



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
December 15, 2011  
5:30 PM**

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

Mayor Reckwerdt called the meeting to order at 6:02 p.m. and requested Village Clerk Debra Eastman to call the roll. The following Council members were present on roll call: Councilman Don Achenberg, Councilman Ted Blackburn, Councilman Dave Purdo, Vice Mayor Ken Philipson and Mayor Michael Reckwerdt.

**II. PLEDGE OF ALLEGIANCE**

Frank Hawkins led the Pledge of Allegiance.

**III. PRESENTATIONS**

- A.** Introduction of Team Leader for the Islamorada, Fire Rescue Community Emergency Response Training Program – Postponed to Future Meeting.

Vice Mayor Ken Philipson presented several thank you notes to Chief William Wagner from the students at the Montessori school.

**IV. PUBLIC COMMENT**

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

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

- A.** Historic Preservation Commission – Vice Chairperson Buddy Pinder  
Mr. Pinder discussed the brochure and letter to property owners provided in the Council agenda packet and the Village Council concurred with the distribution. It was suggested that the information also be posted on the Village website.
- B.** Land Acquisition Advisory Committee – No Report
- C.** Landscape Advisory Committee – No Report
- D.** Local Planning Agency – No Report
- E.** Near Shore Water Support Citizens' Advisory Committee – No Report
- F.** Parks and Recreation Citizen's Advisory Committee – No Report
- 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

Wastewater Director Greg Tindle summarized the RFP process. Tom Brzezinski of Wade Trim summarized the proposals received and the process used by the Evaluation Committee. Tony Harrison summarized the price proposals.

After discussion from Council, Mayor Reckwerdt invited public comment.

Dr. Stan Margulies spoke about the proximity to Venetian Shores, requested that the Council choose to use the Key Largo facility and requested that the Council consider legal action for the unfunded mandate.

Judy Starr spoke about the Council obtaining funding and in favor of the Key Largo option.

Larry Barr urged that the project be delayed.

John LaRocco spoke in favor of the Key Largo option.

John November spoke in favor of the environment and the use of deep wells.

David Guardino spoke of the placement of the treatment plant and possible odors and in favor of the Key Largo option.

Dr. Wagner asked about future cost.

Buddy Pinder spoke in favor of a closed system, deep wells and the Key Largo option.

### B. Resolution Approving the Rankings of the Evaluation Committee and the Recommendation of the Village Manger to Negotiate with Highest Ranked Firm for Design-Build-Operate-Finance of the Village's Wastewater System and Authorizing the Village Manager to Enter Into Contact Negotiations to Provide Wastewater Treatment

**A RESOLUTION OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE RANKINGS OF THE EVALUATION COMMITTEE AND THE RECOMMENDATION OF THE VILLAGE MANAGER TO NEGOTIATE WITH THE HIGHEST RANKED FIRM PURSUANT TO THE REQUEST FOR PROPOSALS (RFP) FOR DESIGN-BUILD-OPERATE-FINANCE OF THE VILLAGE'S WASTEWATER SYSTEM; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS TO PROVIDE WASTEWATER TREATMENT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE RFP; AND PROVIDING FOR AN EFFECTIVE DATE**

Commissioner Achenberg made a motion to accept the ranking of the Committee and to give the Manager and staff the authority to enter into contract negotiations to provide wastewater treatment. The motion received a second from Commissioner Blackburn. Village Attorney Lillian Arango read the title of the resolution.

After discussion by the Village Council, Village Clerk Debra Eastman called the roll and the motion passed 4-1 with Councilman Purdo voting in opposition.

At 7:53 p.m. Mayor Reckwerdt called for a break. The Council reconvened at 8:14 p.m. and all members of the Village Council were present.

Councilman Blackburn requested that Village Attorney Nina Boniske provide previous research on unfunded mandates and that she brief them on the options available to the Village Council at a Council meeting in the near future.

**VIII. QUASI-JUDICIAL - None**

**IX. CONSENT AGENDA**

- A. Minutes:
  - December 1, 2011 Regular Village Council Meeting
  - December 2, 2011 Executive Session
  - December 2, 2011 Executive Session
- B. Memorandum of Understanding Exempting Certain Categories of Village Development Orders from Florida Department of Economic Opportunity Review

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING A MEMORANDUM OF UNDERSTANDING CREATING A COORDINATED PERMIT REVIEW PROCESS FOR SPECIFIED DEVELOPMENT ACTIVITIES BETWEEN THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY, AND ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL NECESSARY ACTION TO FINALIZE THE AMENDMENT AND AUTHORIZING EXECUTION OF THE AMENDMENT BY THE VILLAGE MAYOR; AND PROVIDING FOR AN EFFECTIVE DATE**

Councilman Achenberg made a motion to adopt the consent agenda. The motion received a second from Vice Mayor Philipson. Mayor Reckwerdt called for the vote and all were in favor.

