



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

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
Thursday, July 21, 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, Vice Mayor Jim Mooney, Councilman Mike Forster, Councilman Chris Sante and Councilman Dennis Ward. 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**

Wesley Self led the Pledge of Allegiance.

**III. PRESENTATIONS AND ANNOUNCEMENTS**

**A. Presentation of FY14-15 Comprehensive Annual Financial Report (CAFR)**

**TAB 1**

This item was heard at 5:34 PM.

Village Manager Maria Aguilar introduced Alison Wester, CPA and Partner with Mauldin & Jenkins. Ms. Aguilar stated Mauldin & Jenkins was the Village's external auditing firm that was engaged to conduct the Village's annual financial audits and assist with the preparation of the Comprehensive Annual Financial Report (CAFR). Ms. Aguilar stated Ms. Wester would be presenting the findings of the 2014-2015 annual audit.

Ms. Wester explained the addition of the "unmodified opinion" to the 2014-2015 annual report. She further explained the addition of "Emphasis of Matter" portion of the audit agenda which was a result of the issuance of a new requirement, Governmental Accounting Standards Board Statement No. 68, which related to pension plans. She stated this was addressed in Note 11 of the CAFR. Ms. Wester stated the adoption of GASB 68 did result in a \$1.14 million-dollar prior period adjustment to the net position. She stated this type of adjustment was common this year and that all of the governments were affected by the new requirement.

Ms. Wester stated there were two programs and the firm conducted two single audits and that there were no findings in either of the two programs. She stated the firm had one recommendation related to assessments and a reconciliation of the assessments going forward. Ms. Wester concluded by identifying some of the auditing changes expected for 2016 and 2017.

**B. Proclamation: National Night Out (This item was added to the agenda)**

Vice Mayor Jim Mooney presented the proclamation for National Night Out to Lieutenant David Carey. Lieutenant Carey invited the public to attend National Night Out at Founders Park on August 2, 2016.

**C. Announcement- Councilman Mike Forster (This item was added to the agenda).**

Councilman Mike Forster requested the public keep Annie Cullen, mother-in-law to Pastor Tony Hammon and wife Colleen Hammon, in their thoughts and prayers as she was in hospice care.

**D. Announcement – Councilman Mike Forster (This item was added to the agenda).**

Councilman Mike Forster announced the Florida Department of Environmental Protection (DEP) awarded the Village \$50,000 dollars for canal restoration projects and requested future discussion, to include a presentation by Environmental Resources Manager, Susan Sprunt, regarding the next canal restoration project. Village Manager Maria Aguilar stated the discussion would occur at the first budget workshop. She stated the project cost for the canal restoration project currently under consideration was approximately \$100,000 and the Village would need to budget the additional funds.

**IV. PUBLIC COMMENT**

Mayor Deb Gillis opened public comment.

Van Cadenhead complimented the Council on the selection of the Ad Hoc Village Manager Recommendation Committee and stated the Committee was doing an exemplary job. He referenced Councilman Ward's past request for a procedure addressing the evaluation process of future Village Managers and suggested such a procedure be added to the Village Charter so that it could not be easily changed.

Larry Barr suggested the Council consider drafting a resolution pertaining to the Florida Power & Light (FP&L) Turkey Point saltwater plume, urging FP&L to correct the problems at the Turkey Point location that are contributing to the pollution of the Florida Bay.

Mayor Deb Gillis closed public comment.

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

**A.** Councilman Mike Forster requested discussion item B. be added under XIII. Mayor/Council Communication regarding the addition of a part-time, Legislative Aide, staff position.

**B.** Councilman Dennis Ward requested discussion item C. be added under XIII. Mayor/Council Communication regarding funding for the Morada Way Arts District.

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

**A.** Local Planning Agency- Chair Pete Bacheler

This item was heard at 5:48 PM.

Chair Pete Bacheler reported the Local Planning Agency (LPA) heard a Zoning and FLUM change request pertaining to the La Jolla property that eliminated the current strip zoning issue. He stated the applicant had applied for a site specific text amendment and additional units consistent with the zoning change. Mr. Bacheler stated the LPA unanimously approved the requests, limiting the additional units to five over the existing number of units.

Mr. Bacheler stated the LPA unanimously approved an ordinance allowing for detached affordable dwelling units on a single parcel, rather than attached units.

