



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
Thursday, February 25, 2016  
5:30 PM**

**I. CALL TO ORDER / ROLL CALL**

**II. PLEDGE OF ALLEGIANCE**

**III. PRESENTATIONS AND ANNOUNCEMENTS**

- A. Acknowledgement of Richard Russell's Service on the Historic Preservation Committee – Councilman Mooney
- B. Presentation by Leadership Monroe Class 24- Presented by Robert Lockwood

**IV. PUBLIC COMMENT**

**V. AGENDA: Request for Deletion / Emergency Additions**

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

**VII. 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**
  - January 14, 2016 Regular Village Council Meeting
  - January 28, 2016 Regular Village Council Meeting
  - February 3, 2016 Village Council Workshop
- B. Resolution Approving the First Contract Renewal of the Turf and Landscape Maintenance Department Funded Agreement, Contract No. ARX52, with the Florida Department of Transportation **TAB 2**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST CONTRACT RENEWAL OF THE TURF AND LANDSCAPE MAINTENANCE DEPARTMENT FUNDED AGREEMENT, CONTRACT NO. ARX52, BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE FIRST CONTRACT RENEWAL; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO TAKE NECESSARY ACTION; AND PROVIDING FOR AN EFFECTIVE DATE**

**VIII. WASTEWATER MATTERS**

A. Wastewater Update **TAB 3**

B. Resolution Approving Change Order No. 12 to the Design Build and Operate (DBO) Agreement between Islamorada, Village of Islands and Reynolds Water Islamorada, LLC, Providing for Revisions to the Design Build Work **TAB 4**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING CHANGE ORDER NO. 12 TO THE DESIGN BUILD AND OPERATE (DBO) AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS AND REYNOLDS WATER ISLAMORADA, LLC, PROVIDING FOR REVISIONS TO THE DESIGN/BUILD WORK; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF CHANGE ORDER NO. 12; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE CHANGE ORDER NO. 12; AND PROVIDING FOR AN EFFECTIVE DATE**

C. Direction Regarding North Plantation Key Phase 1 Vacuum Pit Replacement **TAB 5**

**IX. ORDINANCES**

A. First Reading: Ordinance Amending and Renaming Chapter 22 “Fair Housing” of the Village Code of Ordinances as Chapter 22 “Housing”; Creating Chapter 22, Article I “In General” and Article II “Fair Housing” and Establishing Sections 22-12 through 22-60 Therein; Creating Article III “First Time Homebuyer Down Payment Assistance Program” and Establishing Sections 22-61 through 22-70 **TAB 6**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING AND RENAMING CHAPTER 22 “FAIR HOUSING” OF THE VILLAGE CODE OF ORDINANCES AS CHAPTER 22 “HOUSING”; CREATING CHAPTER 22, ARTICLE I “IN GENERAL” AND ARTICLE II “FAIR HOUSING” AND ESTABLISHING SECTIONS 22-12 THROUGH 22-60 THEREIN; CREATING ARTICLE III “FIRST TIME HOMEBUYER DOWN PAYMENT ASSISTANCE PROGRAM” AND ESTABLISHING SECTIONS 22-61 THROUGH 22-70 THEREIN TO CREATE A FIRST TIME HOMEBUYER DOWN PAYMENT ASSISTANCE PROGRAM; 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 VILLAGE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

B. Second Reading: Ordinance Establishing Civil Penalties for the Possession of Cannabis (Marijuana) for Amounts Under 20 Grams **TAB 7**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES BY CREATING CHAPTER 9 ENTITLED "MISCELLANEOUS OFFENSES" TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND FOR POSSESSION OF DRUG PARAPHERNALIA; SETTING FORTH PENALTIES AND ENFORCEMENT RESPONSIBILITIES FOR VIOLATIONS OF THIS CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE**

**X. QUASI-JUDICIAL**

- A. Variance Application (VAR-16-01) by Islamorada, Village of Islands-**

**TAB 8**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA, VILLAGE OF ISLANDS FOR A VARIANCE FROM CODE SECTION 30-814 TO ALLOW A REDUCTION OF THE REQUIRED MAJOR STREET BUFFERYARD LANDSCAPING ADJACENT TO THE OVERSEAS HIGHWAY ON THE KEY TREE CACTUS PRESERVE PROPERTY LOCATED AT 80700 OVERSEAS HIGHWAY ON UPPER MATECUMBE KEY WITH THE ALTERNATE KEY NUMBERS 1111970 & 1111872 AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE**

