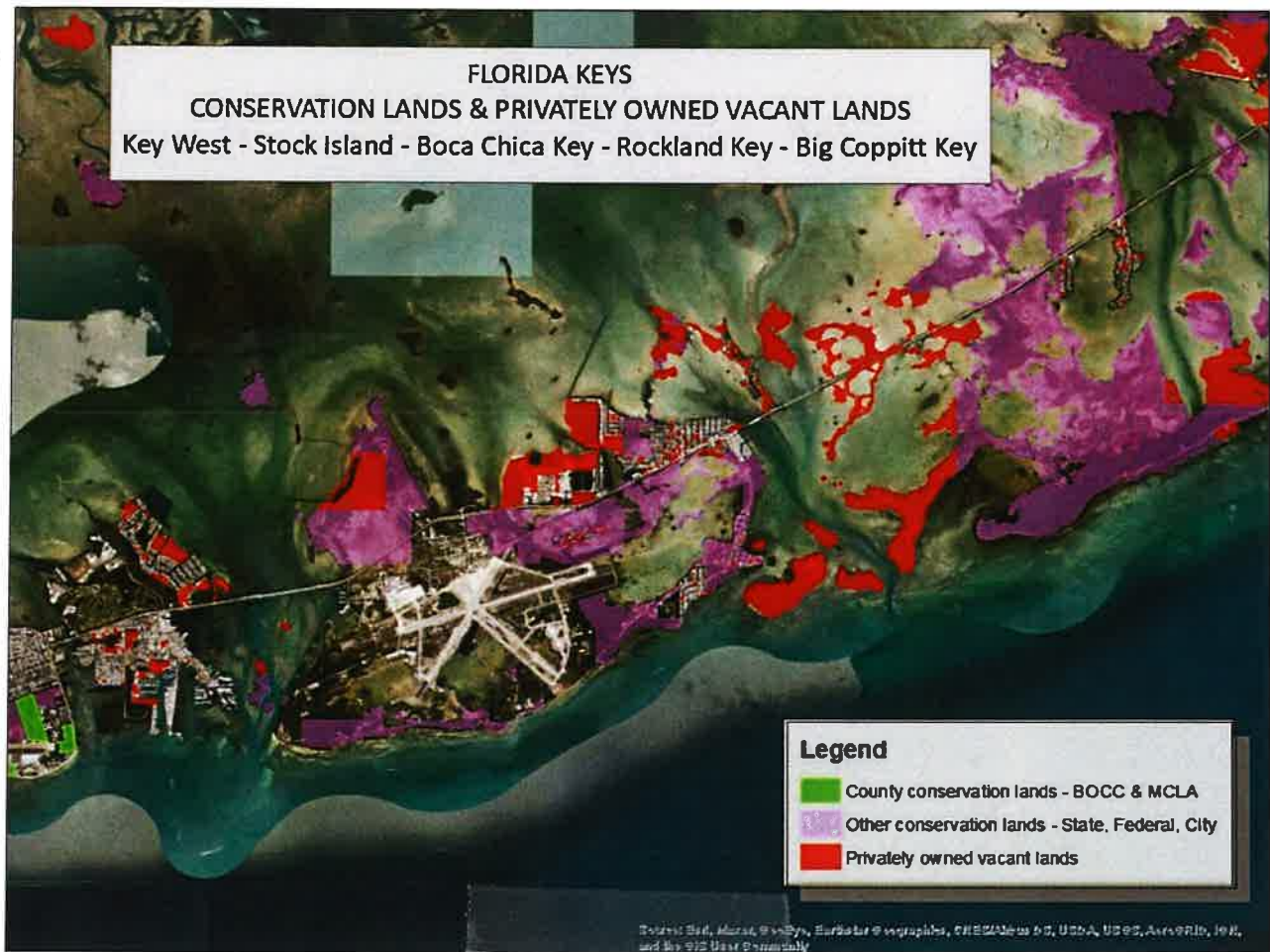
There are already many safeguards in place to protect the environment. There is no evidence that has been presented that would indicate that allowing property owners to build on their land comprising less than 500 acres in total would endanger or degrade the environment by any measurable amount. The amount of land in question is exceedingly small compared to what is already protected. The threat of environmental damage does not warrant the taking of land from people who have paid taxes to protect their right to be able to use it.

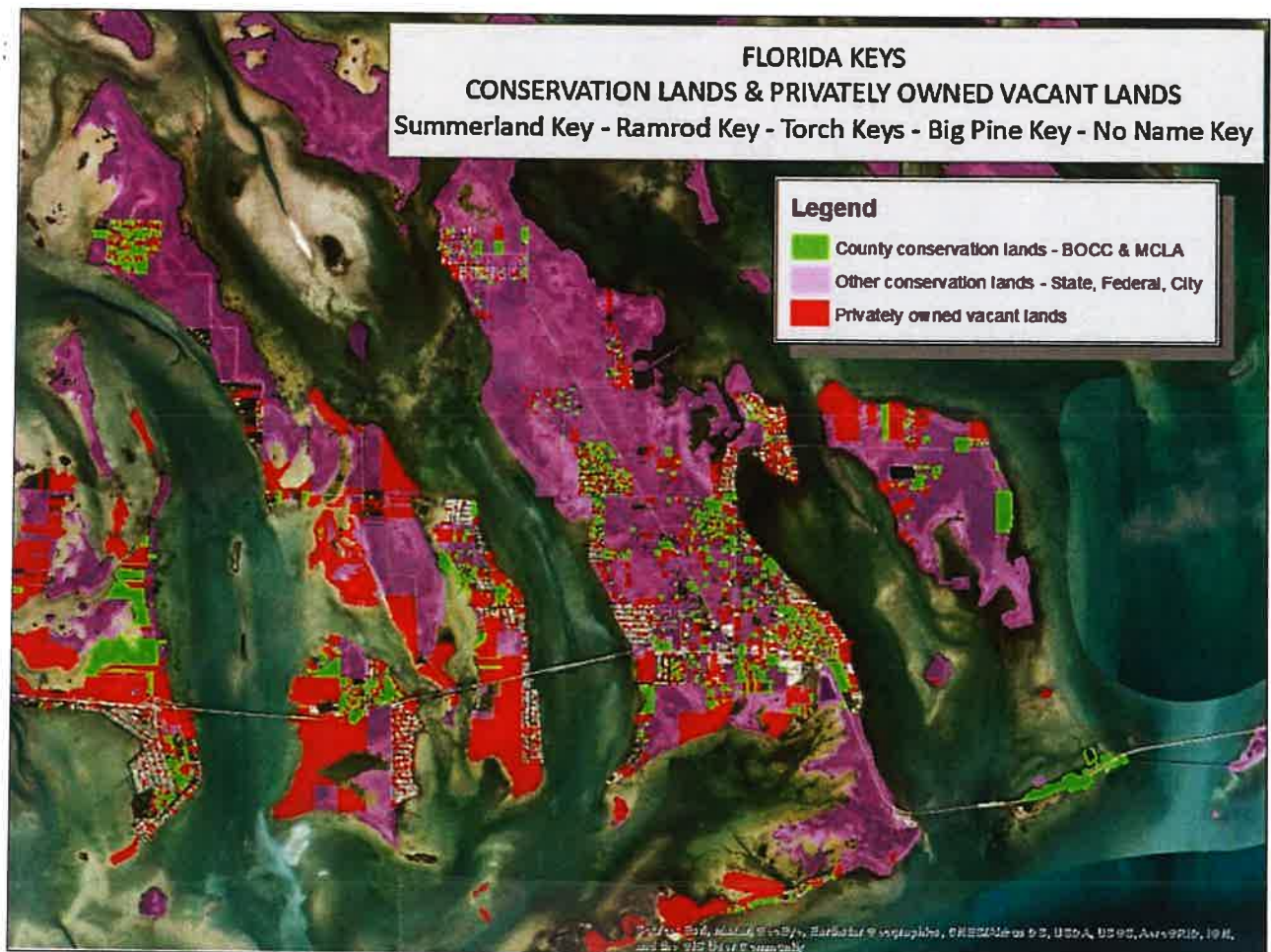
Conclusion:

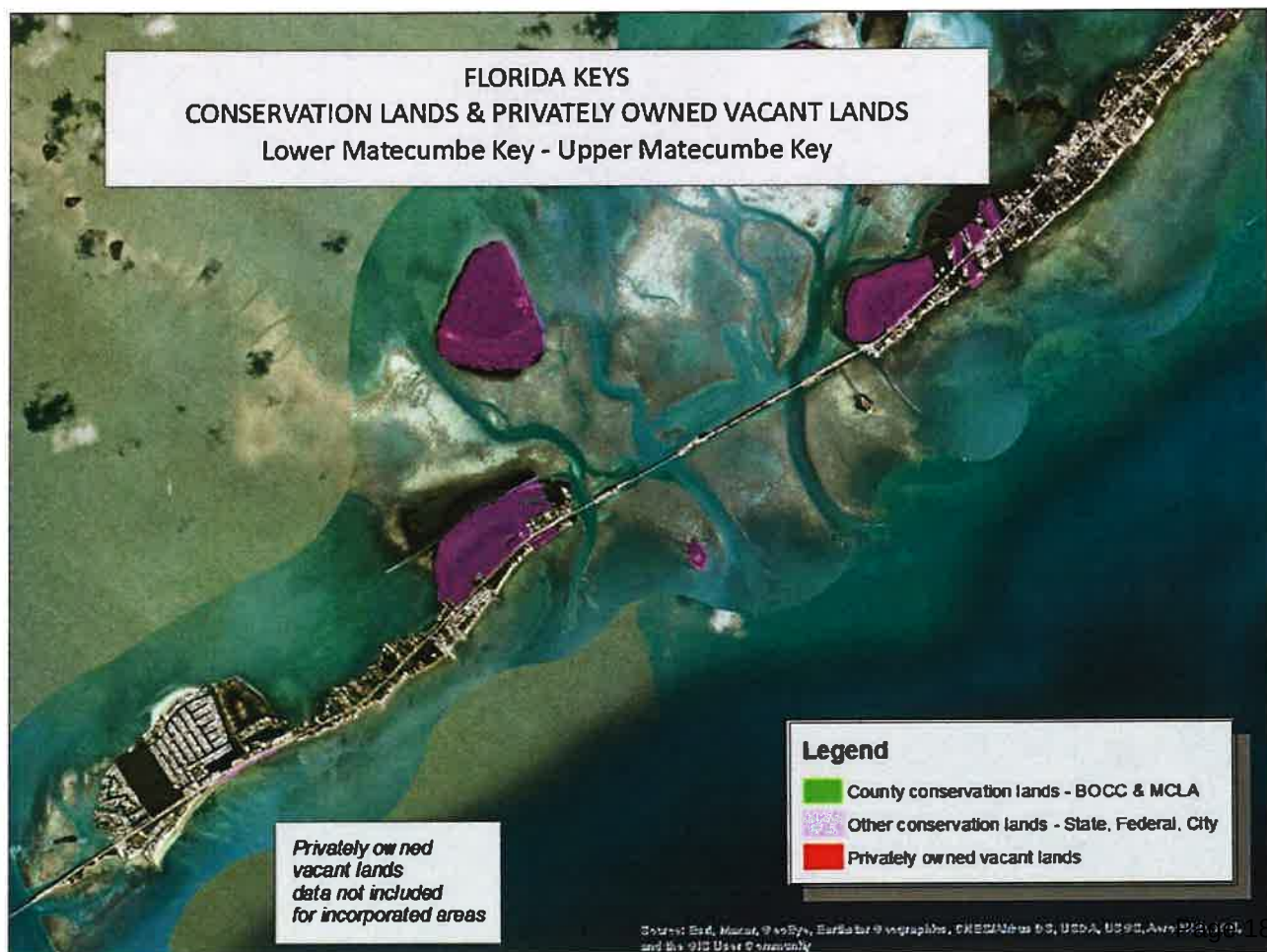
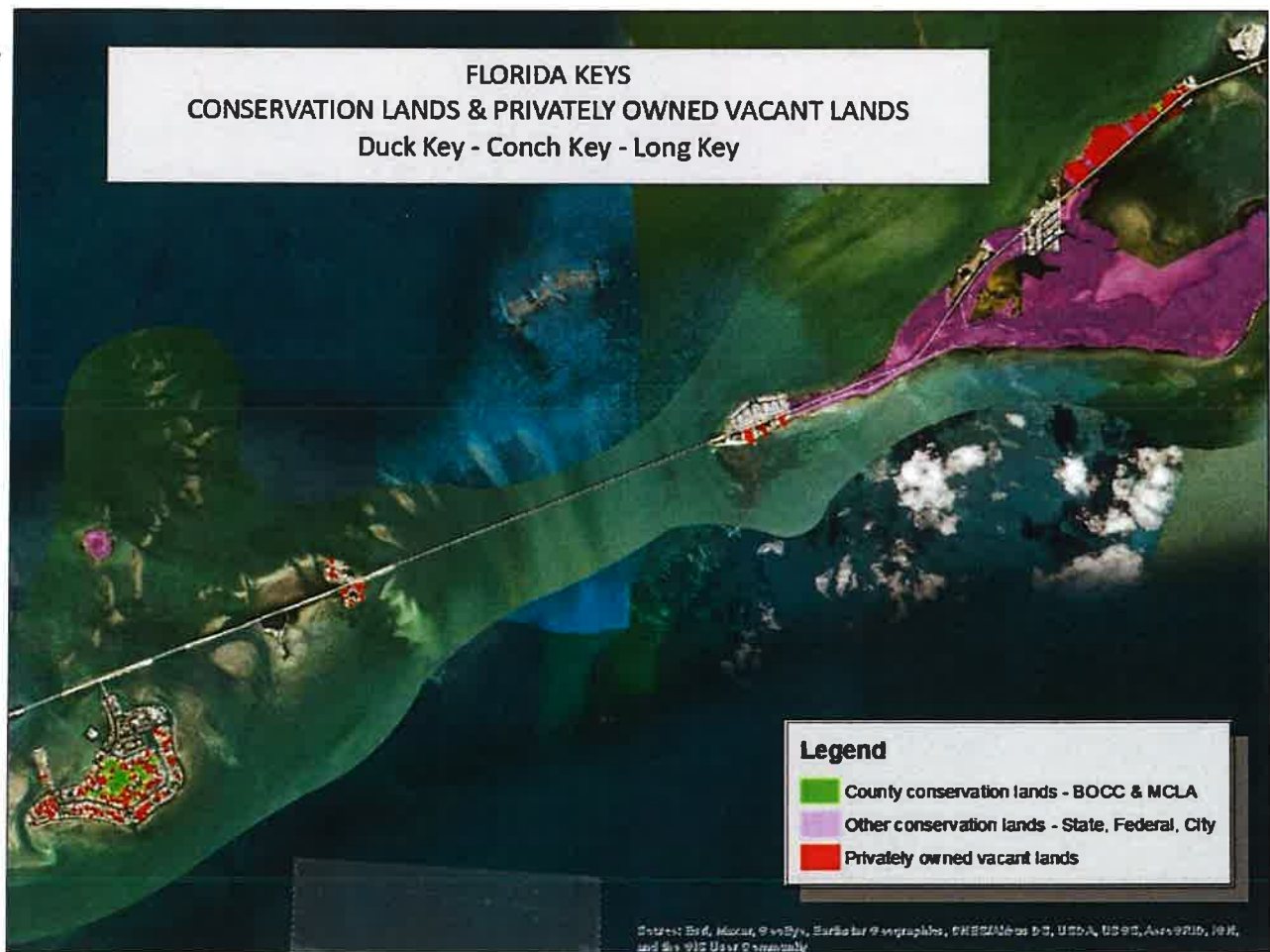
The only remaining question is how many more ROGO/BPAS allocations should be requested and over what time frame should they be awarded to property owners? According to the County's own survey almost 40% of the respondents said enough ROGO/BPAS allocations to cover the buildable lots plus another amount (20%) for affordable/workforce. Over 21% said enough to cover the buildable lots while over 17% said all of the ROGO/BPAS offered. Only 21.9 % said no more ROGO's. At the time most of these surveys were presented the discussion centered around 8000 lots. That total is now less than ½ of that number but there is no finite, ground-truthed number that anyone will stake their career on. The reasonable thing to do will be to ask for as many Market Rate ROGO/BPAS allocations to allow homes to be built on what have been identified as buildable parcels with enough in reserve for Beneficial Use and Administrative Relief to cover any shortfall and thereby protect the taxpayers from future takings liabilities. The existing Land Development Regulations, Concurrency Requirements, Levels of Service, Environmental Standards and Building Codes will remain in place to ensure that ROGO and BPAS allocations are awarded to properties which are truly buildable. In addition to Market Rate allocations there should be a significant amount of Deed Restricted Affordable /Workforce allocations requested. As someone who has developed over 260 affordable/workforce homes in the Keys I understand the critical need and would strongly argue that percentage to be 50% - 1 affordable/workforce unit for every 2-market rate. Based on The Monroe County Planning Department there are about 2000 buildable parcels in the County, The Village of Islands and the City of Marathon. Adding 1000 affordable/workforce units to that total plus reserves for Administrative Relief and Beneficial Use derives a total of about 3500 ROGO allocations. According to the State of Florida's 2023 Hurricane Modeling Report 3550 ROGO allocations would result in a 26 Hour Phase 2 Evacuation time which is only 2 hours more than what the law currently provides for. Awarding those 3550 ROGO Allocations over 20 years would result in 177.5 allocations per year, which is 70% of previous annual distributions. Awarding 3550 ROGO allocations over 30 years would result in an annual distribution of 118 allocations which is 46% of previous annual distributions. A time frame of 20 to 30 years will provide slow enough rates and adequate time for infrastructure to keep pace.