Mr. Bacheler stated the LPA unanimously approved an ordinance that addressed parking management for multiple dwelling units requiring at least two parking spaces per unit.

**B. Ad Hoc Village Manager Recommendation Committee Update- Chair Pete Bacheler**

This item was heard at 5:50 PM.

Chair Pete Bacheler reported the committee had met several times and reviewed 75 resumes which they had reduced to a semi-finalist list of eleven applicants. Mr. Bacheler reported that one of the eleven applicants had withdrawn his name from consideration. He stated candidate interviews would begin on Monday, July 25, 2016 and that the committee would soon be prepared to provide their recommendation to the Village Council. Mr. Bacheler complimented the committee members on their efforts and hard work and complimented Village staff for their support. Mr. Bacheler explained that all of the interviews would be conducted by phone and proceeded to explain the difficulties with utilizing video conferencing. He explained that the committee may provide more or fewer than the eight applicants requested by Council and that the number recommended depended on the final vote by the committee after the interviews were completed. He reported that Vice Chair Henry Rosenthal had suggested a technique at the first meeting for reviewing the 75 resumes that had worked very well for the committee and was used fairly and consistently throughout the enter process.

**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 2**  
June 9, 2016 Regular Village Council Meeting  
June 21, 2016 Village Council Workshop
  
- B. Resolution Endorsing the Mayors' Climate Action Pledge and Affirming Support for the** **TAB 3**  
**Southeast Florida Regional Climate Change Compact**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ENDORSING THE MAYORS' CLIMATE ACTION PLEDGE; AFFIRMING SUPPORT FOR THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT; AGREEING TO CONSIDER IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN IN WHOLE OR IN PART AS APPROPRIATE FOR ISLAMORADA, AND PROVIDING FOR AN EFFECTIVE DATE**

Councilman Dennis Ward made a motion to approve. Councilman Chris Sante seconded the motion. Council voted all in favor and the motion passed 5-0.

**VIII. WASTEWATER MATTERS**

- A. Wastewater Update** **TAB 4**

This item was heard at 5:57 PM.

Wastewater Program Manager Greg Tindle stated salinity levels were in compliance through the month of June and month-to-date in July. Mr. Tindle provided the following status update, by location, regarding properties that were either connected or in the process of connecting:

- North Plantation Key- 99%
- Middle Plantation Key – 75%
- South Plantation Key / Windley Key – 72%
- Upper Matecumbe Key – 53%
- Lower Matecumbe Key- 57%
- Village-wide – 74%

Mayor Deb Gillis opened public comment.

Larry Barr requested more information regarding the cause of the salinity infiltration problems that had occurred in two areas on South Plantation Key.

Mayor Deb Gillis closed public comment.

Wesley Self, Reynolds Water Islamorada, Inc. (RWI)/Layne Heavy Civil, stated the Islamorada wastewater construction project was watched nationally throughout the procurement and construction phases and was recognized as the Small Collection System of the Year in the state of Florida. He added that the project was highlighted at the annual National Design Build conference and may receive a national award next year. Mr. Self reported the project created the equivalent of 1,000 jobs for one year; and that RWI had met and exceeded local and regional economic goals for job creation, local participation, and investment in the community locally and regionally.

Mayor Deb Gillis asked if the Council wished to continue receiving wastewater updates at each of the Council meetings due to the project winding down. Wastewater Program Manager Greg Tindle explained that the schedule was no longer conducive to producing a report for each of the meetings and suggested he post a monthly report to the Village's webpage and that he would be available if the Council had questions.

Councilman Dennis Ward expressed concern regarding the King tides. Mr. Tindle stated that he or the Village Manager could provide a verbal report at meetings when these situations occurred. Council discussion ensued with Council expressing agreement that future wastewater reports would be placed on the Village's website with a copy being emailed to Council; and a report would be provided to Council when King tides occurred. Mayor Gillis clarified the item would no longer be included in the agenda.

**B. Resolution Approving Change Order No. 13 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 5**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING CHANGE ORDER NO. 13 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. 13; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE CHANGE ORDER NO. 13; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was heard at 6:09 PM.

Village Attorney Roget Bryan read the title of the resolution. Wastewater Program Manager Greg Tindle presented the staff report recommending approval.

Mayor Deb Gillis opened public comment.

