

**FINAL 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 21, 2007

Key Largo Library

Tradewinds Shopping Plaza

101485 Overseas Highway

Key Largo, Florida

8:30 P.M. Closed Session

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**

8:30:00 A.M. CALL TO ORDER  
INVOCATION  
SALUTE TO FLAG

A. CLOSED SESSION

1. A Closed Executive Session of the Board of County Commissioners in the matter of Nellie Lightner v. Monroe County, CA P 06-562, ~~at a future date, time and location to be determined by the BOCC.~~ [VIEW](#)

B. ADDITIONS, CORRECTIONS, DELETIONS

C. PRESENTATION OF AWARDS

1. Proclamation of March 2007 as “Seagrass Awareness Month” [VIEW](#)
2. Presentation of Mayor’s Proclamation recognizing February 24<sup>th</sup> as Pace Center for Girls Week. [VIEW](#)

D. BULK APPROVALS – COMMISSIONER McCOY

1. Approval to pay Royal Plus Disaster Kleenup in the amount of \$536,454.79. [VIEW](#)
2. Approval of Purchase Service Order with URS to prepare plans and specifications to trim growth in the runway approach to meet FAA requirements. [VIEW](#)
3. Approval of Landscape Maintenance Extension Agreement with Gardens of Eden, for landscape maintenance at the Key West International Airport. [VIEW](#)
4. Approval to pay Ten-8 Fire Equipment an additional \$5,118.56, for repair to the water tank on the Airports Oshkosh T6 fire truck, which was damaged by hurricane Wilma. [VIEW](#)
5. Approval to award bid and purchase two (2) tree/brush chippers from Florida Coast Equipment in the total amount of \$73,580.00. [VIEW](#)
6. Approval to award bid and purchase two (2) new mid-size crew cab dump trucks from Autoway Ford in the total amount of \$85,140.00. [VIEW](#)
7. Approval to extend the current Fuel Contract with Dion Oil Co. on a month to month basis. [VIEW](#)
8. Rescind approval given at the August 16, 2006, item D-22, “to rescind an existing lease agreement with one month remaining with Deputy Dawn Leird for one-half of the duplex located at the Marr Property, Key Largo and approval to enter into a one-year revised residential lease agreement with a Deputy recommended by the Monroe County Sheriff to resident in the vacated side of the duplex located at the Key Largo Community Park.” Approval to accept early termination of lease and “forgive” Sgt. Leird the August 2006 rent in the amount of \$229.06 due on her lease which was expiring August 31, 2006 since she was not in residence for the last month of her lease. [VIEW](#)

D. BULK APPROVALS – CONTINUED

9. Approval to execute a title transferring ownership of a mobile home donated to Monroe County by Habitat for Humanity from Habitat for Humanity to Monroe County and, after receipt of title, to demolish and remove the mobile home from our Rockland Key Public Works site. [VIEW](#)
10. Approval to enter into a Lease Agreement with Independent Mortgage and Finance Company, Inc., for the 16<sup>th</sup> Judicial Circuit's Mediation Program office space, Unit 201. [VIEW](#)
11. Approval to advertise a request for qualifications (RFQ) for bridge repair design services for Duck Key bridges. [VIEW](#)
12. Approval of Amend contract with Coastal Marine Construction, Inc. for repairs to five Card Sound Road Bridges to clarify date of commencement of contract. [VIEW](#)
13. Approval to award bid and enter into a contract with Pedro Falcon Electrical Contractors, Inc. for the construction of the Big Pine Key Park and Community Center. [VIEW](#)
14. Approval to award bid and enter into a contract with Hendry Corporation for the Higgs Beach Pier Emergency Dock Repair. [VIEW](#)
15. Approval to enter into a contract with Thomas Brian Virgin for Art in Public Places at the N. Key Largo Fire Station. [VIEW](#)
16. Approval to negotiate a contract with MBI/K2M Architecture for the Americans with Disabilities Act (ADA) Compliance Assessments for County Facilities and Roads. [VIEW](#)
17. Approval to award contract to Clemons Rutherford & Associates, Inc., (CRA) for the planning, design, and Construction Administration services for the renovations to, or the replacement of, the Judge Jefferson B. Browne Courtroom Complex. [VIEW](#)
18. Approval by Resolution to enter into a Joint Participation Agreement (JPA) with Florida Department of Transportation (FDOT) to provide \$750,000 to fund a temporary ferry service from the City of Marathon to Pigeon Key. [VIEW](#)
19. Approval of a contract amendment with Matthew Fowler, Architect and Thomas Timmins P.E. for Architectural services for the renovation of the Tavernier Fire Station. [VIEW](#)
20. Approval to Rescission of contract between Monroe County and Parsons Brinckerhoff Construction Services, Inc. for construction engineering and inspection services for Card Sound Road Bridge repairs that was awarded on December 20, 2006 and approval of new contract that clarifies hourly rates and contract period. [VIEW](#)
21. Approval of the Receipt of monthly report on Change Orders reviewed by the County Administrator's Office. [VIEW](#)

