



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
Thursday, March 17, 2016  
5:30 PM**

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

Mayor Deb Gillis called the meeting to order at 5:30 P.M. The following Councilmembers were present on roll call: Mayor Deb Gillis, Councilman Mike Forster, Councilman Chris Sante and Councilman Dennis Ward. Vice Mayor Jim Mooney was absent. Also in attendance were Village Manager Maria Aguilar, Village Attorney Roget Bryan, Village Clerk Kelly Toth, and all other appropriate personnel.

**II. PLEDGE OF ALLEGIANCE**

Don Achenberg led the Pledge of Allegiance.

**III. PRESENTATIONS AND ANNOUNCEMENTS**

**A. Statement of Support for the Guard and Reserve Recognizing and Honoring the Uniformed Services Employment Reemployment Rights Act (USERRA)- John Dent**

Mayor Deb Gillis invited John Dent and Michael Mills to the front to receive the Statement of Support. Councilman Dennis Ward read the Statement of Support recognizing and enforcing the Uniformed Services Employment and Reemployment Rights Act.

**B. Presentation by Advanced Disposal- J.R. Romero**

This item was heard at 5:36 PM.

J.R. Romero introduced himself as the General Manager (GM) for the Southeast Florida division of Advanced Disposal and stated the former GM was on a leave of absence. He stated Tommy Lowery was the local Operations Manager for Advanced Disposal and informed the Council that the sanitizing devices were currently being installed on the trucks. Mr. Romero encouraged the Council and residents to contact him should they have any questions or concerns.

**C. Presentation by Leadership Monroe Class 24- Robert Lockwood**

This item was heard at 5:39 PM.

Leadership Monroe Class member Robert Lockwood presented a video recognizing the problems associated with the littering of cigarette butts. He thanked the Council for their forward thinking in including cigarettes in the Village's littering ordinance. Mr. Lockwood spoke in support of more stringent laws and enforcement. Henry Rosenthal, President of Leadership Monroe County, spoke about the

different projects by the different classes over the years and encouraged the Council to endorse the Class 24 project.

#### **D. Presentation of the Draft Impact Fee Study – Carson Bise**

This item was heard at 5:53 PM.

Carson Bise, President of TischlerBise, presented “Islamorada Proposed Impact Fees”. He stated impact fees were a one-time payment to fund system capacity for growth related infrastructure and explained the requirements associated with impact fees. Mr. Bise explained the following three methods for calculating impact fees: Plan Based, Cost Recovery and Incremental Expansion and explained the process used to evaluate impact fees. Mr. Bise presented a new fee category to the Village identified as “General Government Fees” and explained the two methods for calculating the General Government impact fee: Cost Recovery and Incremental Expansion. Mr. Bise reviewed the Parks Impact Fee and stated there were two issues causing the Parks Impact fee to be high: (1) the large amount of conservation land owned by the Village and (2) the \$447,368 per acre land cost assumption. He asked if the Village would be purchasing conservation land in the future or would the Village focus on purchasing land for parks that would include amenities or a combination of both. Village Manager Maria Aguilar stated the purpose of the presentation was to provide Council with preliminary information so that they could consider how they wanted the impact fees finalized. She stated there would be a second presentation with final information. Councilman Chris Sante expressed concern regarding the accuracy of land acquisition costs reflected in the presentation. Ms. Aguilar asked the Council to consider whether they had an interest in building a public works facility in the future; and whether or not they had an interest in more park facilities or acquiring more conservation land. Councilman Mike Forster stated that in the past Council had discussed acquiring a public works facility. He spoke against an additional park facility such as Founders Park but spoke in support of acquiring passive parks.

#### Additional Announcements:

Councilman Mike Forster announced a request to keep Paul and Dana Biel in our prayers as their 17 year old grandson had recently died in a hunting accident.

Mayor Deb Gillis read a letter she received commending the fire department for their quick action regarding a burning handicap van. Mayor Gillis thanked the Fire Department for their efforts.

#### **IV. PUBLIC COMMENT**

Mayor Deb Gillis opened public comment at 6:20 PM.

Van Cadenhead expressed concern regarding the FDOT landscaping along the US 1 highway. He requested the Council consider a workshop to discuss the impact fee study.

Dave Johnson spoke regarding the volunteer environmental cleanup efforts of Coastal Steward Inc. He stated with the help of thousands of volunteers, Coastal Steward Inc. had removed more than 420 tons of trash and debris from beaches in New York and Florida. Mr. Johnson stated he was in need of Council approval for a storage container to hold the kayaks and gear used for the cleanup. He stated Native Construction had offered a storage location for his container on a property located along US 1 and another donor was supplying the container. Councilman Mike Forster spoke in support of accommodating the request due to the valuable service they provided. Village Manager Maria Aguilar explained that there was not a moratorium on new storage containers. Director of Planning Cheryl Cioffari explained the current code pertaining to storage containers. Village Manager Maria Aguilar stated she needed to speak with Mr. Johnson regarding the location and a permit.