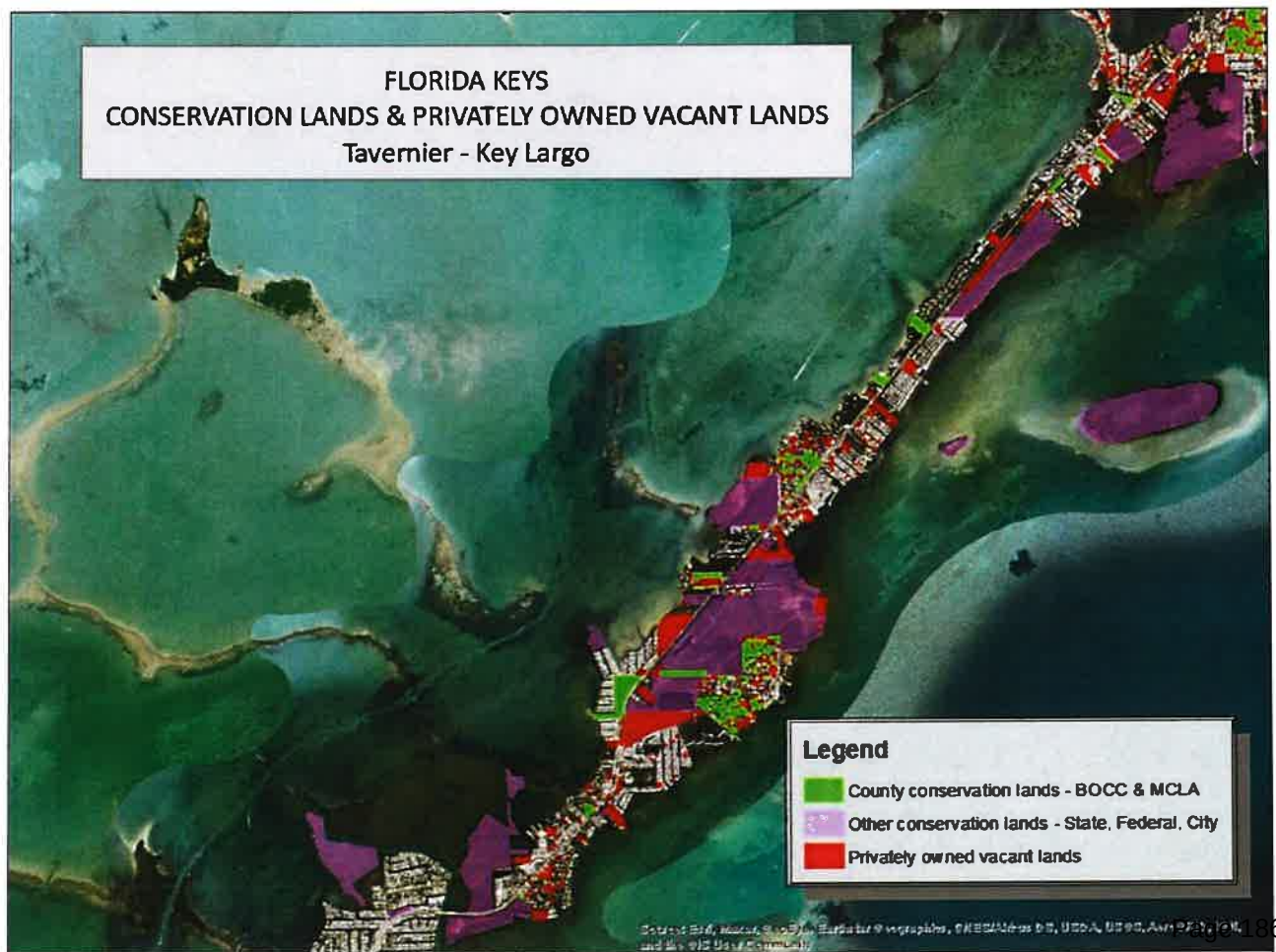
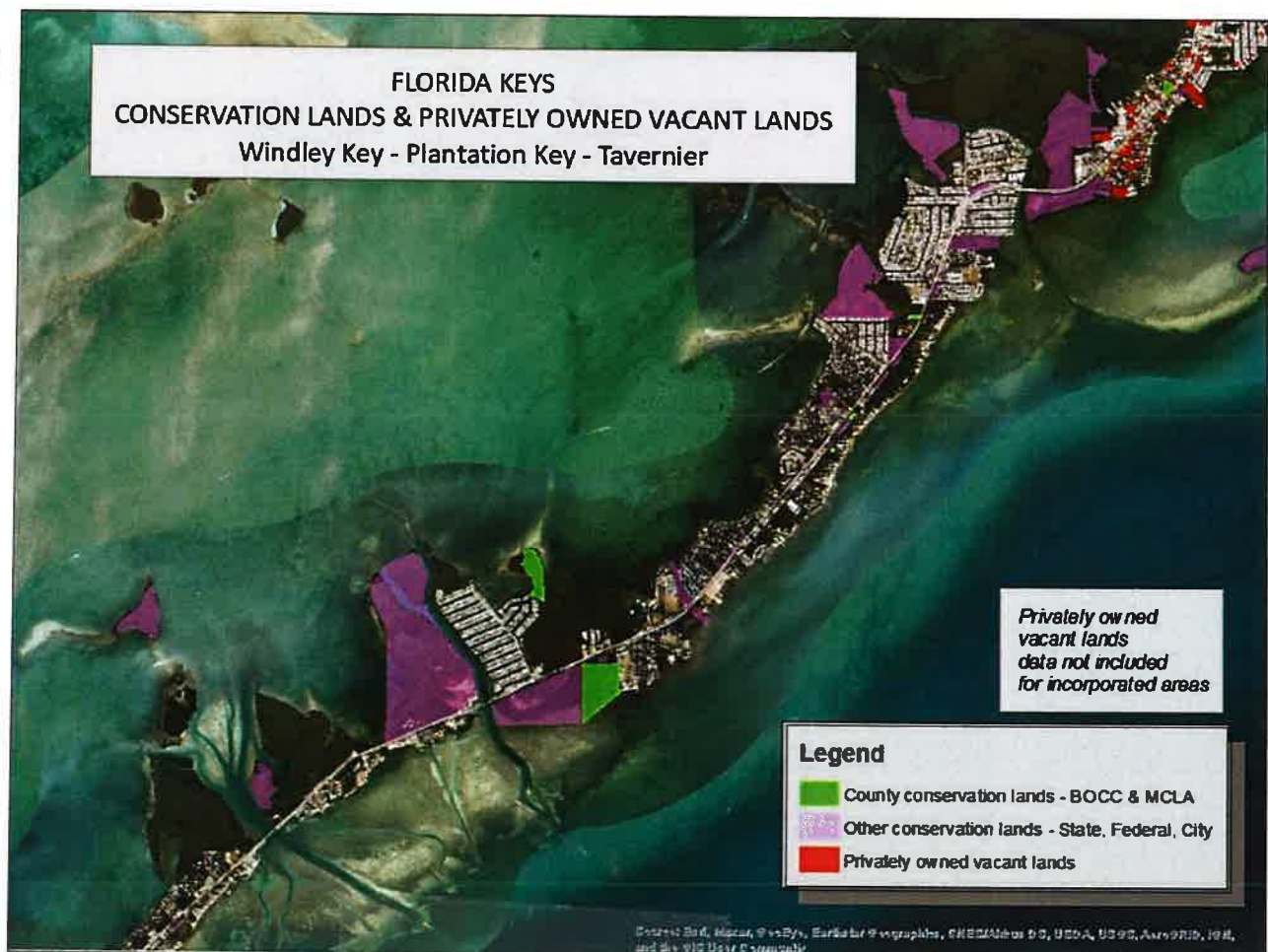
I believe that all of the data supports a request for an increase in the Phase 2 Evacuation time to 26 hours which would serve to protect the property rights of the taxpayers without any significant negative impacts to the existing residents or the environment.