D. BULK APPROVALS – CONTINUED

22. Approval of Contract with Charley Toppino & Sons, Inc, for the completion of Public Aircraft Parking Aprons project at the Florida Keys Marathon Airport. [VIEW](#)
23. Approval of an Amendment to Lease Agreement with Tony D’Aiuto, d/b/a Antique Aircraft Restoration, regarding funding responsibility to construct the east General Aviation apron at the Florida Keys Marathon Airport. [VIEW](#)
24. Approval of an Amendment to Lease Agreement with Grantair Service, Inc., regarding funding responsibility to rehabilitate the west General Aviation apron at the Florida Keys Marathon Airport. [VIEW](#)
25. Approval for the Greater Marathon Chamber of Commerce to occupy a 16’x16’ space at the Florida Keys Marathon Airport terminal to establish a Welcome Center, on a month-to-month basis at no cost for one year, effective February 1, 2007. [VIEW](#)
26. Approval of Resolution to authorize the waiver of building permit and application fees for the Islander Village and Park Village affordable housing developments. [VIEW](#)
27. Approval to Award Bid to Sherry Frey dba Sherry’s Cleaning Service to provide Janitorial Services at Florida Keys Marathon Airport. [VIEW](#) ~~DELETE~~
28. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
29. Approval to renew Buccaneer Courier contract for 3<sup>rd</sup> year of original 4 year contract to cover period from March 16, 2007 thru March 15, 2008. [VIEW](#)
30. Approval of the Fiscal Year 2008 Budget Timetable. [VIEW](#)
31. Approval of amendment to contract with the Guidance Clinic of the Middle Keys, replacing Attachment C, which concerns subcontracted Baker/Marchman Act transportation. [VIEW](#)
32. Approval of various special revenue budgets for the Sheriff for the Fiscal Year beginning October 1, 2006 and ending September 30, 2007 in accordance with F.S. chapter. [VIEW](#) ~~DELETE~~
33. Approval to convert Temporary Part-Time Nutrition Site Assistant position to Permanent Part-Time Nutrition Site Assistant position (Grant funded). [VIEW](#)
34. Approval to advertise for bids for the operation of the Key Largo Animal Control Shelter. [VIEW](#)
35. Approval of Amendment to Agreement between Monroe County Board of County Commissioners and Humane Animal Care Coalition, Inc., extending their current Agreement for up to three (3) additional months. [VIEW](#)

D. BULK APPROVALS – CONTINUED

36. Approval of a Resolution allowing veterinarians to retain \$5.00 (10%) of the litter license fee of \$50.00 as an incentive to participate in the litter licensing process. [VIEW](#)
37. Approval of Low Income Home Energy Assistance Program Federally Funded Subgrant Agreement 07EA-65-11-54-01-019 between Monroe County Board of County Commissioners and the State of Florida, Department of Community Affairs, for the provisions of funds to pay electric bills for low income clients. [VIEW](#)
38. Approval to enter into a one-year residential lease agreement with Deputy Patricia Garcia to reside in Unit B of the duplex located at the Key Largo Community Park. [VIEW](#)