Mayor Deb Gillis closed public comment.

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

Councilman Chris Sante pulled item C. Discussion Regarding the Anchoring Restrictions Bill from the XIII. Mayor/Council Communications section of the agenda.

Director of Planning Cheryl Cioffari stated Tab 4 Application for Site Plan Approval (SP-15-02) by Joseph Janas under section X. Quasi-Judicial had been withdrawn. She stated the public hearing was initially requested by the adjacent property owner and since requesting the hearing, the adjacent property owners concerns had been addressed.

Village Manager Maria Aguilar added item D. Water Quality Update under VI. Citizens' Advisory Committee Updates. Ms. Aguilar added Item C. Restore Act Committee Appointee under XIV. Village Attorney/ Village Manager Communications.

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

**A. Nearshore Water Regulation Citizens' Advisory Committee- Chair Bob Mitchell**

This item was heard at 6:35 PM.

Committee Chair Bob Mitchell reported the committee discussed the following items at the last meeting: idle speed buoys, bridge heights, the wheel ditch, ramp locations, Islamorada lobster rules and the idle speed at Snake Creek, Tavernier Creek and Whale Harbor Channel. He stated he would be working with Florida Go Fishing to install the regulations in their charts. Councilman Dennis Ward asked if Mr. Mitchell would include the regulations pertaining to the fine associated with opening the Snake Creek Drawbridge unnecessarily. Mr. Mitchell agreed. Mr. Mitchell stated the committee would be discussing anchoring restrictions at the May 17, 2016 meeting and provided a brief description of the regulations. Mr. Mitchell stated the committee unanimously voted to recommend and request the Council send a letter of support to the Governor and Florida Legislature supporting water flow restoration to the Everglades and the Florida Bay.

Council decided to move item D. Discussion Regarding Water from Lake Okeechobee to follow the Nearshore Committee Update.

Chair Bob Mitchell referred to a map acquired from [www.riverscoalition.org](http://www.riverscoalition.org) that identified a parcel of private land located north of public land that was situated just above the Everglades, which represented what he referred to as a "plug in the dike". Mr. Mitchell explained that if the private parcel was purchased it would allow for the flow of water to be returned to the Everglades. Mr. Mitchell acknowledged he did not know the validity of the map. Councilman Dennis Ward suggested the Florida Keys, as a community, come together to address the matter. Councilman Mike Forster stated the private land Mr. Mitchell was referring to was owned by "Big Sugar" and recommended anyone interested in learning more about the subject should attend the Monroe County Board of County Commissioners meeting on March 23, 2016 at 10:00 AM. Councilman Mike Forster stated that he, Monroe County Administrator Roman Gastesi and Monroe County Commissioner George Nugent recently met with South Florida Water Management District (SFWMD) Executive Director Peter Antonacci. Councilman Forster stated he left the meeting with Mr. Antonacci feeling that SFWMD was not considering acquisition of land south of Lake Okeechobee; but rather considering purchasing land north of the lake. Councilman Forster stated land was needed south of Lake Okeechobee. He stated he was told the largest algae bloom in the last ten years would occur in the next four to five weeks from Flamingo to Rabbit Key to Captain Key. Mr. Mitchell stated the dead seagrass was as far out as Cape Sable. Councilman Forster announced that at the April 7, 2016 Regular Village Council Meeting there would be a presentation by the Everglades Foundation and a

presentation by Chris Maroney with BullSugar.org. Discussion ensued among Council regarding the issues surrounding Lake Okeechobee and directed staff to create a letter for the Mayor to take with her when she visited Tallahassee. Council requested staff draft a resolution regarding this matter.

**B. Local Planning Agency – Chair Pete Bacheler**

This item was heard at 6:57 PM.

Local Planning Agency (LPA) Chair Pete Bacheler reported the committee discussed the TDR ordinance at its February 29, 2016 meeting and proceeded to read a letter written by committee member Cheryl Culberson. Mr. Bacheler stated the committee recommended approval of the amended ordinance. Mr. Bacheler stated at March 14, 2016 LPA meeting the committee discussed available BPAS square footage for commercial buildings. He stated the committee recommended decreasing the annually available square footage from 15,000 square feet to 10,000 square feet.

