

ISLAMORADA VILLAGE OF ISLANDS

AGENDA



REGULAR VILLAGE COUNCIL MEETING

November 10, 2011

Regular Village Council Meeting

5:30 PM

Islamorada Founders Park Community Center

87000 Overseas Hwy,

Islamorada, FL 33036

VILLAGE COUNCIL

Michael Reckwerdt, Mayor

Ken Philipson, Vice Mayor

Don Achenberg, Councilman

Ted Blackburn, Councilman

Dave Purdo, Councilman

Edward Koconis, Village Manager

Debra Eastman, Village Clerk

Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, Village Attorneys

Our Mission: λ to Protect the Resident's Right to Quiet Enjoyment of Life
 λ to Plan for Enhancing Our "Village" Character
 λ to Preserve Our Community: Its People, Natural Resources, and Pride
 λ to Provide Basic Services to Support Our Quality of Life



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

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
November 10, 2011
5:30 PM**

I. CALL TO ORDER\ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

- A. Proclamation Take Stock in Children, 12th Anniversary in Monroe County**

IV. PUBLIC COMMENT

V. AGENDA: Request for Deletion / Emergency Additions

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A. Historic Preservation Commission – No Report**
- B. Land Acquisition Advisory Committee – No Report**
- C. Landscape Advisory Committee – No Report**
- D. Local Planning Agency – Committee Member Deb Gillis**
- E. Near Shore Water Support Citizens' Advisory Committee – No Report**
- F. Parks and Recreation Citizen's Advisory Committee – Chairperson Carolyn Wightman**
- G. Water Quality Improvement Citizens' Advisory Committee – No Report**
- H. Workforce / Affordable Housing Citizens' Advisory Committee – No Report**
- I. Citizens' Financial Advisory Committee – No Report**

VII. WASTEWATER MATTERS

- A. Wastewater Update**

TAB 1

VIII. QUASI-JUDICIAL

- A.** Application for Alcoholic Beverage Use Permits (AB-11-02) By EAP
Enterprise LLC DBA Tavernier Creek Marina **TAB 2**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY EAP ENTERPRISES LLC DBA TAVERNIER CREEK MARINA FOR A 5COP ALCOHOLIC BEVERAGE USE PERMIT TO ALLOW PACKAGE SALES AND ON-PREMISES CONSUMPTION OF BEER, WINE AND LIQUOR ON PROPERTY LOCATED AT 90800 OVERSEAS HIGHWAY ON PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A;" WITHIN THE MARINE USE (MR) ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE

- B.** Application for Alcoholic Beverage Use Permits (AB-11-02) By EAP
Enterprise LLC DBA Tavernier Creek Marina **TAB 3**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY EAP ENTERPRISES LLC DBA TAVERNIER CREEK MARINA FOR A 2COP ALCOHOLIC BEVERAGE USE PERMIT TO ALLOW PACKAGE SALES AND ON-PREMISES CONSUMPTION OF BEER AND WINE ON PROPERTY LOCATED AT 90800 OVERSEAS HIGHWAY ON PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A;" WITHIN THE MARINE USE (MR) ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE

IX. CONSENT AGENDA

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

- A. Minutes:** **TAB 4**
- Executive Session October 19, 2011
 - Executive Session October 19, 2011
 - Executive Session October 19, 2011
 - Executive Session October 26, 2011
 - Executive Session October 26, 2011
 - Executive Session October 26, 2011
 - Regular Village Council Meeting October 26, 2011
 - Executive Session October 31, 2011
 - Executive Session October 31, 2011
 - Executive Session October 31, 2011

- B. A Resolution of the Village Council of Islamorada, Village of Islands, Florida Providing for the Issuance of Utility Revenue Bonds

TAB 5

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA PROVIDING FOR THE ISSUANCE OF UTILITY REVENUE BONDS, FROM TIME TO TIME, FOR THE PRINCIPAL PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE VILLAGE'S WASTEWATER UTILITY SYSTEM; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH BONDS; PROVIDING FOR THE PAYMENT THEREOF FROM, AND A PLEDGE OF, NET REVENUES OF THE WASTEWATER SYSTEM AND CERTAIN OTHER MONEYS INCLUDING CERTAIN SPECIAL ASSESSMENTS IMPOSED BY THE VILLAGE; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; FURTHER PROVIDING FOR THE ISSUANCE OF THE VILLAGE'S UTILITY REVENUE BONDS, SERIES 2012, IN ONE OR MORE SERIES AND IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE PRINCIPAL PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE WASTEWATER UTILITY SYSTEM AS MORE PARTICULARLY DESCRIBED HEREIN, IN A MANNER DETERMINED BY THE VILLAGE UPON THE ADVICE OF ITS FINANCIAL ADVISOR; AND PROVIDING AN EFFECTIVE DATE

- C. Resolution Approving Second Amendment to Project Agreement with Metric Engineering, Inc. for Work Authorization No.: Replacement of Street Lighting Poles / Solar Lighting Grant Project