E. TOURIST DEVELOPMENT COUNCIL

1. Approval of an Amendment to Agreement with MetroMedia Marketing, Inc. to revise dates the production of Ladies Let's Go Fishing! Islamorada. [VIEW](#)
2. Approval is requested for revisions to the Monroe County Tourist Development Council Cultural Umbrella Event Funding Application. [VIEW](#)
3. Approval of a resolution to provide additional advance registration, booth-related expenses and travel-related expenses for trade shows for the fiscal year 2008 to be paid from Tourist Development Council funds in fiscal year 2007. [VIEW](#)
4. Approval if requested to advertise a Request for Qualifications for European Sales Agency Services for Monroe County Tourist Development Council. [VIEW](#)

F. 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. G. FIRE & AMBULANCE DISTRICT 1  
BOARD OF GOVERNORS**

- 1. Report**
- 2. Approval to award bid and enter into an agreement between Board of Governors Fire and Ambulance District 1 of Monroe County and Roy Khanna for maintenance of Fire Rescue ambulances, including quarterly inspections, preventative maintenance, and unscheduled maintenance resulting from malfunction or failure. [VIEW](#)**

**ADJOURNMENT**

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

- 1. Approval of minutes for the January 17, 2007 meeting. [VIEW](#)**
- 2. Approval to purchase Block 1, Lots 12 and 13, Ramrod Shores Marina Section for conservation. [VIEW](#)**
- 3. Presentation on the Land Authority's affordable housing program. [VIEW](#)**

**ADJOURNMENT**

**I. DIVISION OF GROWTH MANAGEMENT – BULK APPROVALS**

- 1. Approval to reappoint Gary Centonze to one (1) additional three (3) year term to the Contractors' Examining Board beginning February 2007. [VIEW](#)**
- 2. Approval to reappoint Jonathan Barth to one (1) additional three (3) year term to the Contractors' Examining Board beginning February 2007. [VIEW](#)**

**J. MONROE COUNTY SHERIFF DEPARTMENT**

- 1. Approval of a Request for expenditure from Law Enforcement Trust Fund. [VIEW](#)**
- 2. Approval of an MOU between the Monroe County Sheriff's Office and Monroe County Board of County Commission to apply for reimbursement of funds from the USAI Grant / Homeland Security Office of Domestic Preparedness with the City of Miami. The County share (\$156,360.00) has been used to purchase communications equipment for the Sheriff's Office. [VIEW](#)**

K. MONROE COUNTY HOUSING AUTHORITY

1. Approval of a Resolution of the Board of County Commissioners of Monroe County, Florida adopting an amendment to the Monroe County Local housing Assistance Plan (LHAP) for State of Florida Fiscal Years 2004-2005, 2005-2006, 2006-2007, approving the deletion of the shared appreciation provision for properties utilizing affordable housing permits. [VIEW](#)
2. Approval of a Resolution of the Board of County Commissioners of Monroe County, Florida adopting an amendment to the Monroe County State Housing initiatives partnership (SHIP) program housing rehabilitation strategy, adding moderate income households to the eligible income levels. [VIEW](#)

L. MONROE COUNTY HEALTH DEPARTMENT

1. Approval of a Resolution authorizing the Monroe County Health Department to establish clinical fees for primary care services offered as set forth in Exhibit A attached to and made a part of the resolution. [VIEW](#)

M. COMMISSIONERS' ITEMS

1. **MAYOR DI GENNARO** – Discussion to issue an RFP for vending machine providers in County buildings. [VIEW](#)
- 1:30 P.M. 2. **COMMISSIONER MURPHY** – Approval of a Request that the BOCC commemorate the spirit, actions and services of Rosemary Lipps Olds for her decades of stewardship of “Rosemary’s Corner” in Tavernier by officially naming this triangle “Rosemary’s Corner.” [VIEW](#)
- 2:00 P.M. 3. **COMMISSIONER MURPHY** - Discussion and approval of Human Services Advisory Board funding for 2007-08. [VIEW](#)
- 10:30 A.M. 4. **COMMISSIONER MURPHY** - Presentation by Hal Heim concerning the use of colored dividers on the 18 mile stretch reconstruction project. The Florida Department of Transportation will consider use of a color additive if there is community interest from the citizens of Monroe County. [VIEW](#)
5. **COMMISSIONER NEUGENT** - Report from the Marine Resource Department on the status of Hurricane Wilma canal cleaning and the repair to County/State boat ramps. [VIEW](#)
6. **COMMISSIONER NEUGENT** - A request from the Board of County Commissioners to express support to the Department of Community Affairs for the Big Pine Neighborhood Charter School, Inc. to expand its student outreach to include PreK through 8<sup>th</sup> grades. [VIEW](#)
7. **MAYOR DI GENNARO** - Discussion regarding beautification and maintenance of landscaping at Florida Keys Marathon Airport Terminal Building.