**C. Parks and Recreation Citizens’ Advisory Committee- Chair Carolyn Whitman**

This item was heard at 7:02 PM.

Chair Carolyn Whitman reported on the upcoming events at Founders Park and the programs offered at Founders Park on a regular basis. She stated the new fitness park located behind the community center was now open to the public as was the pickleball court. Ms. Whitman stated there would soon be a Request for Proposal (RFP) for a new fitness instructor. She stated the committee also discussed the buoys located in the waters next to the Founders Park beach. Ms. Whitman expressed concern regarding the obstructed entrance to the beach due to the buoys and referenced upcoming water related events. Councilman Mike Forster suggested the committee discuss possible improvements to the dog park.

**D. Future Items for the Water Quality Improvement Citizens’ Advisory Committee**

This item was heard at 7:10 PM.

Village Manager Maria Aguilar suggested the Water Quality Improvement Citizens’ Advisory Committee discuss stormwater related matters, as the wastewater project was winding down. Ms. Aguilar suggested the committee assist staff with the two assessment reports and identify the best path for moving forward. Council expressed agreement with the Village Manager’s suggestion.

**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**  
February 11, 2016 Village Council Workshop

**B. Resolution Approving Grant Award from the Florida Forest Service for a FY 2016 Volunteer** **TAB 2**  
Fire Assistance Grant to Purchase Four (4) Digital Portable Radios

Councilman Dennis Ward made a motion to approve. Councilman Mike Forster seconded the motion. Council voted all in favor. The motion passed 4-0.

**VIII. WASTEWATER MATTERS**

**A. Wastewater Update** **TAB 3**

This item was heard at 7:13 PM.

Wastewater Program Manager Greg Tindle provided an update regarding the wastewater connection status, salinity levels, paving in Port Antigua and restoration. Mayor Deb Gillis asked for an update regarding the package plants. Mr. Tindle stated he thought the majority were in the process of connecting. Councilman Chris Sante inquired about the 37 properties on North Planation Key that had not hooked up to the sewer system and whether or not code enforcement action had been taken. Discussion ensued between Councilman Sante and Village Attorney Roget Bryan regarding code enforcement actions and foreclosed properties.

Mayor Deb Gillis opened public comment.

David Guardino stated he had not received an increase in his water bill and expressed concern that there may be several property owners throughout the Village that have experienced the same thing. Wastewater Program Manager Greg Tindle provided an update regarding the properties that had been missed for wastewater billing and the efforts made between FKAA and the wastewater department to resolve the issue.

Van Cadenhead expressed concern regarding the high wastewater connection costs for the local houses of worship.

Mayor Deb Gillis closed public comment.

**B. Community Development Block Grant (CDBG) Update**

This item was heard at 7:23 PM.

Village Manager Maria Aguilar reported that \$595,000 of CDBG grant funds were available to assist with wastewater connection costs. She stated 146 applications had been received and of those 49 had been approved, 51 were pending and 46 had been withdrawn. Ms. Aguilar stated the grant end date was October 20, 2016. She stated property owners should contact Deanna Lloyd with Government Services Group (GSG) at 305-745-2062 if they had questions.

Mayor Deb Gillis opened public comment; seeing none, public comment was closed.

**IX. ORDINANCES**

**X. QUASI-JUDICIAL**

**A. Application for Site Plan Approval (SP-15-02) by Joseph Janas**

**TAB 4**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY JOSEPH JANAS FOR SITE PLAN APPROVAL OF SIXTEEN (16) ATTACHED AFFORDABLE DWELLING UNITS AND ONE BUILDING CONTAINING 1,848 SQUARE FEET OF NONRESIDENTIAL SQUARE FOOTAGE LOCATED WITHIN THE HIGHWAY COMMERCIAL (HC) ZONING DISTRICT AT 84771 OVERSEAS HIGHWAY ON WINDLEY KEY WITH REAL ESTATE NUMBER 00093980-000000, AS LEGALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE**

(This item was pulled from the agenda.)

**XI. RESOLUTIONS**

- A. Resolution- Approval of the Residential Building Permit Allocation System Ranking and Awards Quarter 1 of 2016** **TAB 5**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 1 OF 2016; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:29 PM.

Village Attorney Roget Bryan read the title of the resolution. Director of Planning Cheryl Cioffari presented the staff report recommending approval.

Mayor Deb Gillis opened public comment; seeing none, public comment was closed.

Councilman Chris Sante made a motion to approve. Councilman Dennis Ward seconded the motion. Council voted and the motion passed 4-0.