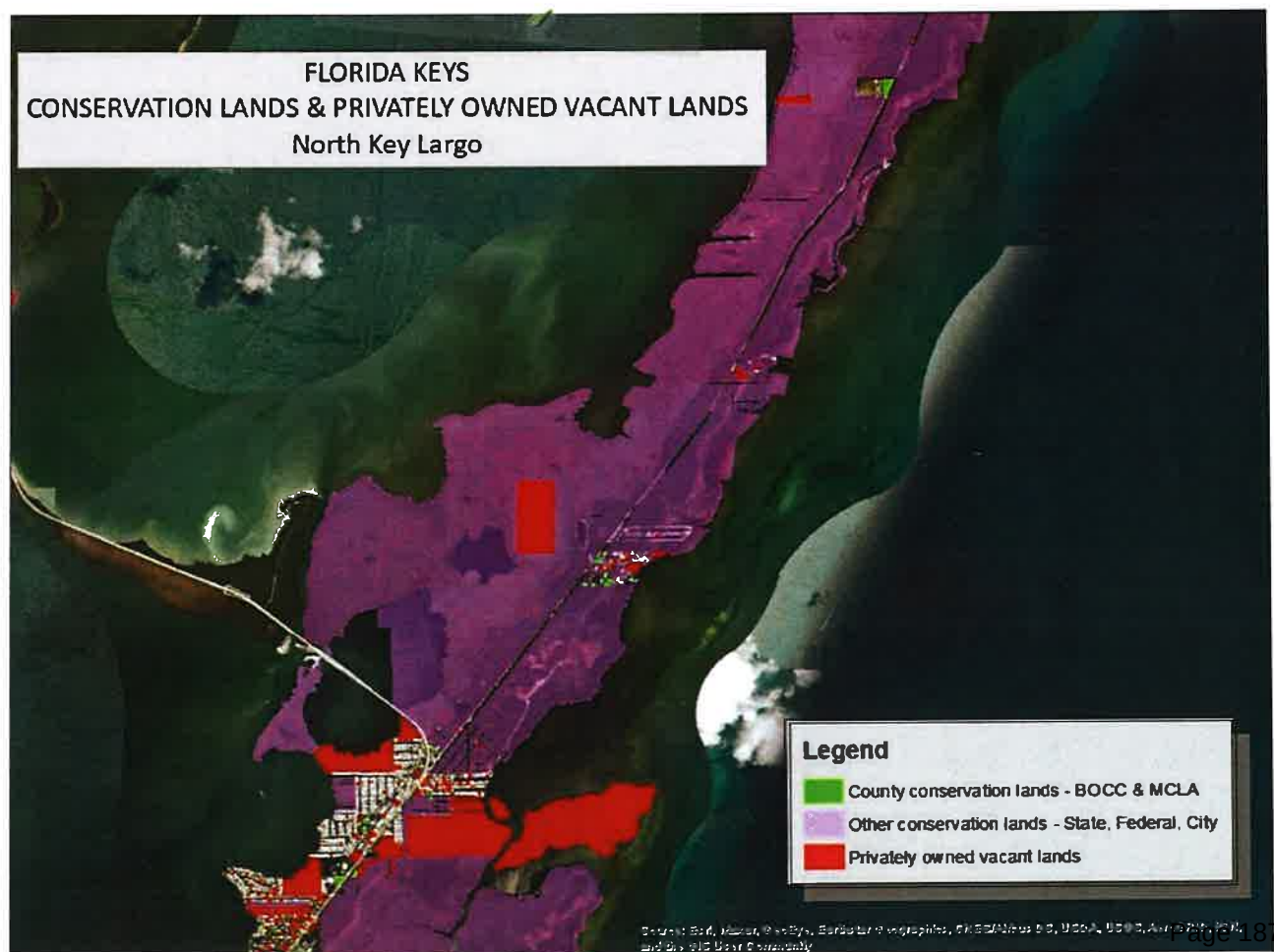
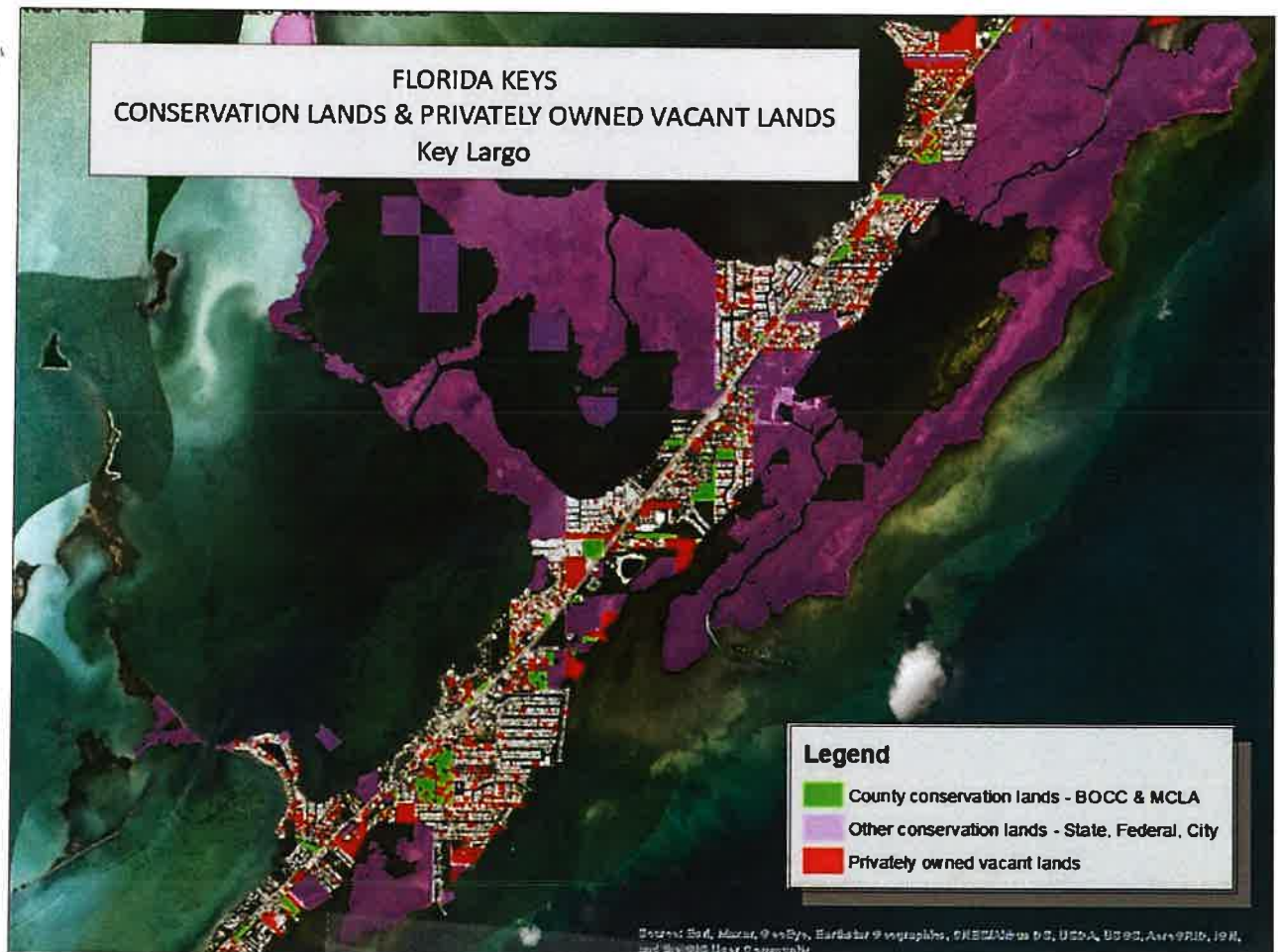
Sincerely, Brian Schmitt











brian@cbschmitt.com

From: Bergh-Beth <Bergh-Beth@monroecounty-fl.gov>
Sent: Thursday, November 21, 2024 12:39 PM
To: Brian@CBSchmitt.com
Subject: Monroe County conservation lands

Flag Status: Flagged

Hi Brian,

Here's the most recent section of the Land Authority monthly report for County lands. Let me know if you need anything else.

Conservation Land Stewardship Program

Contact: Beth Bergh 305-289-2

The Monroe County Conservation Land Stewardship Program manages conservation properties owned by Monroe County Land Authority as well as those conservation properties owned by the Board of County Commissioners (like lots dedicated to the County for conservation). Additionally, the program manages conservation properties where the County is the designated land manager, via lease agreements. Currently, the Land Stewardship staff manages approximately 3,940 County parcels (MCLA & BOCC combined) and state-owned parcels.

Management activities on the conservation properties include invasive exotic plant removal, habitat restoration, native planting projects, cleanup of solid waste, and hazard tree trimming.

The following table shows updated land management statistics for the month of August 2024:

MONTH	YEAR	# of BOCC Parcels Managed	Acreage of BOCC parcels	# of MCLA Parcels Managed	Acreage of MCLA Parcels	# of State- owned parcels managed
August	2024	1,184	683	2,755	1,176	708

243AC

2
683
1176
243

2102

Beth Bergh

Monroe County Land Steward

Bergh-Beth@monroecounty-fl.gov

Office: 305.289.6313

Cell: 305.304.4442



Monroe County

[Home](#) » [Divisions](#) » [Office of Resilience and Coastal Protection](#) » [Florida Coastal Access Guide](#) » Monroe County

Monroe County is Florida's southernmost county encompassing a diverse range of ecosystems from the mainland down through the Keys. On the mainland, Monroe is predominantly [Everglades National Park](#), which champions designations as an International Biosphere Reserve, a Wetland of International Importance, and a World Heritage Site. Its mosaic of habitats is home to bobcats, alligators, and the Florida panther. Canoeing, kayaking, boating, fishing, camping, and hiking can all be enjoyed in the park.

The Florida Keys are a coral cay archipelago of over 40 main keys connected by the Overseas Highway and enveloped by the [Florida Keys National Marine Sanctuary](#), which protects 2,900 nautical square miles of the Keys' turquoise water, mangroves, coral reef, and over 6,000 species of marine life.