Larry Barr expressed concern regarding item No. 5 on page six of Exhibit "A" to Change Order 13. He stated he spoke with Wesley Self, Reynolds Water Islamorada, Inc. (RWI)/Layne Heavy Civil, regarding the Anne's Beach wastewater connection and that Mr. Self explained that the connection was not going to be completed as part of the Design, Build, Operate Agreement and that the Village would be handling the connection of Anne's Beach to the wastewater system. Wastewater Program Manager Greg Tindle explained the Village was removing the portion of work from the agreement that required RWI to provide the wastewater connection to the property line. Mr. Tindle stated the Village has always had the responsibility of providing the connection from the property line to the facilities. He explained that by making the change it provided for the Village to conduct the work under one contract and one permit. Mr. Tindle stated he was obtaining surveying requirements from Wade Trim and then moving forward with the design phase.

Van Cadenhead commented on the \$41,440 savings found in item No. 5 on page six of Exhibit "A" to Change Order 13 and inquired about the cost of the second FDOT utility permit. He expressed concern regarding whether there was truly a savings resulting from the items being removed from the DBO agreement. Mayor Deb Gillis stated that there were only a few items that had not been completed that were being removed and that the other items were a reconciliation. Wastewater Program Manager Greg Tindle explained that the value of the work authorizations that were created as a result of removing the items from the DBO agreement was \$134,798.68, excluding Anne's Beach. Mr. Tindle explained the \$41,400 savings for Anne's Beach included the design costs, permitting costs and the construction costs; and that this component could be completed for less than \$40,000 dollars.

Councilman Chris Sante made a motion to approve. Vice Mayor Jim Mooney seconded the motion. Council voted and the motion passed 5-0.

## IX. ORDINANCES

- A. Second Reading: Ordinance Amending the Comprehensive Plan Policy 1-3.1.1 Establish A Building Permit Allocation System (BPAS) by Decreasing the Non-Residential Square Footage Allocation

TAB 6

**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 SEVERABILITY; 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**

This item was heard at 6:16 PM.

Village Attorney Roget Bryan read the title of the ordinance and stated this was second reading and a public hearing. 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. Vice Mayor Jim Mooney seconded the motion. Council voted and the motion passed 5-0.

- B. First Reading: Land Development Regulations Text Amendment for Detached Affordable Dwelling Units in the Residential Single-Family (R1) and (R1M) Zoning District**

**TAB 7**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE V “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 2 “ZONING DISTRICTS” SECTION 30-684 “RESIDENTIAL SINGLE-FAMILY (R1) AND (R1M) ZONING DISTRICT” TO PROVIDE FOR DETACHED OR ATTACHED AFFORDABLE HOUSING; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

This item was heard at 6:19 PM.

Village Attorney Roget Bryan read the title of the ordinance and stated this was first reading. Director of Planning Cheryl Cioffari presented the staff report recommending approval.

Councilman Chris Sante requested the ordinance be amended to include the Old Highway/State Road 4A and cited property near mile marker 82 that was utilized as commercial and residential. Ms. Cioffari confirmed that the change would apply to all of Old Highway/State Road 4A. Councilman Mike Forster read an email from Mark Gregg into the record regarding his support and recommendations for the change.

Discussion ensued among Council and staff regarding rent maximums for affordable housing rentals, affordable housing needs, high rental costs, affordable housing for single people, construction costs, affordable housing rent restrictions and the ability to recover a return on your investment when you build an affordable housing unit.

Mayor Deb Gillis opened public comment.

David Guardino expressed concern regarding the number of affordable housing units that could be constructed on a 9,000 square foot parcel at the entrance of a neighborhood if the Ordinance was amended to include the Old Highway.

Vice Mayor Jim Mooney asked Director of Planning Cheryl Cioffari if the Department of Economic Opportunity (DEO) would consider allowing 12 small one-bedroom units as opposed to four large 3-bedroom homes on a 15,000 square foot parcel; and would they increase the affordable housing BPAS allocations. Director of Planning Cheryl Cioffari stated she had conversations with DEO in the past regarding this idea and stated DEO had not been receptive to “fractional units” in the past. She stated she would pose the question again to DEO and inquire as to what the Village would need to provide in order for DEO to consider a fractional requirement.

Van Cadenhead spoke in support of Vice Mayor Jim Mooney’s idea.

Mayor Deb Gillis closed public comment.

