

**REVISED AGENDA**

**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

Any person who wishes to be heard shall provide the Clerk with his or her name and residence and the agenda item on which he or she wishes to be heard. Such information shall be on a card provided by the County. Once public input begins, there will be no further speaker cards allowed to be submitted to the Clerk for that subject. An individual has three minutes and a person representing an organization has five minutes to address the Board (except that individuals wishing to speak during public hearings pertaining to land use issues will have five minutes). The first person representing the organization will be allowed the five minutes. Subsequently, all other speakers on behalf of that organization have three minutes to address the Board. Once an individual has addressed the Board, he or she will not be permitted to return to the podium for follow-up comments, unless the issue involved is quasi judicial in nature. In that case, the applicant may return to the podium to conclude his or her position at the end of the public hearing.

**Please note that all time approximate items are listed in bold.**

Wednesday, February 20, 2008  
Key Largo Library  
Tradewinds Shopping Plaza  
101485 Overseas Highway  
Key Largo, Florida

9:00 A.M. Regular Meeting

10:00 A.M. Land Authority Governing Board

11:30 A.M. Fire & Ambulance District 1  
Board of Governors

3:00 P.M. Public Hearings

5:01 P.M. Public Hearings

**TIME APPROXIMATE**

**REGULAR MEETING**

9:00 A.M. CALL TO ORDER  
INVOCATION  
SALUTE TO FLAG

- A. ADDITIONS, CORRECTIONS, DELETIONS
  
- B. PRESENTATION OF AWARDS
  - 1. Presentation of Mayor’s Proclamation Proclaiming 2008 as the Year of the Key Largo Woodrat. [VIEW](#)
  - 2. Presentation of Mayor’s Proclamation Proclaiming February 23<sup>rd</sup>, 2008 as Rotary Day in Monroe County. [VIEW](#)
  
- C. BULK APPROVALS – **MAYOR McCOY**
  - 1. Approval of Landscape Maintenance Extension Agreement with Gardens of Eden, for landscape maintenance at the Key West International Airport [VIEW](#)
  - 2. Approval to renew the existing fuel contract with Dion Oil Company for delivery of diesel fuel and unleaded gasoline for one additional year. [VIEW](#)
  - 3. Approval to execute an Interlocal Agreement with the City of Marathon for utilization of the County meeting room in Marathon for 11 City Council meetings. [VIEW](#)
  - 4. Approval to enter into a Lease Agreement with Independent Mortgage and Finance Company, Inc., for office space at 600 Whitehead Street, Unit 201, Key West, for the 16<sup>th</sup> Judicial Circuit’s Mediation Program. [VIEW](#)
  - 5. Approval of receipt of monthly report on change orders reviewed by the County Administrator’s Office, and a list of change order requests submitted by contractors, and rejected by Engineering/Facilities Development. [VIEW](#)
  - 6. Approval of Contract Amendment No. 4 with William P. Horn Architects, P.A. for professional services for the construction of the Big Pine Key Fire Station. [VIEW](#)
  - 7. Approval of the wording on the dedication plaque for the Medical Examiner’s Facility. [VIEW](#)
  - 8. Approval to use District Two Transportation Impact Fees to construct two pedestrian bridges adjacent to Truman Bridge and (Plantation Island) Bridge no. 904603 on Duck Key. [VIEW](#)
  - 9. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
  - 10. Approval of the Fiscal Year 2009 Budget Timetable. [VIEW](#)
  - 11. Approval of inter-local agreement between Monroe County and the School Board of Monroe County to cooperate in support of “It’s Just 4 Kids, Inc.,” a Florida non-profit corporation, for County Fiscal Year 2008. [VIEW](#)
  - 12. Approval to extend the current General and Professional Liability Insurance with Lantana Insurance Ltd for Bayshore Manor and waiver of policy requiring going out for RFP. [VIEW](#)

