

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, April 18, 2007
The Harvey Government Center
at Historic Truman School
1200 Truman Avenue
Key West, Florida

9:00A.M. - Regular Meeting

10:00 A.M .- Land Authority Governing Board

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. Proclamation declaring Week of June 29 - July 5, 2007 as National Clean Beaches Week. [VIEW](#)
2. Proclamation declaring Week of April 22-28, 2007 as National Crime Victims' Rights Week. [VIEW](#)
3. Proclamation declaring Tuesday, May 1, 2007 as Law Day USA. [VIEW](#)
4. Proclamation declaring April 2007 as Water Conservation Month. [VIEW](#)
5. Proclamation declaring April 24, 2007 as Equal Pay Day. [VIEW](#)
6. Proclamation declaring April 2007 as Fair Housing Month [VIEW](#)
7. Presentation of the 2006 Employee of the Year Award to Beth Leto, Assistant Director, Public Works Division. [VIEW](#)
8. Presentation of Employee of the Month award for February 2007, to Norma Edwards, Personal Care Provider, In-Home Services Program, Social Services Department, Community Services Division. [VIEW](#)
9. Proclamation declaring May 10, 2007 as World Lupus Day. [VIEW](#)
10. Proclamation declaring May 14 - 20, 2007 as Salvation Army Week. [VIEW](#)

C. BULK APPROVALS - MAYOR DI GENNARO

1. Approval of a Joint Participation Agreement with the Florida Department of Transportation for 100% funding for Security Requirements at the Key West International Airport. [VIEW](#)
2. Approval of Purchase Service Order with URS, for General Consulting Services for the Key West International Airport, and the Florida Keys Marathon Airport. [VIEW](#)
3. Approval to award bid and execute a contract with Kleen Master, Inc. to provide Janitorial Services at Florida Keys Marathon Airport, in the amount of \$25,500.00 per year. [VIEW](#)
4. Approval of Lease Agreement with General Services Administration for Transportation Security Administration baggage screening personnel to utilize office space at Florida Keys Marathon Airport, effective May 1, 2007. [VIEW](#)
5. Approval of Cooperative Agreement with National Weather Service for Aviation Weather Observations. [VIEW](#)
6. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
7. Approval to amend The Fiscal Year 2007 Capital Plan funding allocations for One Cent Infrastructure Sales Tax (Fund 304) and Approval of a resolution for the transfer of funds within said plan. [VIEW](#) DELETE
8. Approval of a Resolution authorizing the Mayor to execute an EMS County Grant Application and related Request for Grant

Fund Distribution to the State of Florida Department of Health, Bureau of Emergency Medical Services. [VIEW](#)

C. BULK APPROVALS - CONTINUED

9. Approval of a Memorandum of Understanding between Monroe County and Marathon H.M.A., Inc., D/B/A Fisherman's Hospital to reimburse the Hospital up to \$1,500.00 for the actual cost of their off-duty employees' services. These services were provided during a disaster drill held at the Marathon Airport on February 8th, 2007. [VIEW](#)
10. Approval of an Application for Funding Assistance reference #2007-LETP-112 with the Florida Department of Law Enforcement (FDLE) concerning a Law Enforcement Terrorism Prevention Program Grant in the amount of \$100,000.00; and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
11. Approval to award bid and waive technicalities to Humane Animal Care Coalition, Inc. and approval of Contract between Humane Animal Care Coalition, Inc. and Monroe County Board of County Commissioners to operate the Key Largo Animal Control Shelter in the amount of \$264,761. [VIEW](#)
12. Approval for the Florida Keys Council for People with Disabilities to hold a Conference/Seminar on "Serving people who are Deaf or Hard of Hearing - Issues and Answers for the Florida Keys", May 21, 2007, 8:30 AM - 5:00 PM, at the Harvey Government Center, authorization to spend up to \$15,000 to be paid from Disabled Parking Fines, and authorization for the entire Conference/Seminar to be video taped for future showing on Monroe County Channel 76. [VIEW](#)
13. Approval of a Resolution by the Board of County Commissioners to request that the City of Marathon either commit to the joint project of building a combined Marathon City Hall and a Marathon Branch of the Monroe County Library, as previously agreed to, or to provide suitable land for the Library portion of the project to the County. [VIEW](#)
14. Replacement of Fee Schedules for Consulting Agreement with SCS Engineers for contract years 8/1/05-7/31/06 and 8/1/06-7/31/07. [VIEW](#)
15. Approval of an Amendment to Agreement with The Guidance Clinic of the Middle Keys, Inc. for wastewater treatment processing from the Marathon Detention Facility. [VIEW](#)
16. Approval to renew a contract with Dependable Janitorial and Building Maintenance, Inc. for janitorial service at the Big Pine Key Library, Big Pine Key, Florida. [VIEW](#)