**X. ORDINANCES**

- A. Second Reading – Amendment to the Floodplain Management Standard Ordinance

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 6 “BUILDINGS AND BUILDING REGULATIONS,” ARTICLE III “FLOODPLAIN MANAGEMENT STANDARDS” OF THE CODE OF ORDINANCES TO PROVIDE FOR UPDATES AND CHANGES CONSISTENT WITH FEDERAL EMERGENCY MANAGEMENT AGENCY REQUIREMENTS AND STANDARDS; AND TO FURTHER IMPLEMENT AND ENFORCE THE PROCEDURES REQUIRED IN THE BIOLOGICAL OPINION PREPARED BY THE U.S. FISH AND WILDLIFE SERVICE FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY; PROVIDING FOR REPEAL OF**

**CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR TRANSMITTAL TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney Nina Boniske read the title of the ordinance. After initial discussion to table the ordinance to a future meeting and a presentation from Mr. Alan Webb from Florida Fish and Wildlife, Vice Mayor Ken Philipson made a motion to adopt the resolution. The motion received a second from Vice Mayor Philipson. Mayor Reckwerdt called for the vote and all were in favor.

**XI. RESOLUTIONS**

- A. Road Abandonment Petition By John Kocol and Martha Edwards  
(RA-11-01 Road)

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING A REQUEST TO VACATE A PORTION OF LIST STREET CONSISTING OF APPROXIMATELY 11,585 SQUARE FEET ADJACENT TO BLOCKS 4 AND 6, STRATTONS SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 38 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, LOCATED AT APPROXIMATELY MILE MARKER 82.3, AS LEGALLY DESCRIBED IN EXHIBIT "A;" RESERVING TO THE VILLAGE ALL RIGHTS OVER ANY NEEDED PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney Nina Boniske read the title of the resolution. R. Jay Berenzweig Village Planner explained the road abandonment.

Jim Bellizi spoke in opposition to the process.

Vice Mayor Philipson made a motion to adopt the resolution. The motion received a second from Councilman Achenberg. Mayor Reckwerdt called for the vote and all were in favor.

- B. Resolution of Intent for Stormwater Non-Advalorem Assessments

**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 INCORPORATED AREA OF THE VILLAGE; STATING A NEED FOR SUCH LEVY TO FUND THE COST OF STORMWATER MANAGEMENT AND INFRASTRUCTURE; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney Nina Boniske read the title of the resolution. Maria Aguilar Finance Director explained the process required for collection of non-ad valorem assessments. Vice Mayor Philipson made a motion to adopt the resolution. The motion received a second from Councilman Achenberg. Mayor Reckwerdt called for the vote and the motion passed 3-2 with Councilman Purdo and Mayor Reckwerdt voting in opposition.

- C. Resolution – Approval of the Residential Building Permit Allocation Rankings and Award for Quarter 4 of 2011

**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 2011 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE**

Village Attorney Nina Boniske read the title of the resolution. Councilman Purdo recused himself from this item. Vice Mayor Philipson made a motion to adopt the resolution. The motion received a second from Councilman Blackburn. Mayor Reckwerdt called for the vote and the motion passed 4 in favor and 1 abstained.

**XII. MOTIONS**

- A. Regular Village Council Meetings for Calendar Year 2012 and Town Hall Meetings  
The Village Council approved the calendar as presented.

**XIII. UNFINISHED BUSINESS**

**XIV. MAYOR / COUNCIL COMMUNICATIONS**

- A. Contact with Senator Nelson's Office Concerning ACOE Funding  
Councilman Blackburn received concurrence from the Village Council to discuss Army Corps funding with the Office of Senator Nelson and to enlist the assistance of staff in that process. Vice Mayor Philipson requested that the concurrence be expanded to any Council member with information on potentially available funding.

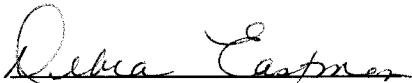
**XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**

- A. Discussion Regarding Florida Department of Economic Opportunity Hurricane Evacuation Clearance Time Work Group  
Vice Mayor Philipson recommended Councilman Achenberg and the Council concurred.

**XVI. ADJOURNMENT**

Councilman Achenberg made a motion to adjourn. The motion received a second from Councilman Purdo. The meeting adjourned at 9:00 p.m.

Approved by the Village Council on January 12, 2012.

  
Debra E. Eastman, MMC  
Village Clerk