The first and longest key is Key Largo. The island boasts [John Pennekamp Coral Reef State Park](#), the first underwater state park in the country. It is acclaimed for its glass bottom boat tours and snorkeling and diving opportunities that allow visitors to observe colorful corals and rich marine life.

Monroe at a Glance

Coastal Cities	Key Largo, Islamorada, Marathon, Big Pine, Key West
Popular Spot	Key West
Sandy Beaches	26 miles
Public Accesses	47
Great Florida Birding & Wildlife Trail	10 sites

State Parks & Lands

State Parks & Lands	Acres
Bahia Honda State Park	491
Biscayne Bay Aquatic Preserve (Miami-Dade)	67,000
Coupon Bight Aquatic Preserve	5,400
Curry Hammock State Park	1,113
Dagny Johnson Key Largo Hammock Botanical State Park	2,482
Florida Keys Wildlife Environmental Area	3,089
Fort Zachary Taylor Historic State Park	56
Indian Key Historic State Park	110

A second underwater park, [San Pedro State Park](#), is enjoyed by snōrkelerŝ and divers for its submerged shipwreck from 1733 and replica cannons. History enthusiasts will also enjoy exploring the ruins of an early 1800s island town whose residents made their living by salvaging cargo from shipwrecks at the [Indian Key Historic State Park](#). Nearby, [Lignumvitae Key Botanical State Park](#) showcases a habitat of tropical hardwood hammock, seagrass, and mangrove where paddlers may encounter manatees, sea turtles, and starfish.

The heart of the Middle Keys is Marathon, a 10-mile-long island community known for its fishing heritage and annual seafood festivals. Anglers from near and far come to the islands to pursue billfish, tuna, and tarpon. Sixty-four acres of hiking and birding opportunities in Marathon can be found at [Crane Point Hammock Museum and Nature Trails](#).

Past Marathon and across the Seven Mile Bridge marks the Lower Keys. Popular state park, [Bahia Honda](#), is renowned for its palm-lined sandy beaches and clear waters, a paradise for snorkelers and kayakers. At night, the park is the darkest location in the Keys for stargazing.

Florida’s southernmost point is the subtropical island city of Key West, famed for aquatic sports, sunset celebrations, and lively nightlife. Local shops, cafes, and art galleries line the streets and historic districts showcase the island’s unique conch style architecture. Visitors also enjoy cultural exhibitions from the [Hemingway Home and Museum](#), to theatre and live music.

At the furthest end of the Keys across 70 miles of open sea is the [Dry Tortugas National Park](#), composed of 7 keys and named for its large population of sea turtles that bury their eggs on the park’s beaches each summer.

State Parks & Lands	Acres
John Pennekamp Coral Reef State Park	63,846
Lignumvitae Key Aquatic Preserve	8,500
Lignumvitae Key Botanical State Park	10,818
Long Key State Park	984
San Pedro Underwater Archaeological Preserve State Park	644
Windley Key Fossil Reef Geological State Park	32

Federal Lands	Acres
Big Cypress National Preserve (Collier, Miami-Dade)	720,561
Crocodile Lake National Wildlife Refuge	6,703
Dry Tortugas National Park	64,701
Everglades National Park (Collier, Miami-Dade)	1,509,128
Florida Keys National Marine Sanctuary	2,457,888
Great White Heron National Wildlife Refuge	117,723
Key West National Wildlife Refuge	208,308
National Key Deer Refuge	84,845
Naval Air Station Key West	6,249

Bays & Inlets
Florida Bay, Whitewater Bay

Rivers & Paddling Trails

Bear Lake Trail, Biscayne Bay Blue Way, Broad River, Everglades “River of Grass,” Florida Keys Paddling Trail, Hells Bay Trail, Joe River, Nine Mile Canoe Trail, North River, Shark River, Snake Sight Trail, Gulf Intracoastal Waterway, Florida Circumnavigational Saltwater Paddling Trail

Last Modified: September 20, 2023 - 3:15pm

MONROE COUNTY

THE FLORIDA KEYS AREA OF CRITICAL STATE CONCERN



ADDITIONAL ALLOCATION REQUEST

Background:

- **Allocations and ACSC Designation:** The Florida Keys and Key West are designated as Areas of Critical State Concern (ACSC), with development managed through a Rate of Growth Ordinance (ROGO) to protect natural resources and ensure safe hurricane evacuations. Based on recent hurricane evacuation modeling, Monroe County is seeking approval for additional residential allocations.
- **Allocation Amendments:** In 2011, the Administration Commission amended Monroe County Comprehensive Plan Policy 101.2.13 to allow 197 new residential allocations annually in unincorporated Monroe County. In 2013, following a thorough hurricane evacuation modeling process, this annual allocation was confirmed for a ten-year planning period.
- **2023 Hurricane Evacuation Modeling:** According to the 2023 Florida Keys Hurricane Evacuation Modeling Report, up to 220 additional residential allocations can be approved without exceeding the 24-hour evacuation clearance time limit.

Requests:

- **Support For Approval of 220 Allocations – Two Potential; Paths:** Monroe County and its municipalities seek approval for 220 additional allocations, with two possible paths for obtaining this approval:
 1. **Recommendation in the ACSC 2024 Annual Report:** FloridaCommerce could include a recommendation in the 2024 ACSC Annual Report for the Administration Commission to approve the 220 allocations (distributed as per model Scenario Four) through the 30-day report following the Commission hearing.
 2. **Separate Agenda Item:** FloridaCommerce could request a separate agenda sub-item at the Annual Report hearing, specifically asking the Administration Commission to approve the 220 allocations through the 30-day report following the hearing, per Section 380.0552(4)(d), F.S.

Proposed Distribution of the 220 allocations among the Florida Keys local governments:

Distribution per Scenario Four: 220 total allocations	
Monroe County	100
City of Marathon	40
Village of Islamorada	40
City of Key West	40 (affordable only)

- **Support For Potential Legislative Action To Request Additional Allocations:** The County is currently analyzing the possibility of requesting more residential allocations beyond the initial 220, which would require a legislative change to extend the current 24-hour evacuation clearance time. The County Commission expects to make a decision on the number of additional allocations to pursue in December.

Additionally, we would appreciate the agency's input on the following:

- **Preferred mechanism for agency support of legislation:** Should this be in the form of a resolution, a Memorandum of Understanding, or an interlocal agreement among local governments?
- **Draft legislation considerations:**
 - What evacuation clearance hours would be appropriate?
 - What planning timeframes should be set for any new allocations?
 - How should allocations be divided between market-rate and affordable units?
 - Should there be a requirement for permanent residency or homestead status?
- **Evacuation modeling:** Will FloridaCommerce conduct additional modeling scenarios?

Scenarios from the 2023 Hurricane Evacuation Modeling Report:

(The column in bold outline is the operable scenario. Per SB 1456 (2024), for the purposes of hurricane evacuation clearance time, mobile homes are not considered permanent residents and placed in Phase 1, and the City of Key West will be included in the modeling.)

Baseline Modeling			Phases	Florida Keys Including Key West		Florida Keys Excluding Key West	
				Mobile Homes in Phase 2 (hours)	Mobile Homes in Phase 1 (hours)	Mobile Homes in Phase 2 (hours)	Mobile Homes in Phase 1 (hours)
Baseline Modeling	Shows baseline - does not include additional prospective allocations		Phase 2	26.0	24.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
Prospective Modeling to Inform Future Policy Considerations							
S1	3,550 Allocations	Distribute based on county/municipality population size	Phase 2	27.5	25.5	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S2	3,550 Allocations	Distribute based percentage of vacant lands per county/municipality	Phase 2	28.0	26.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S3	3,550 Allocations	Distribute based on current allocations: (1,970-Monroe, 300-Marathon, 280-Islamorada, 910-Key West, 30-Layton, 60-Key Colony Beach)	Phase 2	28.0	26.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S4	Minimal Allocations (11 allocations/yr)	Distributes Monroe County (5); Marathon (2); Islamorada (2); Key West (2 – affordable only)	Phase 2 (10 Years Growth)	26.5	24.0	15.5	15.5
			Phase 2B (20 Years Growth)	26.5	24.0	15.5	15.5
			Phase 1	15.5	15.5	15.0	15.0
S5	One Unit/Vacant Lot	Distributes 7,954 units	Phase 2	31.0	28.5	17.0	16.5
			Phase 1	15.5	15.5	15.0	15.0

Contacts: Christine Hurley, County Administrator, 305-292-4441
Emily Schemper, Senior Director Planning and Environmental Resources, 305-304-0169
Barbara Powell, Planning Policy Advisor, 305-393-1531

Dear Mayor and Village Council:

Following are comments of the Florida Keys ROGO Coalition on Village staff's recommendation that the Village Council request at least 250 new allocations for Islamorada from the State to be used over a 12-year period.