Councilman Chris Sante made a motion to approve with the amendment. Councilman Mike Forster seconded the motion. Council voted and the motion passed 5-0.

C. First Reading: Land Development Regulations Text Amendment for Site Development Standards for Required Parking in Zoning Districts

TAB 8

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE V “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 2 “ZONING DISTRICTS” SECTION 30-683 “RESIDENTIAL ESTATE (RE) ZONING DISTRICT”; SECTION 30-686 “RESIDENTIAL DUPLEX (R2) ZONING DISTRICT”; SECTION 30-687 “RESIDENTIAL TRIPLEX (R3) ZONING DISTRICT”; SECTION 30-688 “RESIDENTIAL FOURPLEX (R4) ZONING DISTRICT”; SECTION 30-689 “MULTIFAMILY (MF) ZONING DISTRICT”; SECTION 30-691 “SETTLERS RESIDENTIAL (SR) ZONING DISTRICT”; AND SECTION 30-692 “VILLAGE CENTER (VC) ZONING DISTRICT” TO REVISE THE MINIMUM REQUIRED PARKING SPACES PER DWELLING UNIT IN EACH ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

This item was heard at 6:42 PM.

Village Attorney Roget Bryan read the title of the ordinance and stated this was first reading. Director of Planning Cheryl Cioffari presented the staff report recommending approval.

Mayor Deb Gillis clarified the ordinance allowed for a separate section in the Code that addressed parking standards as a whole.

Mayor Deb Gillis opened public comment. Seeing none, public comment was closed.

Councilman Chris Sante made a motion to approve with the amendment. Councilman Dennis Ward seconded the motion. Council voted and the motion passed 5-0.

X. QUASI-JUDICIAL

XI. RESOLUTIONS

A. Resolution Amending the FY 2015-2016 Governmental Funds Budgets

TAB 9

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING RESOLUTION NO. 15-09-96; AMENDING THE VILLAGE’S ADOPTED BUDGET FOR FISCAL YEAR 2015-2016; AND PROVIDING FOR AN EFFECTIVE DATE**

This item was head at 6:46 PM.

Village Attorney Roget Bryan read the title of the resolution. Village Manager Maria Aguilar presented the staff report and stated that she used actual numbers through June 30, 2016.

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

Vice Mayor Jim Mooney made a motion to approve. Councilman Chris Sante seconded the motion. Council voted and the motion passed 5-0.

## **XII. MOTIONS**

## **XIII. MAYOR / COUNCIL COMMUNICATIONS**

### **A. Discussion Regarding Seismic Blasting off Florida's Coast- Mayor Deb Gillis**

**TAB 10**

This item was heard at 6:49 PM.

Mayor Deb Gillis stated she had received a sign-on letter from John Miller, Mayor of the City of Fernandina Beach, that included a sample resolution opposing seismic airgun blasting off of the coast of Florida. Mayor Gillis explained the harmful effects of seismic blasting and stated the Bureau of Ocean Energy Management (BOEM) was currently reviewing eight permit applications for seismic airgun blasting surveys in the Atlantic; four of which are directly off the coast of Florida. Mayor Gillis stated she had spoken with Erin Handy, Climate and Energy Campaign, Florida, regarding the issue and was informed that several Florida cities were signing the letter and adopting resolutions opposing the seismic blasting. Mayor Gillis requested Council agreement for the Mayor of Islamorada to sign the letter and to direct staff to create the resolution. Council expressed agreement for both requests.

Mayor Deb Gillis opened public comment.

Stan Marguiles urged the Council to research the information contained in the letter.

Van Cadenhead stated he was a former Navy sonar technician and explained that his position dealt with sound under water. He explained one sound could go for thousands of miles and that whales, dolphins and fish are highly sensitive to sound. Mr. Cadenhead stated the sounds the blasting causes could be detected thousands of miles away due to the thermoclines and the nature and propagation of the sounds. He urged the Council to sign the letter and pass the resolution.

Pete Bacheler stated he was a sonar technician on a submarine for four and a half years. He recalled listening to the sounds in the water, often whales and porpoises frolicking. Mr. Bacheler stated that when he released an active sonar ping, the disposition of the whales and porpoises clearly changed. He stated he could clearly tell that they were not happy. Mr. Bacheler spoke in support of the resolution if the information could be validated.

Mayor Deb Gillis closed public comment.