- B. Resolution Approving ITB-16-04 Bid Rankings and Authorizing Negotiation and Execution Professional Services Agreement for General Contactor Services for the Key Tree Cactus Preserve Recreational Development Project** **TAB 6**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKING AND RECOMMENDATIONS OF THE ITB-16-04 EVALUATION COMMITTEE FOR PROFESSIONAL GENERAL CONTRACTING SERVICES FOR THE KEY TREE CACTUS PRESERVE DEVELOPMENT PROJECT; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZATION FOR EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:31 PM.

Village Attorney Roget Bryan read the title of the resolution. Village Manager Maria Aguilar presented the staff report recommending approval.

Councilman Chris Sante asked when the Key Tree Cactus park gates would be open to the public. Village Manager Maria Aguilar stated the gates would be open from sunrise to sunset.

Mayor Deb Gillis opened public comment.

Van Cadenhead expressed concern regarding a possible increase in traffic.

Mayor Deb Gillis closed public comment.

Councilman Chris Sante made a motion to approve. Councilman Mike Forster seconded the motion. Council voted and the motion passed 4-0.

- C. Resolution Opposing the Proposed Vacant Lot Retirement and Hotel Unit Allocation Rule, Also Known as “3 for 1 Rule”** **TAB 7**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, OPPOSING THE PROPOSED VACANT LOT RETIREMENT AND HOTEL UNIT ALLOCATION RULE, ALSO KNOWN AS “3 FOR 1 RULE” WITHIN THE FLORIDA KEYS AREA OF STATE CRITICAL CONCERN; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:35 PM.

Village Attorney Roget Bryan read the title of the resolution and presented the staff report recommending approval. Mayor Deb Gillis stated Rebecca Jetton of the Florida Department of Economic Opportunity informed her that DEO heard the Council’s concerns and would like to make a second presentation.

Mayor Deb Gillis opened public comment.

Van Cadenhead and Jim Rhyne spoke in support of Council approving the resolution.

Mayor Deb Gillis closed public comment.

Councilman Mike Forster made a motion to approve. Councilman Chris Sante seconded the motion. Council voted and the motion passed 4-0.

- D.** Resolution Approving 163 Interlocal Agreement Between Islamorada, Village of Islands and the School Board of Monroe County **TAB 8**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS AND THE SCHOOL BOARD OF MONROE COUNTY PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 7:41 PM.

Village Attorney Roget Bryan read the title of the resolution and presented the staff report recommending approval.

Councilman Mike Forster opened public comment; seeing none, public comment was closed.

Councilman Chris Sante made a motion to approve. Councilman Dennis Ward seconded the motion. Council voted and the motion passed 4-0.

**XII. MOTIONS**

**XIII. MAYOR / COUNCIL COMMUNICATIONS**

- A.** Guest Speaker on the Panel for “Paradise Restored: Design-Build-Operate in Islamorada, FL” at the 2016 Design-Build for Water/Wastewater Conference in Charlotte, NC April 20-22 - Councilman Forster

This item was heard at 7:43 PM.

Councilman Mike Foster announced he had been invited last year by Layne, the Village’s wastewater contractor, to attend a design-build convention in Charlotte, NC and that he would be attending at no cost to the Village.

**B. Discussion Regarding Amending the Code to Address Outdoor Storage and Display in the Village Center Zoning District– Councilman Sante**

**TAB 9**

This item was heard at 7:44 PM.

Councilman Chris Sante explained that at the February 25, 2016 Council meeting there was a discussion about a woodcarver that was creating items for outdoor display. He asked if the Council had a desire to review the definitions in Village Center to allow this type of art and outdoor display in Village Center. Director of Planning Cheryl Cioffari explained the current Village code pertaining to outdoor storage and display. Council and staff discussion ensued regarding storage buffers, display items being visible from the highway, and non-conforming uses, and the difference in the definitions between outdoor storage and outdoor display.

Mayor Deb Gillis opened public comment.

Pete Bacheler stated outdoor display was a finished product. He stated the production of the item did not fit into the definition of outdoor storage or outdoor display.

Van Cadenhead shared his memory of Barefoot Stanley, also known as Stanley Papio, who had a welding shop in Key Largo in the 1960s that also produced welded works of art. He spoke in support of amending the ordinance to allow outdoor display of art.

Mayor Deb Gillis closed public comment.

Council expressed support and directed staff to review the ordinance to determine if it was possible to amend the ordinance to allow new outdoor display in Village Center with limited or minimal buffer requirements.

**C. Discussion Regarding the Anchoring Restrictions Bill- Councilman Sante**

**TAB 10**

(This item was pulled from the agenda.)