N. COUNTY CLERK

1. Report
2. Official approval of the Board of County Commissioners minutes from the Special Meeting of December 8, 2006 and Regular Meeting of December 20, 2006. (previously distributed)
3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of January, 2007. [VIEW](#)
5. Approval to advertise surplus equipment for bid and approval to remove surplus equipment from inventory via disposal and salvage. [VIEW](#)

O. COUNTY ADMINISTRATOR

1. Report
2. Approval of revised Administrative Procedures for the Board of County Commissioners. [VIEW](#)
3. Approval of the appointment of Commissioner Spehar to the Key West Airport Ad hoc Committee. [VIEW](#)
4. Approval to correct sciveners errors and include omitted exhibit, Fixed Asset Listing for Fiscal Year 2006, which was to be attached and made a part of the Inter-local Agreement with the Monroe County Sheriff's Office for Consolidation and Management of Emergency Communications which was approved by the Board on 12/20/06 (Agenda Item O-6). [VIEW](#)
5. Approval of Memorandum of Agreement with the City of Key West for employee training services. [VIEW](#)

P. COUNTY ATTORNEY

1. Report - (Written Litigation Included) [VIEW](#)
2. Approval of consulting agreement with K. Marlene Conaway to provide expert witness testimony in the matter of Florida Keys Citizens Coalition, et al. v. Dept. of Community Affairs and Monroe County, DOAH 06-2449. [VIEW](#)
3. Approval of the Consent to Assignment of the Lease Agreement for the West Bay of Hangar One at the Florida Keys Marathon Airport from Robert Defield, Assignor, to David Rice, Assignee. [VIEW](#) ~~DELETE~~
4. Approval of Legal Services Agreement Between Monroe County and Aronovitz Trial Lawyers and Freed & Weiss, LLC to file suit

against Hotels.com and similar entities to recoup unpaid bed taxes.  
[VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

5. Approval of Fourth and Fifth Amended Settlement Agreements in Richard M. Osborne & Conch Contrada LC v. Monroe County & Joe Paskalik, CA K 01-108 granting another one-year deferral of the proposed development through the end of ROGO Year 16 (July 14, 2007 to July 13, 2008). [VIEW](#)
6. Approval of contract with Paul, Hasting, Janofsky & Walker to represent Monroe County in matter of Emmert v. Monroe County, CA P 02-520 retroactive to 2/1/06 and approval of payment in the amount of \$51,069.10 for work performed to date. [VIEW](#)
7. Approval of payment of invoices from Paul, Hasting, Janofsky & Walker totaling \$121,250.14 for work performed on Collins v. Monroe County, CA M 04-379. [VIEW](#)
8. Ratification of agreement with Division of Administrative Hearings to provide a hearing officer to serve as the Code Enforcement Special Magistrate. [VIEW](#)
9. Termination of agreement with Thomas Wright, P.A. [VIEW](#)
10. Ratification of termination of agreement with J. Jefferson Overby . [VIEW](#)
11. Approval of Settlement Agreement to resolve potential lawsuit by Lloyd Good regarding transferability of development rights. [VIEW](#)
12. Approval to advertise and hold one (1) public hearing to consider approval of an ordinance amending Section 11-7, Monroe County Code, regulating wrecker operators requested by law enforcement to provide vehicle towing and storage services, increasing rates and recognizing changes in municipalities. [VIEW](#)
13. Approval to advertise Request for Qualifications for a company to provide probation services for the County Court system in misdemeanor cases; and to allow Providence Community Corrections, Inc. to continue to provide such services on a month to month basis during the selection process. [VIEW](#)
14. Approval of First Amendment to Agreement for legal services dated July 19, 2006 between Monroe County and Gray Robinson, P.A. [VIEW DELETE](#)
15. Approval of settlement agreements with Eager Family Trust and Calusa Campground Condominium Association and authorization for Growth Management Director to execute same on behalf of the County. [VIEW DELETE](#)
16. Update and discussion of lease status with Pigeon Key Foundation, Inc. [VIEW](#)
17. Approval to schedule and advertise an Attorney-Client Closed Session of the Board of County Commissioners in the matter of

