

# ISLAMORADA VILLAGE OF ISLANDS

## AGENDA



### REGULAR VILLAGE COUNCIL MEETING

December 12, 2013

5:30 PM

Islamorada Founders Park Community Center  
87000 Overseas Hwy,  
Islamorada, FL 33036

#### VILLAGE COUNCIL

Ted Blackburn, Mayor

Deb Gillis, Vice Mayor

Mike Forster, Councilman

Ken Philipson, Councilman

Dave Purdo, Councilman

Edward Koconis, AICP, Village Manager

Synthia Lankford, Village Clerk

Roget Bryan, Village Attorney

#### 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  
Thursday, December 12, 2013  
5:30 PM**

- I. CALL TO ORDER / ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- III. ELECTION OF MAYOR AND VICE MAYOR**
- IV. PRESENTATIONS AND ANNOUNCEMENTS**
  - A. Presentation of 5- and 15-Year Service Pins to Village Employees
  - B. Presentation by Florida Fish & Wildlife Conservation Commission, Regarding Wheel Ditch South of Robbie's of Islamorada (Captain David Dipre, FWC)
  - C. Presentation of the Certificate of Completion from the Advanced Institute for Elected Municipal Officials to Councilman Ken Philipson
- V. PUBLIC COMMENT**
- VI. AGENDA: Request for Deletion / Emergency Additions**
- VII. CITIZENS' ADVISORY COMMITTEE UPDATES**
  - A. Proposal Evaluation, Rankings and Recommendations of the Audit Committee for Professional Auditing Services (Chairperson Mayor Ted Blackburn)
  - B. Workforce/Affordable Housing Citizens' Advisory Committee Update (Chairperson Barry Wray)
  - C. Local Planning Agency Update (Chairperson John Fernandez)
- VIII. VILLAGE MANAGER REPORTS AND UPDATES**
  - A. Mandatory Connections to the Wastewater System

## **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 1**

March 28, 2013 Regular Village Council Meeting

April 25, 2013 Regular Village Council Meeting

May 9, 2013 Regular Village Council Meeting

May 23, 2013 Regular Village Council Meeting

June 27, 2013 Regular Village Council Meeting

July 25, 2013 Regular Village Council Meeting

August 8, 2013 Regular Village Council Meeting

November 18, 2013 Town Hall Meeting

## **X. ORDINANCES**

- A. First Reading –Ordinance Amending the Comprehensive Plan Policy 5-1.2.13:10(D) to Remove Special Approval Allowing a Variance to Extend Docks Beyond the Size Limitations**

**TAB 2**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 5-1.2.13 “ESTABLISH STANDARDS FOR SHORELINE STRUCTURES AND USES” OF THE VILLAGE COMPREHENSIVE PLAN ELIMINATING AND DELETING PROVISIONS WHICH PROVIDE FOR AND PERMIT THE GRANTING OF ADMINISTRATIVE DOCK VARIANCES WITHIN THE VILLAGE; 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 –Land Development Regulation Amendment Regarding Long Dock Variances**

**TAB 3**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE VII “ENVIRONMENTAL REGULATIONS,” DIVISION 2 “DOCKS AND SHORELINE USES,” SECTION 30-1550 “STANDARDS APPLICABLE TO PIER TYPE DOCKS” OF THE VILLAGE CODE ELIMINATING AND DELETING PROVISIONS WHICH PROVIDE FOR AND PERMIT THE GRANTING OF ADMINISTRATIVE DOCK VARIANCES WITHIN THE VILLAGE; PROVIDING FOR THE REPEAL OF ALL 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 APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY**

- C. 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 4**

**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**

- D. First Reading – Ordinance 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

**TAB 5**

**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**

- E. First Reading – Text Amendment to the Definition of Hotel and Motel Room

**TAB 6**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE II “RULES OF CONSTRUCTION AND DEFINITIONS,” SECTION 30-32 “SPECIFIC DEFINITIONS” OF THE VILLAGE CODE, MODIFYING THE DEFINITION OF ROOM, HOTEL OR MOTEL; 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 APPROVAL BY 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**

**XI. QUASI-JUDICIAL**

- A. Resolution - Application for Major Conditional Use by Equity Development Group LLC** **TAB 7**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY EQUITY DEVELOPMENT GROUP LLC FOR MAJOR CONDITIONAL USE APPROVAL FOR THE DEVELOPMENT OF A 27,956 SQUARE FOOT SUPERMARKET ON PROPERTY LOCATED NEAR MILE MARKER 83.2 BAYSIDE AT THE CORNER OF OVERSEAS HIGHWAY AND RUSSELL STREET ON UPPER MATECUMBE KEY WITH REAL ESTATE NUMBERS 00094940-000000, 00094950-000000, 00094920-000000, 00094930-000000 AND 00094960-000000, AS LEGALLY DESCRIBED IN EXHIBIT "A;" WITHIN THE HIGHWAY COMMERCIAL (HC) ZONING DISTRICT; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE**