**D. Discussion Regarding Water from Lake Okeechobee – Councilman Ward**

(This item was discussed following the Nearshore Water Regulation Citizens' Advisory Committee Update.)

**E. Discussion Regarding the Local Planning Agency – Councilman Ward**

**TAB 11**

This item was heard at 8:07 PM.

Councilman Dennis Ward inquired as to whether the Council had an interest in the Village Council acting as the Local Planning Board or providing the Local Planning Agency (LPA) with more authority to make decisions and act as an independent agency, or would they rather make no changes. Councilman Ward referred to recommendations made by the Trainnovations consulting firm. Council expressed that they wished to make no changes to the LPA.

Mayor Deb Gillis opened public comment

Local Planning Agency (LPA) Chairman Pete Bacheler suggested the Council could provide the LPA with more authority by allowing them to make decisions on minor conditional use items that could be brought to the Council on appeal. He stated he liked the current system.



Van Cadenhead stated the first Village Council was the Local Planning Agency and spoke in support of the current system.

Mayor Deb Gillis closed public comment.

**F. Village Attorney Evaluation**

**TAB 12**

This item was heard at 8:13.

Each Council member stated that the Village Attorney was doing a good job and that they had submitted favorable evaluations.

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

**A. Request for Direction from Council Regarding Proposed FDOT Project at Mile Marker 77**

**TAB 13**

This item was heard at 8:16 PM.

Village Manager Maria Aguilar stated FDOT had conducted an assessment of the ingress and egress located near Robbie's Marina at Mile Marker 77. She stated the assessment revealed this was an area in need of improvements. She stated there was no definite time when funding for the project would be available. Ms. Aguilar stated that if FDOT District 6 had funds available at the end of the fiscal year then the project could potentially become a "push button" project allowing for the excess funds to be used for the project. Ms. Aguilar stated the other option was for the project to be included in the five year plan. She stated FDOT needed to know if the Council wanted FDOT to proceed with pursuing this project. Council reviewed and discussed the four alternatives provided by FDOT. The majority of Council expressed support for the project plan labeled Alternative No. 4 which provided for the largest turning radius. Councilman Mike Forster confirmed with the Village Manager that there would be no cost to the Village and that the project would be 100 percent funded by FDOT. Village Manager Maria Aguilar added this project was in response to suggestions made by staff and Mayor Deb Gillis at a previous FDOT workshop. She stated FDOT would have another listening session on April 28, 2016 in Marathon.

**B. Discussion Regarding Suggestions from February 11, 2016 Workshop**

This item was heard at 8:24 PM.

Village Manager Maria Aguilar inquired as to how the Council would like to proceed with the suggestions made by the public at the February 11, 2016 Village Council Workshop. She stated some of the ideas had been implemented and some had already been discussed by the Council. Council discussion ensued regarding a local trolley, costs associated with operating the trolley, private enterprises operating their own trolleys, and researching grants to assist with public transportation. Council agreed to discuss the ideas closer to the budget process and at a time when Vice Mayor Jim Mooney was present.

**C. Restore Act Appointee**

This item was heard at 8:31 PM.

Village Manager Maria Aguilar asked for confirmation regarding the Village's appointee to the Monroe County Restore Act Appointee and stated Councilman Mike Forster had previously served in this position. Council unanimously appointed Councilman Forster to the position.

**D. Update Regarding Vacation Rentals**

This item was heard at 7:32 PM

Director of Planning Cheryl Cioffari stated there was language in the Florida Statutes that may allow staff to reconsider the valuation criteria for vacation rentals. She stated she could consider extending and utilizing the 2007 criteria for a longer period of time to allow assessed values to catch up to the total just

just market values; or modifying the percentage. She stated she could work on amendments to the ordinance to bring back to Council for consideration. Council and staff discussion ensued and Ms. Cioffari was directed to move forward with reviewing and amending the ordinance.

Mayor Deb Gillis opened public comment.

Van Cadenhead inquired as to the amount of vacation rental revenue generated.

Mayor Deb Gillis closed public comment.


Additional Announcements:

Councilman Dennis Ward announced the Islamorada Seafood Festival would occur Sunday, March 20, 2016 from 11:00 AM to 5:00 PM in front of the Islamorada Moose Lodge at 81500 Overseas Highway.

Councilman Mike Forster announced there would be a large gathering at the sandbar of NuSkin representatives from Europe.

**XV. ADJOURNMENT**

Councilman Chris Sante made a motion to adjourn. Councilman Dennis Ward seconded the motion. The meeting adjourned at 8:40 PM.

  
Kelly S. Toth  
Village Clerk

Approved by the Village Council this 7<sup>th</sup> day of April, 2016.