EEOC v. Monroe County, Case No. 510-2006-04265 for the regularly scheduled BOCC meeting to be held March 21, 2007. [VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

18. Approval to schedule and advertise an Attorney-Client Closed Session of the Board of County Commissioners in the matter of Lloyd Good v. Monroe County, Case No. CA K 01-977 for the regularly scheduled BOCC meeting to be held March 21, 2007. [VIEW](#)
19. Discussion of ongoing problems with Pavers & Stone, Inc., the contractor hired by the County, to provide the exterior finish for the Freeman Justice Center. The contractor has been unable to provide a bond or alternative as required by contract and by Florida Statute. The Board of County Commissioners should make a determination to terminate the contract or not and, if the contract is terminated, what to do in the alternative. [VIEW](#)
20. Approval of Interlocal Agreement with the City of Key West. [VIEW](#)
21. Approval of an Amendment to an Interlocal Agreement with City of Key Colony Beach (City), providing for reduced payment of impact fees for fire and deletion of payment of impact fees for reads, contingent upon acceptance by City of a quitclaim deed of Sadowski Causeway, and authorization for the Mayor to execute a quitclaim deed in substantially the form of the attached agenda item upon a legal description being approved by the County Engineer and the County Attorney. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS

1. A public hearing to consider a request for Administrative Relief for Paul Kade of Key Largo Beach, Lot 23 Blk 2 Key Largo, Real Estate Number 00501780.000000. [VIEW](#)
2. A public hearing to consider a request for Administrative Relief for Brian J. Nemeth of Key largo Beach, Lot 7, Block 13, Key Largo Beach Addition, Key Largo, Real Estate Number 00503380.000000. [VIEW](#)
3. A public hearing to consider a request for Administrative Relief for Dean Parkinson Lot 18, Blk 1, Ocean Isles Estates, Key Largo, real Estate Number 00538240.000000. [VIEW](#)
4. A public hearing to consider a request for Administrative Relief for Felix Perez of Lot 5, Block 10 of Twin Lakes, Key Largo, Real Estate Number 00549370.000000. [VIEW](#)
5. A public hearing to consider a request for Administrative Relief for David Roland of Bahia Mar Estates, Lots 7 & 8,

**Block 8 Key Largo, Real Estate Number 00544690.000000 & 00544700.000000. [VIEW](#)**

**5:01 P.M. R. PUBLIC HEARINGS**

- 1. A public hearing to consider the request of Northstar Resort Enterprises Corp. to amend the Land Use District Map Amendment from Sub Urban commercial (SC) to Mixed Use (MU) for a portion of the property legally described as Island of Key largo, Pt. Lots 5-12-13, Section 6, Township 61S, Range 40E, Monroe County, Florida, having Real Estate Number: 00083970.000000 in accordance with Map 1 as attached hereafter. This parcel is split between three (3) Land Use Districts. The Sub Urban Residential (SR) and Native Area (NA) portions of the parcels shall remain unchanged. (one public hearing required) [VIEW](#)**
- 2. A Public Hearing to consider approval of a resolution for a Budget Amendment for the General Fund 001, Uninc Svc Dist Parks & Recreation Fund 147, and Planning, Building, and Zoning Fund 148. (one public hearing required) [VIEW](#)**
- 3. A Public Hearing to consider approval of a resolution for a Budget Amendment for the Miscellaneous Special Revenue Fund 158, and the 911 Enhancement Fund, 150. (one public hearing required) [VIEW](#) ~~DELETE~~**

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 16, 2007.