- B. Resolution - Application for Alcoholic Beverage Use Permit (AB-13-01) by Equity Development Group LLC** **TAB 8**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY EQUITY DEVELOPMENT GROUP LLC FOR A 2APS ALCOHOLIC BEVERAGE USE PERMIT TO ALLOW PACKAGE SALES ONLY OF BEER AND WINE ON PROPERTY LOCATED NEAR MILE MARKER 83.2 BAYSIDE AT THE CORNER OF OVERSEAS HIGHWAY AND RUSSELL STREET ON UPPER MATECUMBE KEY WITH REAL ESTATE NUMBERS 00094940-000000, 00094950-000000, 00094920-000000, 00094930-000000 AND 00094960-000000, AS LEGALLY DESCRIBED IN EXHIBIT "A;" WITHIN THE HIGHWAY COMMERCIAL (HC) ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE**

- C. Proposed Resolution Approving Affordable Housing Agreement between Islamorada, Village of Islands and Equity Development Group LLC** **TAB 9**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AFFORDABLE HOUSING AGREEMENT WITH EQUITY DEVELOPMENT GROUP LLC; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE AFFORDABLE HOUSING AGREEMENT AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE AFFORDABLE HOUSING AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AFFORDABLE HOUSING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

**XII. RESOLUTIONS**

- A. Resolution Approving the Final Ranking and Recommendation of the Audit Committee and Authorizing the Village Manager to Negotiate a Professional Audit Services Contract for Subsequent Consideration to the Village Council** **TAB 10**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; APPROVING THE FINAL RANKING AND RECOMMENDATION OF THE AUDIT COMMITTEE FOR THE SELECTION OF THE VILLAGE'S AUDITOR; AUTHORIZING THE VILLAGE MANAGER AS THE COUNCIL'S DESIGNEE TO NEGOTIATE A PROFESSIONAL AUDITING SERVICES CONTRACT FOR FUTURE CONSIDERATION OF THE VILLAGE COUNCIL; AND PROVIDING AN EFFECTIVE DATE**

- B. Resolution- Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 4 of 2013** **TAB 11**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE RESIDENTIAL BUILDING PERMIT ALLOCATION RANKINGS AND AWARDED RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 4 OF 2013 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE**

- D. Resolution - Florida Small Cities Community Development Block Grant Program Establishment of a Citizen's Advisory Task Force** **TAB 12**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING THE CITIZEN'S ADVISORY TASK FORCE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING FOR THE TERM AND COMPOSITION; PROVIDING FOR MEETINGS AND POWERS; PROVIDING FOR DISQUALIFICATION OF MEMBERS; PROVIDING FOR GOALS AND OBJECTIVES; PROVIDING FOR DUTIES AND RESPONSIBILITIES; PROVIDING FOR STAFF PARTICIPATION; PROVIDING FOR DISSOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE**

### **XIII. MOTIONS**

### **XIV. WASTEWATER MATTERS**

- A. Wastewater Project Update** **TAB 13**
- B. Resolution Approving Amendment #2 to State Revolving Fund Loan Agreement #WW882020** **TAB 14**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM PROJECT NUMBER WW882020; APPROVING AMENDMENT #2 TO THE LOAN AGREEMENT BETWEEN THE VILLAGE AND THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING FOR EXECUTION; PROVIDING AUTHORITY; PROVIDING FOR ISSUANCE FEES AND TRANSACTION COSTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

- C. Resolution Approving Loan Agreement with STI Institutional & Government, Inc., in an Amount Not to Exceed \$6 Million for the Paving Project TAB 15

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING FOR THE BORROWING OF THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,000,000 FROM STI INSTITUTIONAL & GOVERNMENT, INC.; TO FINANCE THE COST OF THE ACQUISITION AND CONSTRUCTION OF CAPITAL IMPROVEMENTS TO THE ROAD SYSTEM OF THE VILLAGE; PROVIDING FOR THE ISSUANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2013 (ROAD PROJECT); PLEDGING THE PLEDGED REVENUES FOR THE PAYMENT OF SAID SERIES 2013 BOND; PROVIDING FOR THE PAYMENT OF THE SERIES 2013 BOND AND THE EXECUTION OF THE RELATED FINANCING DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING FURTHER OFFICIAL ACTION IN CONNECTION WITH THE DELIVERY OF THE SERIES 2013 BOND; AND PROVIDING AN EFFECTIVE DATE**

#### **XV. MAYOR / COUNCIL COMMUNICATIONS**

- A. Discussion Regarding Amending the TDR Ordinance providing that TDRs arising out of the re-development of those projects exempt from the moratorium against conversion of existing transient dwelling units/uses into non-transient dwelling units/uses (Tropic Air Resort, Golden Key Motel/Shoreline Motel, Tropical Reef Resort, and Star of the Sea of Islamorada) may be transferred as either transient TDRs or non-transient TDRs (Councilman Purdo)
- B. Discussion of a Session on Ethics and Sunshine Law for all Committee Members (Mayor Blackburn)
- C. Discussion on a Session for Strategic Planning (Mayor Blackburn)

#### **XVI. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**

#### **XVII. 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](http://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 15 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.