1. In its Vacant Parcel Analysis, Village staff determined that there are 178 buildable lots in Islamorada. Staff then added to the number of buildable lots the 54 lots that are in the queue for allocations in order to determine a number of allocations that should be requested for Islamorada based on the risk of takings liability ($178 + 54 = 232$). **We believe it is essential that Village staff confirm that the 54 lots that are in the queue for allocations meet the criteria for buildable lots. For example, if any of those lots have environmental sensitivities or are in commercial zoning districts, they will not qualify as buildable lots because their owner would not succeed in a takings claim.**
2. Based on the Vacant Parcel Analysis, we believe **47** lots should be eliminated from the list of buildable lots because they are lots with permitted accessory uses (8), lots used as green space or common areas for homeowners or condominium associations (9), nonconforming lots (4), lots with habitat/hammock that are on the Florida Forever acquisition list (24), and lots with billboards on them and thus a commercial use (2) ($8 + 9 + 4 + 24 + 2 = 47$). The owners of these lots will not succeed in a takings claim. This brings the relevant number of lots to **185** ($232 - 47$), again assuming that all lots in the queue for allocations qualify as buildable lots.
3. In its Council Communication, Village staff refers to 54 lots on a list of Commercial Vacant Parcels that staff says should be added to the list of buildable lots. These lots are located in the Commercial Fishing, Highway Commercial, Marine Use, Neighborhood Commercial, Tourist Commercial, and Village Center zoning districts. Because all of those zoning districts permit substantial commercial uses, **none of the owners of those lots would succeed in a takings claim. Therefore, the lots should not be added to the list of buildable lots.** In this regard, County staff eliminated all commercial-zoned lots from its list of buildable lots in the unincorporated County.
4. It is inappropriate to assume that Islamorada will lose every single takings claim by owners of buildable lots. The total number of buildable lots thus needs be **discounted** to reflect the likelihood that takings claims will be successfully defended. One of the most important, if not the most important, factor in assessing a particular takings claim is when the owner acquired the lot in reference to the imposition of growth limitations. Village staff attached to the agenda an updated spreadsheet showing the acquisition dates of the categories of lots it subjected to further evaluation in the Vacant Parcel Analysis. The spreadsheet shows that, of the 125 lots analyzed that are among the 185 buildable lots we determined above, **79.2%** of the lots were acquired after the ROGO system was adopted in 1992 and **36%** of the lots were acquired after the last allotment of allocations was received in 2012 and the Keys were deemed to be "built out." Staff's Council Communication states that it is still working on analyzing the acquisition dates of vacant parcels in Islamorada. **This further analysis of acquisition dates needs to take into account the 54 lots in the queue for allocations so that the acquisition dates of as many of the 185 lots as possible are considered.**
5. If the number of Islamorada's buildable lots is 185 and it is assumed that 79.2% of the owners of buildable lots will lose their takings claims due to the dates of acquisition of the lots, then the "discounted" number of buildable lots would be **39** ($185 \times (1 - .792)$). At a 50% assumption, the discounted number of buildable lots would be **93** ($185 \times .50$). At a 36% assumption, the discounted

number of buildable lots would be **119** ($185 \times (1 - .36)$). After the discounted number of buildable lots is determined, that number needs to be reduced by the number of allocations that are now available to Islamorada, which is **26**, consisting of 3 market-rate allocations remaining from the 2012 allotment plus 23 allocations in the administrative relief pool ($3 + 23 = 26$). The discounted number of buildable lots minus the number of allocations currently available to Islamorada is the **maximum** number of new allocations that should be requested by Islamorada from the State based on the risk of takings liability. Taking into account the assumptions above, the largest number of additional market-rate allocations that should be requested for Islamorada would be either **13** ($39 - 26$), **67** ($93 - 26$) or **93** ($119 - 26$).

6. Any request for additional allocations for Islamorada needs to be inclusive of the Village's share of the 220 allocations that have already been requested from the State for all of the Keys local governments. Islamorada's share of the 220 is **40**. So, based on the above assumptions, and assuming that the 220 allocations already requested are received, the numbers of additional allocations for Islamorada that are justified by the risk of takings liabilities would be **0** ($13 - 40$), **27** ($67 - 40$), or **53** ($93 - 40$). **Takings risk clearly does not justify requesting at least 250 additional allocations for Islamorada.**
7. We propose that the number of additional allocations requested for Islamorada be used for a longer period than the 12 years recommended by Village staff. We believe a 20- or 30-year period would be more appropriate to allow sufficient time for infrastructure and water quality improvements and traffic mitigation and to enable better long-term planning for growth and development.

We ask that you **reject** Village staff's proposal to request at least 250 additional allocations for Islamorada under the false pretense of avoiding takings liability.

Respectfully submitted:

Florida Keys ROGO Coalition

From: [James Jones](#)
To: [Marne McGrath](#)
Subject: Allocations
Date: Thursday, December 5, 2024 10:54:38 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

To Whom It May Concern, Thank you for your time and attention as you consider matters related to dwelling unit allocations in Islamorada. As a property owner in the Keys, I'd like to offer a perspective on the broader issues being discussed, particularly the impact of regulations on individual property rights.

While much of the current discussion revolves around smaller single-family homes in neighborhoods with established infrastructure-such as paved roads, potable water, sewer, and electricity-it's important to consider that these homes are typically owned by individuals, not large developers. Adding a single-family home to a property in these areas generally only results in a modest increase in population, often just one or two additional residents, many of whom are retirees.

If the conversation was about the construction of large condominium complexes, like those in Miami, Fort Lauderdale, or other urban areas, I would understand the concerns around evacuations and infrastructure strains. However, that's not the case here. Islamorada, unlike major urban centers, doesn't face the same scale of evacuation challenges that cities like Miami do. The larger concern there is that evacuation becomes nearly impossible, given the congestion and lack of infrastructure to support it.

Instead, we need to focus on building resilient infrastructure. For example, undergrounding the electric grid throughout the Keys would reduce outages and improve the overall aesthetics of the area. We should also continue to ensure that building codes for storm protection are rigorous and enforced.

Single-family homes, which make up the majority of new development in the Keys, are not the problem. They don't significantly contribute to overcrowding, and they don't place an undue burden on resources or the environment in the same way large-scale development would. The real issue, in my view, is the lack of a comprehensive, efficient, transportation system to and from the mainland, as well as a focus on infrastructure improvements that will benefit everyone in the community.

Affordable housing is important, but it should be targeted at essential workers such as emergency responders, nurses, and other key personnel. I don't believe we need vast increases in affordable housing, but we do need to make sure we have the infrastructure to support those who live and work here.

It's also worth noting that the Village of Islamorada has already implemented measures to protect the environment and limit overdevelopment, including restrictions on the size of

homes, land usage, and requirements for replanting trees. These regulations help ensure that future development is sustainable and in line with our community's values.

In conclusion, single-family homes should not be viewed as the problem. They are, in fact, part of the solution, adding minimal strain to our resources while adhering to our community's building codes and environmental protections. The real focus should be on improving infrastructure, particularly for transportation and utilities, to ensure that our community can thrive in the face of future challenges.

Thank you again for your time and consideration of this important issue.

Sincerely,
James and Holly Ernstes-Jones
33 Flamingo Hammock Rd.
Islamorada, Fl. 33036

From: [BARBARA PINDER](#)
To: [Marne McGrath](#)
Subject: B pass allocations from the state (Single Family Only)
Date: Sunday, December 8, 2024 12:40:31 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Good morning, Village Council,

First we want to thank you for all your time and effort. We all love Islamorada and want the best for our community. Our family has been in Islamorada since the 1800s and I have lived here my whole life since 1960, I am the first one to say I don't want overgrowth of high-rises or condos, and want to protect our offshore waters and environment that we all enjoy.

I listen to most of the meetings, and I hear that we have concern for our future generations, how will they be able to live and work here? My own experience is I, or my family would not be able to live or work here unless we were able to build our own single family homes. We have had a vacant lot since 1987 and our hope would be one day, Our children or grandchildren would be able to build on that. Our concern is that if we don't except all the allocations that the state is offering(Single Family Only, which we can use smartly and slowly overtime) our future generation will not have a chance. I do believe people have property rights, and they have also been paying taxes on their property. My letter is concerning single-family only, so please consider taking as many or as all the allocations the state is offering, thank you for your time.

Henry & Barbara Pinder
141 N Airport rd

Sent from my iPhone

From: [Joseph Roth](#)
To: [Marne McGrath](#)
Subject: BPAS/ROGO allocation
Date: Wednesday, December 4, 2024 3:55:28 PM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Dear Council Members,

I am writing you today to express my strong support for obtaining the maximum number of additional allocations that the Village would be able to obtain from the State. We should be concerned about property owner rights regardless of when they bought or what they may or should have known. The cost of takings lawsuits will have to be borne by our citizens. I believe this cost will be much higher than anticipated by a small, vocal minority that believes we can litigate out of paying market rate for property rights. Litigation alone could be a tremendous financial burden and assessed values have skyrocketed over the past five years. Our infrastructure supports growth that surpasses build out and those who have the intimate knowledge of this have already indicated as such so this is not an issue either. Our current 24-hour evacuation plan developed in 1993 could use an update and probably could be adjusted for our more accurate predictions for storm path and intensity. I don't believe build out, arguably adding 250 permits, is going to make a bit of difference in quality of life overall or to our environment in Islamorada. But having the additional allocations in our toolbox even if we warehouse them to tweak our comp plan and issue them over time, seems to make sense. We also need the ability to create more workforce housing that would be available and affordable for our work force.

