

ISLAMORADA VILLAGE OF ISLANDS

AGENDA



REGULAR VILLAGE COUNCIL MEETING

April 26th, 2012

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 E. 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
April 26, 2012
5:30 PM**

I. CALL TO ORDER\ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

- A. Proclamation: May as Motorcycle Awareness Month
- B. Presentation of the Comprehensive Annual Financial Report (CAFR)

IV. PUBLIC COMMENT

V. AGENDA: Request for Deletion / Emergency Additions

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A. Historic Preservation Commission – Committeeperson Mike Bier
- B. Annual Review of Citizens' Advisory Committees and Consideration of the Citizens' Financial Advisory Committee **TAB 1**

VII. WASTEWATER MATTERS

- A. Wastewater Update
- B. Key Largo Agreement **TAB 2**

VIII. QUASI-JUDICIAL

- A.** Application for Administrative Relief (AR 11-04) for George and Evangeline Vrotsos

TAB 3

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF GEORGE AND EVANGELINE VROTSOS, FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 75465 OVERSEAS HIGHWAY, AS LEGALLY DESCRIBED IN EXHIBIT "A;" 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:
April 5, 2012 Special Call Village Council Meeting
April 5, 2012 Executive Session 4 p.m.
April 5, 2012 Executive Session 4:30 p.m.
April 12, 2012 Regular Village Council Meeting

TAB 4

X. ORDINANCES

XI. RESOLUTIONS

- A.** EAC Consulting, Inc. – Request for Payment Approval

TAB 5

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE PAYMENT OF \$17,785.42 IN OUTSTANDING INVOICES TO EAC CONSULTING, INC.; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE PAYMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; APPROVING A BUDGET AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

- B.** Approval of a Resolution of the Village Council Pertaining to the Litigation Matters Styled Cheeca Holdings, LLC et al v. Islamorada, Village of Islands and Danise D. Henriquez, Tax Collector, Monroe County, Case No. 08-CA-805-P, 16th Judicial Circuit, Monroe County, Florida; NWLC, LLC et al v. Islamorada, Village of Islands and Danise D. Henriquez, Tax Collector, Monroe County, Case No. 11-CA-816P, 16th Judicial Circuit, Monroe County, Florida; and Islamorada, Village of Islands v. State of Florida, Case No. 11-CA-1077P, at to the Approval of a Settlement and Tolling Agreement and Transfer of Pending Litigation **TAB 6**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING A SETTLEMENT AND TOLLING AGREEMENT BETWEEN CHEECA HOLDINGS, LLC AND CERTAIN AFFILIATED ENTITIES OF CHEECA HOLDINGS, LLC (INCLUDING NWLC, LLC), DANISE D. HENRIQUEZ (AS TAX COLLECTOR FOR MONROE COUNTY, FLORIDA) AND ISLAMORADA, VILLAGE OF ISLANDS IN THE CASE STYLED CHEECA HOLDINGS, LLC, ET AL V. ISLAMORADA, VILLAGE OF ISLANDS AND DANISE D. HENRIQUEZ, TAX COLLECTOR, MONROE COUNTY, CASE NO. 08-CA-805-P, IN THE SIXTEENTH JUDICIAL CIRCUIT, TO SETTLE A CHALLENGE TO A 2008 WASTEWATER PLANNING SPECIAL ASSESSMENT BY AGREEING TO THE DISMISSAL THEREOF SUBJECT TO A STATUTE OF LIMITATIONS TOLLING AGREEMENT, AND TO TRANSFER THE CASE STYLED NWLC, LLC, ET AL V. ISLAMORADA, VILLAGE OF ISLANDS AND DANISE D. HENRIQUEZ, TAX COLLECTOR, MONROE COUNTY, CASE NO. 11-CA-816P, IN THE SIXTEENTH JUDICIAL CIRCUIT, A LAWSUIT CHALLENGING A 2011 WASTEWATER CAPITAL SPECIAL ASSESSMENT TO THE CASE STYLED ISLAMORADA, VILLAGE OF ISLANDS V. STATE OF FLORIDA, CASE NO. 11-CA-1077P, IN THE SIXTEENTH JUDICIAL CIRCUIT, A PENDING BOND VALIDATION PROCEEDING; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE SETTLEMENT AND TOLLING AGREEMENT AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE SETTLEMENT; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SETTLEMENT AND TRANSFER, TO EXECUTE AND FILE ANY REQUIRED DOCUMENTS WITH THE COURT TO CONCLUDE AND TRANSFER THE LITIGATION; AND PROVIDING FOR AN EFFECTIVE DATE

XII. MOTIONS

XIII. UNFINISHED BUSINESS

XIV. MAYOR / COUNCIL COMMUNICATIONS

- A.** Federal Lobbyist Discussion

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

- A.** FY 2011-2012 2nd Quarter Budget v. Actual Presentation

TAB 7

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.