C. BULK APPROVALS - CONTINUED

17. Approval to renew a contract with Dependable Janitorial and Building Maintenance, Inc. for janitorial service at the Marathon Library, Marathon, Florida. [VIEW](#)
18. Approval to renew a contract with Dependable Janitorial and Building Maintenance, Inc. for janitorial service at the Islamorada Library, Islamorada, Florida. [VIEW](#)
19. Approval to renew a contract with Dependable Janitorial and Building Maintenance, Inc. for janitorial service at the Key Largo Library, Key Largo, Florida. [VIEW](#)
20. Approval to award bid and purchase one (1) Tree Trimming Aerial Bucket Truck from Atlantic Truck Center in the total amount of \$132,140.00, and approval of a Resolution transferring funds. [VIEW](#)
21. Approval to award fuel contact to low bidder Dion Oil Co. and authorize Mayor to execute same. [VIEW](#)
22. Approval to transfer title to County vehicle number 0920-493 (serial number 1B7HC16X3XS218999) to the Pigeon Key Foundation. [VIEW](#)
23. Approval of Contract Renewal with General Asphalt Co., Inc., for purchase and delivery of asphalt at a fixed price to Monroe County, Florida. [VIEW](#)
24. Approval of Receipt of monthly report on Change Orders reviewed by the County Administrator's Office. [VIEW](#)
25. Approval to renew the annual contract for MBI/K2M Architecture, Inc. for Architectural Services for Monroe County construction projects where construction costs do not exceed \$1,000,000.00. [VIEW](#)
26. Approval to advertise a Request For Qualifications for Engineering Services associated with Stormwater Management. [VIEW](#)
27. Approval for ratification of previous purchase for 70 Dell Optiplex 210 Computers, and upgraded to 70 Dell GX 520 Computers with Gold Support. [VIEW](#)
28. Approval to accept renewal with Arthur J. Gallagher to provide Liability Insurance for Bayshore Manor with Lantana Insurance Company at an annual premium of \$17,506.86. [VIEW](#)
29. Approval to pay \$209,425 renewal premium to Citizens Property Insurance Corporation for Windstorm Insurance Policy. [VIEW](#)
30. Approval to accept proposal from Marsh USA for Property Insurance package through Lexington Insurance Company and Landmark American Insurance Company not to exceed a premium of \$610,000.00. Marsh is continuing their efforts to obtain more favorably priced insurance. It is also being requested that authority

be granted to Risk Management to accept an alternative proposal from Marsh if it is believed to provide equal or superior coverage for a lower premium. [VIEW](#)

C. BULK APPROVALS - CONTINUED

31. Approval of Commencement Date Agreement as part of lease between Monroe County and Park Village, LLC. [VIEW](#)
32. Approval for the Mayor to sign a Consent to filing the Park Village Home Owner's Association Declaration of Protective Covenants, Restrictions and Easements. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Announcement of one vacant position on the Tourist Development Council District III Advisory Committee for an "At Large" appointment. [VIEW](#)
2. Approval of an Amendment to Agreement with Red Barn Actors' Studio, Inc. to revise Exhibit A - Schedule of Events. [VIEW](#)
3. Approval of an Amendment to Inter local Agreement with the City of Key West to extend termination date of the McCoy Indigenous Park Habitat and ADA Improvements project to May 31, 2006. [VIEW](#)
4. Approval is requested of an Amendment to Agreement with the City of Key West to extend the termination date for the White Street Pier Rip Rap project to March 31, 2008 to allow time to complete the project. [VIEW](#)
5. Approval of an Amendment to Agreement with Dove Creek Lodge, LLC covering the Ghost Hunt to revise dates in Agreement to August 10-11, 2007. [VIEW](#)
6. Approval of an Amendment to Agreement with Dolphin Research Center, Inc. to extend termination date to March 31, 2008 and revise Exhibit A. [VIEW](#)
7. Approval of Amendment to Agreement with The Florida Keys History of Dive Museum, Inc. to revise termination date of Agreement to September 30, 2008. [VIEW](#)
8. Approval of an Assignment and Amendment to Agreement for the October 18, 2006 agreement with Hospice Care of Southeast Florida, Inc. for the Key Largo Dolphin Blast to Tammie Gurgiolo who is amending name and date of event. [VIEW](#)