Mayor Gillis asked if the Council had an interest in a resolution that addressed Florida Power & Light's responsibilities as it pertained to their Turkey Point location and the Florida Bay. Council expressed agreement and directed staff to research the item.

### **B. Discussion Regarding Canal Restoration- Councilman Mike Forster**

This item was heard at 6:59.

Councilman Mike Forster explained that at the last canal restoration meeting that he and Environmental Resources Manager Susan Sprunt attended, the decision was being made regarding how to distribute the Department of Environmental Protection (DEP) funds. He stated that at the meeting he explained to the meeting attendees that if Islamorada received canal restoration funds for its next canal project, 75



homes/condos would receive benefit and that Monroe County's would affect sixteen homes. Councilman Forster stated that this fact weighted the decision resulting in Islamorada receiving \$50,000 from the DEP for canal restoration. Councilman Forster suggested that staff reach out to home owners associations (HOAs) and request a private/public partnership and require the HOA to assist with funding the canal restoration project. He suggested each homeowner contribute \$300 toward the project. Councilman Forster stated Canal No. 227 would be the Village's third project. Village Attorney Roget Bryan stated an affirmative vote from the HOA would be required.

**C. Discussion Regarding a Part-time Legislative Aide- Councilman Mike Forster**

This item was heard at 7:03 PM.

Councilman Mike Forster requested Council agreement regarding hiring a part-time Legislative Aide. He described scenarios in which Islamorada and Monroe County officials worked together to advance items of importance in Tallahassee; and scenarios in which Islamorada's priorities were not addressed such as the Florida Bay and Everglades issue. Councilman Forster read a job description for a Legislative Aide and suggested the Village utilize these services on a trial basis for a year. He stated the Legislative Aide would make the phone calls to Tallahassee Officials to set up appointments for the Village and expressed a desire to have a "better seat at the table" in Tallahassee in order to address issues that were important to Islamorada. Councilman Forster suggested outsourcing the position; that the position would work with the lobbyists; and suggested the Village pay \$2,000 a month plus expenses for the position. Mayor Deb Gillis complimented Monroe County's legislative aide and spoke in support of the position. Village Attorney Roget Bryan stated the position could be contractual.

**D. Discussion Regarding Funding for the Art District- Councilman Dennis Ward**

This item was heard at 7:13 PM.

Councilman Dennis Ward stated he and Village Attorney Roget Bryan met with Morada Way Art District representatives Henry Rosenthal, Dick Hagood, Dave Boerner, and Steve Kurtz regarding researching ways the Village could facilitate the art district becoming more self-sustaining. Village Attorney Roget Bryan stated one of the suggestions he proffered during the meeting was the possibility of a Dependent Special Taxing District which would have a special purpose and limited function. He provided examples of the various types of special taxing districts throughout the State of Florida. Mr. Bryan stated the special district would be a sub-set of the Village and stated there were various approaches for funding such as bonding and non-ad valorem assessments. Mr. Bryan stated that if the special district was created it would be a Village Art District with a Village focus. Councilman Ward stated Morada Way Art District representatives were very receptive to the idea. Village Attorney Roget Bryan explained a dependent district was a district of the Village and that the governing board would be the Council and an advisory board would exist for the art district that would provide recommendations to the Village Council. Mr. Bryan stated if the Council desired to discuss the item further he would provide additional information at a future meeting. Council expressed agreement for more information and a future discussion.

**E. Announcement: Honorary Bill Signing- Mayor Deb Gillis**

This item was heard at 7:21 PM.

Mayor Gillis stated that Governor Rick Scott would be in Key Largo for an Honorary Bill Signing for the Florida Keys Stewardship Act on Tuesday, July 26, 2016 at 4PM at Sundowners Restaurant. Mayor Gillis stated that Monroe County Board of County Commissioners (BOCC) Mayor Heather Carruthers would be presenting the BOCC's Everglades restoration resolution to the Governor at the bill signing. Mayor Gillis stated that she would also present Islamorada's Everglades restoration resolution to the governor.

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

#### **A. Update Regarding Elevated Mobile Pedestrian Crosswalk**

This item was heard at 7:24 PM.