C. BULK APPROVALS –CONTINUED

13. Approval to accept proposal from Marsh USA for Pollution Liability Insurance package through Indian Harbor Insurance Company. [VIEW](#)
14. Approval of a resolution establishing the option to advertise position vacancies in the newspaper publication which offers the most economical pricing and also meets statutory requirements. [VIEW](#)
15. Approval of Low Income Home Energy Assistance Program Federally Funded Subgrant Agreement Number 087EA-7B-11-54-01-019 between Monroe County Board of County Commissioners and the State of Florida, Department of Community Affairs for the provision of funds to pay electric bills for low income clients. [VIEW DELETE](#)
16. Approval of option to renew the lease agreement between the Monroe County Board of County Commissioners and the Big Pine Key Shopping Center, LLC, for the space in the Big Pine Key Shopping Center currently occupied by the Monroe County Public Library, for an additional three (3) years. [VIEW](#)
17. Approval of Amendment to Interlocal Agreement between Miami-Dade and Monroe Counties extending the term of the Interlocal Agreement to June 30, 2012. [VIEW](#)
18. Conceptual approval to enter into a long-term, no-cost lease with ITT Corporation (ITT) for an aeronautical equipment site at Florida Keys Marathon Airport. [VIEW](#)
19. ~~Approval of a 99 year Ground Lease Agreement between Monroe County and Gorman and Company, Inc. for Tavernier Parcel (RE #00488730).~~ Approval of a 99-year Ground Lease Agreement between Monroe County and Blue Water Workforce Housing, LLC for Tavernier Parcel (RE #00488730) [VIEW](#)
20. Approval of First Amendment to Ground Lease Agreement between Monroe County and Sea Grape Apartments, LTD, to extend the deadline to commence construction of Project. [VIEW](#)
21. Approval of Conservation Easement in favor of South Florida Water Management District for Sea Grape Apartments, LTD. [VIEW](#)
22. Approval to purchase seven (7) Turbo Draft Eductors and issue purchase order for \$17,465.00 to sole source provider Schutte & Koerting using Fire and EMS Impact Funds from Districts 1, 2 and 3. [VIEW](#)
23. Issuance of a Certificate of Public Convenience and Necessity (COPCN) to Atlantic/Key West Ambulance, Inc., d/b/a American Medical Response for the operation of an ALS transport ambulance service. [VIEW](#)

C. BULK APPROVALS –CONTINUED

24. Issuance of a Certificate of Public Convenience and Necessity (COPCN) to Monroe County Fire Rescue for the operation of an ALS transport ambulance service. [VIEW](#)
25. Approval to advertise a public hearing at the March 19, 2008 BOCC meeting for an ordinance adopting the uniform method of levying a non-ad valorem assessment for fire rescue services. [VIEW](#)
26. Approval of an Interlocal Agreement between Monroe County and the School Board of Monroe County, Florida (School Board) to reimburse the School Board up to \$20,248.00 for the actual cost of the planning meeting and preparation for the same, consultants, materials and participants provided for the all hazard and terrorist disaster planning meeting. This training was held on January 15, 2008 at the City of Marathon Fire Station, and was eligible under the Federally-Funded Subgrant Agreement 06-DS-3W-11-54-01-309. [VIEW](#)
27. Approval to advertise for a public hearing that will be held at the March 19, 2008 BOCC meeting at 3:00 PM, regarding the ratification of FDOT Grants 5310, 5316, 5317 that were previously approved by the BOCC on December 19, 2007. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Announcement of one vacant position on the Tourist Development Council District I Advisory Committee for an “At Large” appointment. [VIEW](#)
2. Announcement of one vacant position on the Tourist Development Council District V Advisory Committee for an “At Large” appointment. [VIEW](#)
3. Approval of a Resolution for Advance Registration; Booth Related Expenses and Travel Related Expenses for Trade Shows for FY 2009 to be paid from TDC funds in FY 2008. [VIEW](#)
4. Approval is requested to advertise TDC FY 2009 Capital Project RFP. [VIEW](#)
5. Approval to advertise TDC FY 2009 Destination/TurnKey Event RFP. [VIEW](#)
6. Approval of amendment of TDC Policies & Procedures (Section II of the Operations Manual) regarding the procedure for formulating the agenda for TDC meetings. [VIEW](#)

- E. STAFF REPORTS
  - 1. COMMUNITY SERVICES
  - 2. EMPLOYEE SERVICES
  - 3. PUBLIC WORKS
  - 4. EMERGENCY SERVICES
  - 5. AIRPORTS
  - 6. GROWTH MANAGEMENT
  - 7. ENGINEERING
  - 8. BUDGET & FINANCE
  - 9. HOUSING & COMMUNITY DEVELOPMENT
  - 10. TECHNICAL SERVICES

**ADJOURNMENT**

**11:30 A.M. F. FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS**

- 1. Report
- 2. Approval of Renewal Agreement effective from March 1, 2008 through February 28, 2009, between the Board of Governors of Fire and Ambulance District 1 of Monroe County Florida and Roy Khanna for maintenance of Fire Rescue vehicles (Ambulances) including inspections, preventative maintenance, and unscheduled maintenance and repairs resulting from failure or malfunction. [VIEW](#)