E. STAFF REPORTS

1. COMMUNITY SERVICES
2. EMPLOYEE SERVICES
3. PUBLIC WORKS

- 4. EMERGENCY SERVICES
- 5. AIRPORTS
- 6. GROWTH MANAGEMENT

- E. STAFF REPORTS
 - 7. ENGINEERING
 - 8. BUDGET & FINANCE
 - 9. HOUSING & COMMUNITY DEVELOPMENT
 - 10. TECHNICAL SERVICES

- F. AIRPORT
 - 1. Discussion of lease renewal for the Boys & Girls Club of the Keys (Teen Center), situated on the Key West International Airport. [VIEW](#)

ADJOURNMENT

- 10:00 A.M. G. LAND AUTHORITY GOVERNING BOARD**
- 1. Approval of minutes for the March 21, 2007 meeting. [VIEW](#)
 - 2. Approval of the 2007 Acquisition List. [VIEW](#)
 - 3. Approval of a resolution encouraging local governments to provide local match funds for affordable housing acquisitions. [VIEW](#)
 - 4. Approval to purchase Block 10, Lots 1 and 2, Bowens Addition to Riviera Village for ROGO Administrative Relief [VIEW](#)

ADJOURNMENT

- H. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS
 - 1. Approval of one (1) year extension to file for final plat approval for Rockland Investment Corporation, Inc. [VIEW](#)

- 1:30 P.M. I. WASTEWATER ISSUES**
 - 1. Key Largo Wastewater Treatment District project update and problems with County right-of-way permitting process. District requests that the BOCC direct the Public Works Department to rescind its practice of delaying right-of-way permits and imposing unauthorized conditions on them. [VIEW](#)
 - 2. Approval for FKAA to install the collection system for Shark Key, located within the Big Coppitt Service Area. [VIEW](#)

3. **Approval to execute Waiver of Wastewater Service for Monroe County properties in Key Largo.** [VIEW](#)

J. MONROE COUNTY SHERIFF DEPARTMENT

1. Approval of FY 2007 recommendations of the Monroe County Shared Asset Forfeiture Fund Advisory Board. [VIEW](#)
2. Approval of a Request for expenditure from Law Enforcement Trust Fund. [VIEW](#)

K. COMMISSIONERS' ITEMS

11:00 A.M.

1. **COMMISSIONER MURPHY** - Request by Dan Kratish, President of the Monroe County Education Foundation, to address the BOCC regarding a SAFF (Sheriff's Shared Asset Forfeiture Fund Advisory Board) grant to Monroe Youth Challenge Program (MYCP). [VIEW](#)

11:30 A.M.

2. **COMMISSIONER MURPHY** - Discussion and decision on two February 21, 2007 Administrative Relief items. [VIEW](#)
3. **COMMISSIONER MURPHY** - Discussion and decision on the color to be used on the 18-mile stretch barrier. [VIEW](#)
4. **COMMISSIONER NEUGENT** - Approval of a Resolution of the Board of County Commissioners of Monroe County objecting to the construction of coal-fired power plant in the Everglades Basin. [VIEW](#)

2:45 P.M.