- B. Application for Major Conditional Use (MJ-16-02) by Ocean Gardens and Gifts, LLC**

**TAB 9**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY PHIL SENA OF OCEAN GARDENS AND GIFTS, LLC. FOR MAJOR CONDITIONAL USE APPROVAL OF A CHANGE IN USE FROM COMMUNITY CENTER TO RETAIL AT THE PROPERTY LOCATED WITHIN THE VILLAGE CENTER (VC) ZONING DISTRICT AT 82237 OVERSEAS HIGHWAY ON UPPER MATECUMBE KEY WITH REAL ESTATE NUMBER 00401010-000000, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE**

- C. First Reading: Future Land Use Map Amendment (FLRZ-16-01) Application for Property Located at 100 Sapodilla Drive, Approximately MM 74.8**

**TAB 10**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY VICTOR BALLESTAS OF INTEGRA INVESTMENTS, LLC TO AMEND THE VILLAGE'S *FUTURE LAND USE MAP* FROM RESIDENTIAL CONSERVATION (RC) TO RESIDENTIAL LOW (RL) FOR PROPERTY LOCATED AT 100 SAPODILLA DRIVE, AT APPROXIMATELY MILE MARKER 74.8, WITH REAL ESTATE NUMBERS 00394440-000000 AND 00394430-000000, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND ESTABLISHING POLICY 1-2.11.5 "LOWER MATECUMBE KEY RESIDENTIAL LOW AREA 1 (LMKRL1)"; 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**

- D. First Reading: Zoning Map Amendment (FLRZ-16-01) Application for Property Located at 100 Sapodilla Drive, Approximately MM 74.8 **TAB 11**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY VICTOR BALLESTAS OF INTEGRA INVESTMENTS, LLC TO AMEND THE *OFFICIAL ZONING MAP* FROM NATIVE RESIDENTIAL (NR) TO RESIDENTIAL ESTATE (RE) FOR PROPERTY LOCATED AT 100 SAPODILLA DRIVE, AT APPROXIMATELY MILE MARKER 74.8, WITH REAL ESTATE NUMBERS 00394440-000000 AND 00394430-000000, AS LEGALLY DESCRIBED IN EXHIBIT “A”; 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. Second Reading: Future Land Use Map Amendment (FLRZ-14-02) Application for Property Located at Approximately MM 85.5 Overseas Highway **TAB 12**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY SMUGGLERS COVE PARTNERS LLC TO AMEND THE VILLAGE’S *FUTURE LAND USE MAP* FROM CONSERVATION (C) TO MIXED USE (MU) FOR PROPERTY LOCATED AT APPROXIMATELY MILE MARKER 85.5 ON OVERSEAS HIGHWAY WITH REAL ESTATE NUMBER 00093820-000200, AS LEGALLY DESCRIBED IN EXHIBIT “A”; AND ESTABLISHING POLICY 1-2.11.4 “WINDLEY KEY MIXED USE AREA 1 (WKMU1)”; 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**

- F. Second Reading: Official Zoning Map Amendment (FLRZ-14-02) Application for Property Located at Approximately MM 85.5 Overseas Highway **TAB 13**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY SMUGGLERS COVE PARTNERS, LLC TO AMEND THE VILLAGE’S *OFFICIAL ZONING MAP* FROM CONSERVATION (C) TO TOURIST COMMERCIAL (TC) FOR PROPERTY LOCATED AT APPROXIMATELY MILE MARKER 85.5 ON OVERSEAS HIGHWAY WITH REAL ESTATE NUMBER 00093820-000200 AS LEGALLY DESCRIBED IN EXHIBIT “A”; 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**

**XI. RESOLUTIONS**

**XII. MOTIONS**

**XIII. MAYOR / COUNCIL COMMUNICATIONS**

- A. Discussion Regarding Abandonment of Right-of-Way at 155 Severino Drive (Bellizzi) to Accommodate Desired Wastewater Connection- Councilman Sante **TAB 14**

- B. Discussion Regarding Drafting a Resolution Opposing the DEO Proposed Rule to Create the Vacant Lot Reduction & Hotel Unit Allocation Program – Councilman Ward **TAB 15**

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

- A. Discussion Regarding Increase to the Floor Area Ratio (FAR) in Specific Future Land Use Map (FLUM) Categories**

**TAB 16**

#### **XV. 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.