TAB 6

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE SECOND AMENDMENT TO THE PROJECT AGREEMENT FOR WORK AUTHORIZATION NO. 8 BETWEEN METRIC ENGINEERING, INC. AND ISLAMORADA, VILLAGE OF ISLANDS FOR ENGINEERING, DESIGN, AND CONSTRUCTION MANAGEMENT SERVICES FOR THE REPLACEMENT OF STREET LIGHTING POLES / SOLAR LIGHTING GRANT PROJECT WITH FEDERAL REIMBURSEMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SECOND AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE SECOND AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

X. ORDINANCES

- A. First Reading – Ordinance Amending the Comprehensive Plan Policy 1-3.1.1 Establish a Building Permit Allocation System (BPAS) by Increasing the Non-Residential Square Footage Allocation TAB 7**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-3.1.1 “ESTABLISH A BUILDING PERMIT ALLOCATION SYSTEM (BPAS)” OF THE VILLAGE COMPREHENSIVE PLAN REGARDING THE ALLOCATION OF NONRESIDENTIAL FLOOR AREA; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

- B. First Reading – Ordinance Amending Chapter 30 “Land Development Regulations,” Article IV “Administrative Procedures,” Division 11 “Building Allocation System,” Section 30-474 “Building Permit Allocation” of the Village Code TAB 8**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE IV “ADMINISTRATIVE PROCEDURES,” DIVISION 11 “BUILDING PERMIT ALLOCATION SYSTEM,” SECTION 30-474 “BUILDING PERMIT ALLOCATION” OF THE VILLAGE CODE AMENDING PROVISIONS RELATED TO THE ALLOCATION OF NONRESIDENTIAL FLOOR AREA; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

- C. Second Reading – Proposed Ordinance Amending Burglar Alarm Registration Regulations TAB 9**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING ARTICLE V OF CHAPTER 13 OF THE VILLAGE CODE ENTITLED “BURGLAR ALARMS”; PROVIDING FOR REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

XI. RESOLUTIONS

- A. Resolution to Adopt FY 2010-2011 Reappropriations Budget Amendment TAB 10**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING RESOLUTION NO. 10-09-66; AMENDING THE VILLAGE'S BUDGET FOR FISCAL YEAR 2010-2011; AND PROVIDING AN EFFECTIVE DATE

- B. Resolution Approving Interlocal Agreement Between Monroe County and Islamorada, Village of Islands for a Wayfinding Project Along the US 1 Corridor in Islamorada TAB 11**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE INTERLOCAL AGREEMENT BETWEEN MONROE COUNTY AND ISLAMORADA, VILLAGE OF ISLANDS TO PARTICIPATE IN A WAYFINDING SIGNAGE PROJECT FOR THE US 1 CORRIDOR IN ISLAMORADA; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT; APPROVING A BUDGET AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

- C. BPAS Allocation Distribution for 2012 TAB 12**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING THE TOTAL AMOUNT OF NONRESIDENTIAL FLOOR AREA AND RESIDENTIAL DWELLING UNITS THAT MAY BE MADE AVAILABLE, THE QUARTERLY ALLOCATIONS, AND THE DISTRIBUTION OF ALLOCATIONS BETWEEN CATEGORIES OF THE BUILDING PERMIT ALLOCATION SYSTEM FOR 2012; AND PROVIDING FOR AN EFFECTIVE DATE

- D. Alberto vs. Islamorada Case No. 11-CA-325-P 16th Judicial Circuit, Monroe County, FL TAB 13**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE LITIGATION SETTLEMENT AGREEMENT WITH JOSE AND MARIA ALBERTO; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE SETTLEMENT AGREEMENT AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE SETTLEMENT AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SETTLEMENT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

XII. MOTIONS

XIII. UNFINISHED BUSINESS

XIV. MAYOR / COUNCIL COMMUNICATIONS

- A. Discussion Regarding Digital Billboards (Vice Mayor Philipson)

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

- A. Requested Policy Direction from the Village Council Concerning Lease Terms **TAB 14**
Related to the Proposed Ninety-Nine (99) Year Ground Lease with Wet-Net
Villas Workforce Housing, LLC (Gorman & Company) for the Construction of
Affordable Housing on the Wet Net Parcel
- B. Discussion Regarding Village Managers Contract

XVI. ADJOURNMENT

A limited number of agendas will be available for the public at the time of the meeting. The agenda and backup documentation may be viewed and printed from the Village website at www.islamorada.fl.us as early as the Monday prior to the meeting.

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 Administrative Center and Public Safety Headquarters at 664-6412 at least 48 hours before the scheduled meeting.

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

All video, computer or technical devices that will be used at Council meetings must be given to the Village Clerk 48 hours prior to the meeting.

Anyone giving out documents during public comment shall provide a minimum of 10 copies to the Village Clerk prior to the start of the meeting.

Two or more committee members from various Village Committees may be present at this meeting.