I sincerely hope you will decide to obtain the necessary allocations for build out and for work force housing.

Sincerely,

Joe Roth

127 Valencia Drive

Islamorada, FL 33036

Joseph H Roth III, CIC

Regan ROTH Insurance Agency

90144 Overseas Highway

Tavernier, FL 33070

(305) 852-3234 Office

(305) 393-2660 Cell

From: [CARLA BAHN](#)
To: [Marne McGrath](#)
Subject: BPAS/ROGO vote
Date: Monday, December 9, 2024 2:52:52 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Dear Council,

The decision to request more residential building allocations is a very emotional decision. I moved here in 1974 when there was no traffic light in the Upper Keys. I have seen many changes over the years, and agree, the Keys are not like they used to be. But most places are not like they were 50 years ago.

Over the past few decades, we have made significant improvements in protecting our environment by adding a central sewer plant and capturing stormwater runoff. Future development and re-development will further enhance measures to capture the runoff that goes into our nearshore waters. While I do not personally want more homes in Islamorada, I do believe our electric, water and sewer infrastructure is capable of serving future needs. To claim "lack of infrastructure" as the excuse for future development is merely a scare tactic many Got Miners like to use.

I am a big proponent of Property Rights, not only my right to peaceful enjoyment of my community, but the rights of others to do the same.

I feel we should be looking at this issue from a practical and economic standpoint, putting our emotions on the back shelf. I went through the following to come to the conclusion that we must ask for enough allocations to account for every vacant lot (and hope we only need to issue the bare minimum) Question 1: Will there be takings claims? yes, absolutely. There will be dozens of attorneys lining up to take someone's case. Question 2: Will the Village prevail in all of the cases? Statistically speaking, the answer is NO. We will not win every case and there will be financial repercussions. Fact: We will incur attorney fees (win or lose), and may be forced to give a financial settlement to the property owners. Question 3: What is the cost of takings claims? No one can predict it, but I believe the cost will be on the backs of the property owners in Islamorada. Question 4: What resources do we have available to deal with the inevitable taking claims? Increasing property taxes to generate funds, or issue a permit.

Due to the potential of millions of dollars in costs to the residents of Islamorada, I think it

prudent on the Council to try to mitigate this cost with every option available. Currently, one of those options is requesting more allocations from the State. There is a good chance the State will deny the request, but at least our elected officials made the ask! Later, when we are faced with the millions in financial obligations, we may be able to look to the State for financial assistance.

If we are granted any more allocations, I think our new Comprehensive Plan can clearly define when and if those permits will be issued. As a community, we can spell out those parameters, which may include 4 permits per year, for the next 30 years. We can require Minor Conditional Use hearings for any home over 5 bedrooms, or over a certain square footage. We can be more aggressive in our storm water collection requirements, and give points for building 2 foot about base flood. There are so many things we can do to require more resilient building, but putting our foot down and say No More Building is short sighted and reckless thinking. Let's work to solve the problem, rather than continuing to play Wack-A-Mole.

When we are faced with negotiating a settlement on takings claims, I would like to have resources at our disposal. I think plaintiff attorneys are going to try to get millions for their clients (plus attorney fees), and we need to have the ability to settle the case with granting a permit. However, if we have no permits, our only remedy is writing a big fat check!

I am respectfully asking the Council to approve a Resolution to change the evacuation time to 26 hours, the same that Marathon just passed.

Marne, please acknowledge receipt of this message. Thank you.

Carla Bahn
47 Schooner Bay Rd
Tavernier, FL 33070

From: [Brett Ekblom](#)
To: [Buddy Pinder](#); [Deb Gillis](#); [Steve Friedman](#); [Sharon Mahoney](#); [Don Horton](#)
Subject: Ekblom Dec. 10th meeting
Date: Wednesday, December 4, 2024 1:04:22 PM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Dear Mayor Mahoney and the Village Council,

I am a resident of Islamorada for 44 years with roots to the keys dating from 1948 to present.

I try to stay up with current events. Recently, I have discovered that the previous council has made a very conservative decision as it relates to the number of BPAS units we should get from the State. The last council only allowed for 1 permit per allocation quarter (4 per year) for the next 12 years! This is not fair to the current “vacant” lot land holders. I respectfully request you reconsider this action, and I respectfully request you get all the allocations that the State will approve. We have an opportunity to request 250 more BPAS allocations from the state simply by changing our evacuation time from 24 hours to 26.5 hours. In the scheme of things this is a minor adjustment. The people who are against this are few and far between and the majority of voters in Islamorada do not want to go on the hook for expensive takings claims and higher taxes.

On one hand, I’m a builder and these permits are part of my livelihood. We build new homes, remodel existing homes, and knock down old ones to build new.

On the other hand, I may build just few of these new permit’s avail, but the vacant land holders have the 5th amendment that will direct the “non buildable” to a takings suit.. or not.....

There are some who stand at the podium and speak their perception of our water, electric, sewer and traffic, but the facts are the facts. Our infrastructure is sound and stable.

I truly believe that 90% of our traffic is “through traffic” to the lower keys..... 80% of the “Florida keys” is beyond us.... Especially key west.

There are some who will stand at the podium and tell you not to allow further development, but your professional Planner is telling you to request 250 more allocations to avoid takings claims.

Please consider changing the quarterly allocation numbers when rewriting our new Comprehensive Plan.

Thanks

Bret Ekblom and Jaquelyn Ekblom

From: brian.schmitt@cbschmitt.com
To: [Sharon Mahoney](#)
Subject: FW: Considerations for New ROGO Allocations
Date: Tuesday, December 3, 2024 1:35:16 PM
Attachments: [4230_001.pdf](#)

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Mayor Mahoney, Please find my thoughts on 'Considerations for New ROGO Allocations' attached which I will be sending to all County Commissioners, City Council Members, Chamber of Commerce Presidents and Boards of Realtors in the Keys. The most important Consideration is the Evacuation Time. It is the only metric that will likely be referenced in any State Legislation. The discussion relative to how any new units can be used for what purpose or when owners purchased their lots is just noise which only serves to muddle and confuse the issue. I strongly urge you and all other elected officials who will vote to submit requests to the State of Florida to ask for an increase in the Phase 2 evacuation time from 24 hours to an evacuation time of 26 hours going forward. This request will by the State's own model (see attached) provides for 3550 additional ROGO Allocations for unincorporated Monroe County and all of the affected Municipalities. 3550 ROGO Allocations will provide permits for all the identified buildable lots plus 1000 affordable/workforce units along with some additional Beneficial Use and Administrative Relief allocations to protect the taxpayers from any unforeseen takings liability. Increasing the evacuation time to 26 hours would provide allocations for the 196 remaining identified buildable lots in the Village plus an apportionment of the 1000 affordable workforce units as well as additional Beneficial Use and Administrative Relief allocations.

With additional allocations to award, local governments retain the ability to determine buildability on an individual basis subject to ongoing concurrency and land use regulations. With more allocations we retain options – without any we have no options. Sincerely, Brian Schmitt

Brian C. Schmitt

11100 Overseas Highway, Marathon, FL 33050
Direct: (305) 289-6482

From: [Cynthia Hughes](#)
To: [Marne McGrath](#)
Subject: Islamorada Council BPAS/ROGO
Date: Thursday, December 5, 2024 3:36:22 PM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Village of Islamorada Council Members,

I am writing as a concerned taxpayer of the Village of Islamorada to urge the Village to request as many building allocations as are available from the State of Florida. As you are aware, when property owners are denied their property rights, they may pursue legal action, seeking compensation for the deprivation of their property rights. It is my belief that the State of Florida will not bear the financial responsibility for these claims, and that the burden will fall on the Village and ultimately on its taxpayers.

Thank you for your consideration of this important matter,
Cynthia Hughes

CYNTHIA HUGHES
Global Real Estate Advisor

OCEAN SOTHEBY'S INTERNATIONAL REALTY

81888 Overseas Highway, Islamorada, FL 33036

☎ c. 305.522.1320 o. 305.712.8888

✉ CHughes@OceanSIR.com

OceanSIR.com | SothebysRealty.com

[Watch My Film](#)

From: [Hank Pinder](#)
To: [Marne McGrath](#)
Subject: Please distribute to our council members
Date: Friday, December 6, 2024 11:18:45 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Greetings Council Members,

My name is Hank Pinder, and I am a full-time resident of Plantation Key.

First, I want to thank you for your dedication to serving our community and its people. After last month's meeting, I felt compelled to share my thoughts with you.

I believe that declining the full allocations offered by the state would be a mistake that could ultimately cost our taxpayers more money. "If the state is offering additional allocations that could help us avoid costly takings cases, I see no reason to reject them. It's a simple, cost-effective solution to a potentially expensive problem. Opposing this puts taxpayer dollars at risk merely to prevent a few more homes from being built. This decision should be clear and straightforward."