**ADJOURNMENT**

**1:30 P.M. G. BUDGET & FINANCE**

- 1. Discussion and Approval of reductions in fiscal year 2009 total funding amounts for applicants funded through Human Services Advisory Board (HSAB) recommendations and organizations funded directly by Board of County Commissioners, including Jacobs Aquatic Center and Florida Department of Health. [VIEW](#)

**ADJOURNMENT**

**10:00 A.M. H. LAND AUTHORITY GOVERNING BOARD**

- 1. Approval of minutes for the January 16, 2008 meeting. [VIEW](#)
- 2. Approval to purchase property for conservation.
  - a) Block 3, Lot 5, Silas Knowles subdivision on Big Pine Key. [VIEW](#)
  - b) Tract TK, Pine Key Acres subdivision on Big Pine Key. [VIEW](#)
  - c) Block 14, Lot 8, Bowens Addition to Riviera Village subdivision on Key Largo. [VIEW](#)
  - d) Block 3, Lots 9 and 10, Ramrod Shores Marina Section subdivision on Ramrod Key. [VIEW](#)

**ADJOURNMENT**

I. HOUSING & COMMUNITY DEVELOPMENT

1. Consideration of a request from the Middle Keys Community Land Trust (MKCLT) to utilize funds available within the Monroe County affordable and employee housing fair share impact fee trust fund for the purpose of paying impact fees in the amount of \$53,655 due by the MKCLT to the Village of Islamorada in relation to the development of Woods Corner, a 16-unit affordable/workforce community located in Islamorada. [VIEW](#)

J. DIVISION OF GROWTH MANAGEMENT – BULK APPROVALS

1. Approval of amendment #2, extending rate schedule to include the years 2008, 2009 and 2010, to the URS contract, which provides transportation planning services for the county, such as the annual travel time and delay study, and traffic impact studies, funded by a grant from the Florida Department of Transportation. [VIEW](#)
2. A ratification of Board action taken December 19, 2007 awarding allocation to Thomas Carl & Judy M. Rothdeutsch on Lot 6, Block 4, Port Pine Heights Subdivision, Big Pine Key, Real Estate Number 00289710.0000000 with corrective resolution. [VIEW](#)
3. Approval of a resolution reserving ten (10) affordable housing ROGO allocations for Monroe County sponsored project on four separate parcels in the unincorporated area of Monroe County and five (5) affordable housing allocations for Habitat for Humanity of the Upper Keys to be utilized at the Harbor Shores property. [VIEW](#)

K. MONROE COUNTY SHERIFF DEPARTMENT

1. Approval of request for expenditure from Law Enforcement Trust Fund. [VIEW](#)

L. COURT ADMINISTRATION

1. Approval for additional funding for the travel and expenses to be incurred by Thomas W. Ruff and Company, for assembly and installation of furnishings for the Freeman Justice Building. All funding will come from Court Facilities Fund not from the County general fund. [VIEW](#)

M. COMMISSIONERS' ITEMS

10:15 A.M.

1. COMMISSIONER SPEHAR – Approval of a Resolution recommending the State of Florida continue the level of funding necessary to maintain existing juvenile detention bed capacity and existing level of juvenile services and treatment at the Monroe Regional Juvenile Detention Facility and recommending the proposed detention bed capacity funding reductions proposed by the Governor for Fiscal Year 2008-09 for the Monroe Regional Juvenile Detention Facility not be pursued.. [VIEW](#)
2. **COMMISSIONER NEUGENT - Approval of a resolution by the County Commissioners of Monroe County, Florida renaming the Big Pine Key Senior Citizen Center the “Dallas MacDonald Senior Center”.** [VIEW](#)
3. COMMISSIONER NEUGENT - Approval of the reappointment of Stan Darczuk to the Florida Keys Council for People with Disabilities to expire 02/2011. [VIEW](#)
4. COMMISSIONER NEUGENT - A request of the Board of County Commissioners to direct Commissioner Neugent to seek input from the municipalities to obtain consensus to propose to State Representative Ron Saunders legislation that would allow Monroe County to create a one-penny sales tax to utilize for funding a \$350 million dollar un-funded mandate by the State of Florida to achieve AWT of Wastewater. [VIEW](#)
5. COMMISSIONER DiGENNARO - Approval of two reappointments to the Duck Key Security District Advisory Board of Mr. Gerald Fortier, and Mr. Dennis Kulig. [VIEW](#)
6. COMMISSIONER DiGENNARO - Approval of appointment of Mr. Dennis Wooten to the Duck Key Security District Advisory Board to fulfill term of R. J. Helbling. [VIEW](#)
7. COMMISSIONER DiGENNARO - Approval to appoint Frank Rego to the Tourist Development Council as the District 4 Representative. [VIEW](#)
8. **COMMISSIONER DiGENNARO - Report on Pigeon Key operations by Jim Rhyne, Executive Director, Pigeon Key Foundation.** [VIEW](#)
9. COMMISSIONER NEUGENT - A request of the Monroe County Board of Commissioners to support concerns of “life safety” issues that Key Largo Ocean Resort is currently experiencing and to be handled in the most expeditious way. [VIEW](#)