Village Manager Maria Aguilar stated Kate DeLoach, Legislative Aide to Representative Holly Raschein, explained in an email that the Florida Department of Transportation (FDOT) was moving forward with the engineering and design phase of the mobile pedestrian crosswalk pilot project; and that permanent concrete foundations would be needed at each site. Ms. De Loach stated that due to the concrete foundation requirement, FDOT was requesting that municipalities work together to determine one site to suggest to FDOT to be the first location for the mobile crosswalk. Ms. Aguilar stated that the email indicated FDOT would move forward with the additional sites in the pilot.

Ms. Aguilar stated Ms. DeLoach was coordinating a conference call with staff from Monroe County, Marathon and Islamorada. She stated that she and Public Works Director Andrew Engelmeier would participate in the call; and that she would emphasize Islamorada's need given there are only two lanes of traffic compared to the other areas requested for crosswalk that had four lanes of traffic. Ms. Aguilar stated she was going to recommend Founders Park as the first location to test the mobile crosswalk.

Mayor Deb Gillis opened public comment.

Van Cadenhead urged the Council to consider placing permanent elevated crosswalks at Coral Shores High School and at Founders Park.

Mayor Deb Gillis closed public comment.

#### **B. Update Regarding Habitat for Humanity Lots**

This item was heard at 7:35 PM.

Director of Planning Cheryl Cioffari stated the Habitat Analysis had been conducted of the three parcels located at the corner of Monroe Drive and Overseas Highway. She stated the analysis identified the habitat as moderate quality hammock and that the analysis results had been communicated to Habitat for Humanity. Ms. Cioffari stated the lots were approximately 100 feet x 120 feet deep and were limited to 30 percent clearing with 70 percent going into conservation easement. Ms. Cioffari stated that with this information Habitat for Humanity would have to determine how many units could be placed on the parcels. She stated 12 affordable housing dwelling units per acre were permissible in the Highway Commercial (HC) zoning district. Councilman Mike Forster stated he asked a representative of Habitat for Humanity how much of the land would need to be cleared in order to build a duplex. He stated he was told 50 percent would need to be cleared to build a duplex. Councilman Forster asked if conservation land could be purchased and given to the Village with the caveat that a portion of the development rights would be taken from the conservation property and transferred to the three parcels being discussed. Director of Planning Cheryl Cioffari stated it had never been done; but that it may be a possibility with a 380 development agreement and with the State of Florida being a party to that agreement. Discussion ensued among Council regarding Habitat for Humanity's possible development plans; the need to have more clearing on the parcels; and the benefits of additional affordable housing.

#### **C. Update Regarding FDOT Review of Sea Oats Beach and the Fills (This item was added to the agenda)**

This item was heard at 7:27 PM.

Village Manager Maria Aguilar stated Environmental Resources Manager Susan Sprunt and Public Works Director Andrew Engelmeier participated in a conference call with the Florida Department of Transportation (FDOT) regarding a review of Sea Oats Beach and the Fills. She stated that the FDOT requested that the Village identify mangrove areas on the Fills that were located near access spaces to the water that the Village wanted to keep intact. Public Works Director Andrew Engelmeier stated that the

Florida Department of Transportation (FDOT) would be providing the Village with a copy of the plans from the current widening project. He stated the FDOT wanted the Village to: identify locations, on the plans, where the Village wanted to regrow mangroves in areas where the mangroves were close; indicate how the Village wanted to protect the mangroves while they were growing in; and indicate what the Village wanted to do with the access points of the wider areas (such as possibly adding articulated block for kayak launching). Mr. Engelmeyer stated the Council would want to discuss the options for protecting the shoreline. Discussion ensued among Council regarding establishing idle zones in the area to protect the shoreline. Ms. Aguilar stated that Public Works Director Andrew Engelmeyer requested FDOT provide more information regarding their request and that staff would approach the Village Council regarding a future workshop.

Councilman Dennis Ward inquired about the Village's emergency management preparedness. Village Manager Maria Aguilar stated the Village had contracts for debris removal, debris monitoring, and insurance and FEMA reimbursement assistance. Ms. Aguilar stated that she and Fire Chief Terry Abel determined that the State of Florida has emergency management teams that can provide services when needed.

#### **XV. ADJOURNMENT**

Councilman Chris Sante made a motion to adjourn. Councilman Dennis Ward seconded the motion. Council expressed agreement and the meeting adjourned at 7:48 PM.



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Kelly S. Toth  
Village Clerk

Approved by the Village Council this 11<sup>th</sup> day of August, 2016.