Additionally, we must consider the rights of property owners with vacant parcels in established neighborhoods—those with utilities in place and homes on adjacent lots. These owners should undoubtedly have the opportunity to build homes on their land when they choose to do so.

Granting just one BPAS (Building Permit Allocation System) allocation per quarter feels excessively restrictive. A more reasonable approach might be three allocations per quarter, resulting in 12 single-family homes per year. Such a modest level of growth is unlikely to significantly impact traffic or strain our infrastructure.

It's also worth noting that a substantial portion of our traffic comes from vehicles passing through on their way to the Middle and Lower Keys, rather than originating from within our community.

On the other side of this discussion, I've noticed a "I've got mine, and you can't have yours" attitude among some individuals. The use of fear tactics, such as invoking hurricane evacuation scenarios to dissuade growth, feels unwarranted. With modern advancements in weather forecasting and communication, residents have ample time to decide whether to evacuate in the event of a storm.

On a personal note, I come from a construction background and was fortunate enough to build

my own home in Islamorada. It would sadden me to see other property owners denied that same opportunity.

I want to express my strong support for responsible, controlled, slow growth focused on single-family and affordable housing. Protecting our community and the fragile ecosystem we cherish is of the utmost importance to me. I would never support large developments, such as new condos or resorts, in our village.

Thank you for considering my perspective, and thank you again for your commitment to our community.

Sincerely,
Hank Pinder

From: santechris@yahoo.com
To: [Marne McGrath](#)
Cc: ["Don Horton"](#)
Subject: ROGO
Date: Thursday, December 5, 2024 12:42:21 PM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Dear Council,

As a property owner in the village, I support that the Village, request as many allocations as the State will give as an insurance policy against future takings claims. Please understand that I am in no way saying we should build them all. I'm only saying to view these as an "insurance policy.

Our taxes are high enough. We don't need to any more lawsuits for taking of owner right to build.

Chris Sante

Capt. Keith L. Douglass, AMS®, KM
113 Willow Lane
Islamorada, FL 33036

To: The Honorable members of the Islamorada Village Council

Date: December 9, 2024

Thank you for serving on the Islamorada Village Council and for the work you have done and are doing to keep our Village a safe and prosperous place to live and work. Few issues will come before you for consideration more important than determining the number of building permit allocations being offered by the state to accept. Monroe County together with our municipalities must speak with one voice through our elected officials to the State of Florida.

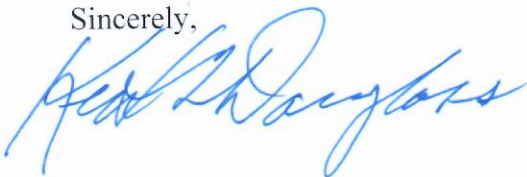
Although I am not representing the Village's Workforce Affordable Citizens Advisory Council, I have served for more than 12 years as either the chair, vice chair or current member. The Workforce Affordable Council has explored many opportunities over the years to improve the challenging housing situation for our workforce and others unable to afford a home or apartment. Recommendations were presented to previous Village Councils and many have been adopted. We are making progress but there is much more work to do.

There is the need to balance many factors when determining how much more market rate or deed restricted workforce housing units should be built. Among the factors are safety issues such as hurricane evacuation time, traffic and safety concerns on our roadways, infrastructure requirements, property rights for land owners who have a legitimate right to build a home, insufficient housing for people who work here but are leaving due to unavailable and unaffordable housing options and the overall quality of life for our citizens.

Determining the optimum number of building permit allocations will take much discussion among the County and municipalities' planning staffs and elected officials. For now, prudence would dictate to agreeing to a total number of allocations, which would not increase hurricane evacuation time significantly and have the local government decision makers determine how best to spread the distribution over two or three decades. The original total of workforce housing offered by the state divided among the County and municipalities should be included in total when deciding on the final number of allocations.

Accepting the number of building permit allocations the state agrees to grant does not mean we have to use all of them but doing so insures there would be enough for future lawmakers and staff to determine what permits should be allocated. For those who believe accepting a significant number of allocations sets a precedent, I would argue these are unprecedented times and requires honest discourse, cooperation, and a commitment to address this most crucial issue. Thank you for considering my comments and for your service.

Sincerely,



From: [Derek S](#)
To: [Marne McGrath](#)
Subject: Support for Increased Building Allocations
Date: Thursday, December 5, 2024 10:08:32 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Dear Village Council,

My name is Derek Shen, a permanent resident living in Islamorada since 2022. I am writing to support the Village in requesting as many new dwelling unit allocations from the State of Florida as needed. Additionally, at a ratio of two market rate to one affordable allocation, more deed-restricted affordable dwelling unit allocations should be requested to address the critical need for affordable/workforce housing in the Keys.

I support this mainly for two reasons:

It's unconstitutional to take away an owner's property rights without fair compensation.

Personally, I don't need a building permit now, but I am speaking up for others. I went through a similar issue regarding conservation easements in the past. Under certain circumstances, the Village and County can require a conservation easement as a condition for approving a building permit. However, there is no property tax relief associated with the conservation easement. In my view, this is unconstitutional. The property rights of an owner are effectively taken away by the government without fair compensation. It's a topic that deserves another discussion, though.

We need to learn how to share and strike a good balance.

We all come to the Keys because we enjoy the lifestyle here. However, we should open our arms to welcome those who come after us. There's an old saying: "Whoever is already on the bus does not like new people to get on the bus." I used to live in Sanibel, which has a similar situation to Islamorada. My good friend Marty Harrity, a former mayor and owner of the famous Doc Ford's restaurant, once told me about the public hearing before he opened his first restaurant in Sanibel. He said Derek you would never imagine how many people showed up in the city hall and opposed the restaurant, citing concerns about traffic, environmental impact, etc. Despite the opposition, the restaurant was approved, and the rest is history. Doc Ford's became one of the best restaurant chains in West Florida and a go-to destination for tourists in Sanibel. More tourists brought more vacation rental income and prosperity to the island. Now, after Hurricane Ian, tourists have stopped coming, and most residents there realize how good the old days were. Yes, we need to preserve our environment and lifestyle, but at the same time, we need to learn how to share and strike a balance between development and environmental preservation for future generations.

Thank you so much for your service, and together we can make the Village of Islamorada great.

Thank you,
Derek



Council Communication

To: Mayor and Village Council
From: Marne McGrath, Village Clerk
Date: December 10, 2024
SUBJECT: **Approval of 2025 Regular and Land Use Council Meetings Calendar TAB 11**

Background:

The 2025 Council Meeting calendar is presented for Council's consideration and approval. The draft calendar was created using our standard schedule of the Land Use meetings being held on the second Thursday of each month and the Regular Meetings on the Tuesday immediately preceding.

Analysis:

Staff requests that the Council identify any known conflicts during the approval of this item. As there are statutory notice requirements for some of our agenda items, it is advisable to approve the calendar with the correct dates.

The date for Florida Keys Day has not yet been confirmed. Generally, it is held the last week in January and should not present a conflict to the meeting calendar. Edited 12/10/24 - Rep. Mooney's office has confirmed that Florida Keys Day will be held on Thursday, March 13, 2025. Council should be prepared to amend the Council Meeting calendar accordingly so that Council Members wishing to attend FKD are able to do so.

The Florida League of Cities Annual Conference is held August 14 - 17 in Orlando and conflicts with the Land Use Meeting date. Council should choose an alternate date for that meeting, keeping in mind that the Conference activities start in the morning so attendees should plan August 13 as their travel day.

Tuesday, November 11 is Veterans Day, and this meeting date should be changed.

Budget dates are tentative and will be updated accordingly.

Budget Impact:

There is no known budgetary impact to approving the meeting calendar.

Staff Impact:

Impact to staff should be minimal, as staff will prepare for the meetings regardless.

Recommendation:

Approve the 2025 Council Meetings calendar with the following date changes:

March 13 Land Use Council Meeting moved to _____

August 14 Land Use Council Meeting moved to _____

November 11 Regular Council Meeting moved to _____

Attachments: 1. 2025_Tenative RVCM Calendar

Calendar Year 2025 Regular Village Council Meetings

Tentative to be Approved by Council in December

Regular Village Council Meeting dates indicated with blue

Agenda Item Deadline-Noon

Holiday office closures indicated with yellow

Date range for Budget Meetings - red border

January						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	18	20	21	22
23	24	25	26	27	28	29
30	31					

April						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Holiday Observances (office closures in bold font and yellow highlight)

Jan 01	New Year's Day	Jan 20	MLK Day	Feb 17	Presidents' Day
May 26	Memorial Day	Jun 19	Juneteenth	Jul 04	Independence Day
Sep 01	Labor Day	Jul 04	Independence Day	Sep 01	Labor Day
Nov 11	Veterans Day	Nov 27-28	Thanksgiving Holiday	Dec 24-25	Christmas Holiday

Events:

Florida Keys Day in Tallahassee (evening reception Wed. March 12 FLK Day Thu. March 13)

August 14-17, 2025: Florida League of Cities Annual Conference in Orlando