10:30 A.M.

N. COUNTY CLERK

1. Report
2. Official approval of the Board of County Commissioners minutes from the Special BOCC meeting of December 5 & Regular BOCC meeting of December 19, 2007 (previously distributed)

- N. COUNTY CLERK - CONTINUED
3. Approval of Warrants. [VIEW](#)
  4. Approval of Tourist Development Council Expenditures for the month of January, 2008. [VIEW](#)
  5. Approval to remove surplus equipment from inventory via disposal. [VIEW](#)
- O. COUNTY ADMINISTRATOR
1. Report
  2. Approval and announcement of a special BOCC meeting on March 27, 2008, 10:00 a.m. at the Harvey Government Center in Key West for the purpose of discussion and action on further budget reduction options. [VIEW](#)
- P. COUNTY ATTORNEY
1. Report
  2. Approval to advertise a public hearing for an Ordinance to impose a ninth-cent local option motor and special fuel (“gas”) tax. [VIEW](#)
  3. Approval to advertise a public hearing for an Ordinance to impose a five-cent local option motor and special fuel (“gas”) tax; to clarify the statutory authority for the existing six-cent “gas” tax, and to revise the distribution language for the existing “gas” tax since municipalities have incorporated since the prior ordinance was enacted. [VIEW](#)
  4. Approval of Waiver of Bid Procedure for subcontracted emergency repair work performed at the Marathon Airport terminal. [VIEW](#)
  5. Approval of November 9, 2007 invoice in the amount of \$30,285.27 from Paul Hastings for services regarding Galleon v. Monroe County, Case No. 2004-CA-02-595-K. [VIEW](#)
  6. Approval of October 16, 2007 revised invoice in the amount of \$40,683.11 from Paul Hastings for services regarding Galleon v. Monroe County, Case No. 2004-CA-02-595-K (Item Q6 – tabled 12/19/07 BOCC – previous amount \$41,296.50). [VIEW](#)
  7. Approval of the unanimous recommendation from the Contractor’s Examining Board to reappoint the following members for another term on the Board: Mr. Joseph Vetrick, as a regular member; Ms. Peggy J. Bankester, as a regular member; and Mr. Frank Toppino, as an alternate member. [VIEW DELETE](#)
  8. Approval of the Settlement Agreement with Robert E. Spencer and Wanda Spencer in Code Enforcement Case CE05020330 in the amount of \$658.50. [VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

9. Approval of lease with MW & JC, LLC, and of Amendment to Core Contract with Monroe County Health Dept., to provide for premises at 3134 Northside Drive to be used by Health Department for use as a clinic. [VIEW](#)
10. Approval to rescind the Board's approval of the Amendment to Agreement between Jerry Coleman, P.I. and Monroe County, Florida on 12/19/2007. [VIEW](#)
11. Approval of the unanimous recommendation from the Contractor's Examining Board to reappoint the following members for one (1) additional three (3) year term on the Contractor's Examining Board: Mr. Joseph Vetrick, as a regular member, new term to begin May 1, 2008; Ms. Peggy J. Bankester, as a regular member, new term to begin May 1, 2008; and Mr. Frank Toppino, as an alternate member, new term to begin May 1, 2008. [VIEW](#)
12. Approval of amendment to legal services agreement with the firm of Paul, Hastings, Janofsky & Walker to reflect new hourly rates and additional time keepers and authorization for staff to execute. [VIEW](#)
13. Authority to negotiate a contract with Key Largo Wastewater Treatment (KLWTD) to enable early connection to the wastewater system, rather than to build a separate temporary wastewater system for the Murray E. Nelson Building. [VIEW](#)
14. Discussion and vote on whether or not to accept a Purchase and Sale Agreement for the Hickory House property. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS

1. A public hearing to consider a request for Administrative Relief for Greg C. Crum on Lot 5, Block 5, South Creek Village, Key Largo, real Estate Number 00467300.000000. [VIEW](#)
2. A public hearing to consider a request for Administrative Relief for Gregory O. & Diana A. Pardo on Lot 10, Block 5, Largo Sound Village, Key Largo, Real Estate Number 00474780.000000. [VIEW](#)
3. A public hearing to consider a request for Administrative Relief for Gregory O. & Diana A. Pardo on Lot 9, Block 3, Largo Sound Village, Key Largo, Real Estate Number 00474370.000100. [VIEW](#)
4. A public hearing to consider a request for Administrative Relief for Gregory O. & Diana A. Pardo on Lot 10, Block 3, Largo Sound Village, Key Largo, Real Estate Number 00474370.000200. [VIEW](#)

3:00 P.M.

**Q. PUBLIC HEARINGS - CONTINUED**

5. A public hearing to consider a request for Administrative Relief for Gregory O. & Diana A. Pardo on Lot 11, Block 3, Largo Sound Village, Key Largo, Real Estate Number 00474370.000300. [VIEW](#)
6. A public hearing to consider a request for Administrative Relief for Gregory O. & Diana A. Pardo on Lot 12, Block 3, Largo Sound Village, Key Largo, Real Estate Number 00474370.000400. [VIEW](#)
7. A public hearing to consider a request for Administrative Relief for Rene & Fradys Castillo on Lot 9, Block 1, Lime Grove Estates Section 1, Key Largo, Real Estate Number 00485210.000000. [VIEW](#)
8. A public hearing to consider a request for Administrative Relief for Manuel & Kristine Barrios on Lot 3, Block 1, Lime Grove Estates Section 1, Key Largo, Real Estate Number 00485140.000100. [VIEW](#)
9. A public hearing to consider a request for Administrative Relief for John & Cornelia Root on Lots 11 & 12, Block 7, Twin Lakes, Key Largo, Real Estate Number 00548840.000000. [VIEW](#)
10. A public hearing to consider a request for Administrative Relief for James A. Sample IV on Lot 5, Block 9, Largo Sound Park, Key Largo, Real Estate Number 00471940.000100. [VIEW](#)
11. A public hearing to consider a request for Administrative Relief for Jose L. & Rebecca J. Zambrana on Lot 34, Block 4, Bluewater Trailer Village Section 4, Key Largo, Real Estate Number 00489136.018000. [VIEW](#)
12. Approval of an ordinance modifying Chapter 5.5, Article III, Monroe County Code concerning water-borne craft, establishing No Discharge Zone regulations for water-borne craft, providing penalties for violations, providing for repeal of all ordinances inconsistent herewith, providing for incorporation into the Monroe County Code of ordinances, and providing for an effective date. [VIEW](#)
13. A public hearing to consider transmittal of a proposed amendment to the 2010 Monroe County Comprehensive Plan amending the text of the Educational FLUM category; amending policies 101.4.11 and 101.4.21; and allocating residential density to the Education Future Land Use Category. [VIEW](#)
14. A public hearing to consider the transmittal of an amendment to the 2010 Monroe County Comprehensive Plan that would allow density calculation on the basis of gross density of the parcel, instead of the net, buildable area as currently calculated. [VIEW](#)

- 3:00 P.M. Q. PUBLIC HEARINGS - CONTINUED**
- 15. A public hearing to consider an ordinance adopting amendments to the Monroe County Land Development Regulations to revise Section 9.5-4 entitled “Essential Services Personnel” and “Workforce Housing” and adding definitions. [VIEW](#)**
  - 16. A public hearing to consider an amendment to the Land Development Regulations for Monroe County concerning a lawfully established and equitably vested resale price for deed restricted affordable housing; revising section 9.5-4 to define the lawfully established and equitably vested resale price to be applied to sale and re-sale prices of deed restricted affordable housing. (Staff is requesting that this item be continued to the March BOCC meeting in Marathon) [VIEW](#)**
- 5:01 P.M. R. PUBLIC HEARINGS**
- 1. A Public Hearing to consider approval of a resolution for a Budget Amendment of Fiscal Year 2008 Local Housing Assistance Fund 153. [VIEW](#)**

ADA Assistance: Anyone needing special assistance at the Board of County Commissioners’ meeting due to a disability should contact the County Administrator’s office at 292-4441 by 12:00 p.m. on Friday, February 15, 2008.