5. **COMMISSIONER SPEHAR** - Approval of a Resolution Authorizing the waiver of county building permit and application fees for all affordable housing projects that are allowed, under Monroe County Code Sec. 6-27(d)(2) and Sec. 6-27(e), to obtain building permit and application requirement and directing Growth Management Staff to prepare an amendment to Sec. 6-27(d)(2) and Sec. 6-27(e), Monroe County Code to routinely implement the intention of the Board. [VIEW](#)
6. **MAYOR DiGENNARO** - Discussion of Freeman Justice Center completion issues. [VIEW](#)

L. COUNTY CLERK

1. Report
2. Official approval of the BOCC minutes from the Special Meetings of January 18, 2007 & February 8, 2007, and Regular Meeting of February 21, 2007. (previously distributed)
3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of March, 2007. [VIEW](#)

5. Approval to remove surplus equipment from inventory via disposal. [VIEW](#)

M. COUNTY ADMINISTRATOR

1. Report
2. Approval of a Resolution authorizing the temporary closing of the Northbound Lanes of US1 from mile marker 98.2 to mile marker 100 from 10:00 a.m. to 11:30 a.m. for the annual 4th of July Parade sponsored by The Reporter Newspaper. [VIEW](#)
3. Approval of changes to the Administrative Procedures for the Board of County Commissioner to include policies on Teleconferencing Public Meetings. [VIEW](#)
4. Approval of a Resolution to accept the recommendations in the report of Mr. Gordon West and Mr. Leo Roomets, and to direct the Senior Leader Team to incorporate these recommendations into the direction of the Sterling Program. [VIEW](#)

N. COUNTY ATTORNEY

1. Report (Litigation Report Included) [VIEW](#)
2. Approval to go out or bid to sell the Hickory House property and to place two newspaper ads of same. [VIEW](#)
3. Approval to advertise a public hearing for an ordinance amending Sec. 13.5-5 of the Monroe County Code, creating Ramrod Park. [VIEW](#)
4. Approval of Settlement Agreement to resolve Circuit Court Case No. 2005-CA-420-K, regarding unpaid code enforcement liens. [VIEW](#)
5. Request to schedule a closed executive session of the Board of County Commissioners in the matter of Thomas Collins et al. v. Monroe County, CA M 04-379 on Tuesday, May 15, 2007 beginning at 1:30 p.m. in Key Largo or at a future date, time and location to be determined by the BOCC. [VIEW](#)
6. Approval of a resolution authorizing the acceptance of Block H. Lot 10, Part C of Master Plat of North Marathon Shores from the Monroe County Land Authority for affordable housing. [VIEW](#)
7. Ratification of and approval for the Mayor to execute a corrected Agreement for Sale and Purchase approved 7/19/2006 correcting the name of the Seller to reflect Drive-In, Ltd. (previously shown as Islander Village, LLC), with a leaseback to Islander Village, LLC as the developer of the affordable housing units, and providing for an access easement across County property for market rate housing units which should have been included in the original Agreement. The effective date of the corrected Agreement

would be retroactive to 7/19/2006 when the original Agreement was approved by the Board. [VIEW](#)

N. COUNTY ATTORNEY - CONTINUED

8. Approval of Assignment of Covenant of Unity of Title regarding Lots 50 and 51, Port Antigua Plat No. 2, Lower Matecumbe Key, from Monroe County to Islamorada, Village of Islands. [VIEW](#)
9. Clarification of reasons for termination of Cudjoe Lease to house Growth Management. Related to the issues discussed at the March 21st meeting, which included finances, but the discussion did not expressly set forth finances as the basis for the termination. [VIEW](#)
10. Approval of a new contract with Jerry Coleman, Esq. [VIEW](#)
DELETE.
11. Approval of Settlement Agreement Addendum in Department of Community Affairs v. Monroe County School Board, Kitty Wasserman, BHF Corporation, and Monroe County, Case No. APP-92-061, DOAH Case No. 93-1316, requested by the Big Pine Neighborhood Charter School, requesting an increase from 140 students to 200 students and from Pre-Kindergarten through 3rd Grade to Pre-Kindergarten through 8th Grade. [VIEW](#)
12. Discussion and direction to Growth Management staff to examine their fee structure for all services provided by the Division in order to make sure that the fees are commensurate with the costs to the Division to provide the service. [VIEW](#)
13. Approval to rescind the Memorandum of Agreement with the City of Key West for employee training that was approved 2/21/2007 (Item O-5) and approval of a corrected Memorandum of Agreement omitting a section that was previously included but is not applicable. [VIEW](#)
14. Approval of resolution endorsing the candidacy of the Honorable Sandra E. Taylor, Chief Judge of the Circuit Court for the 16th Judicial Circuit, to fill a vacancy on the Third District Court of Appeals. [VIEW](#)

3:00 P.M.

O. PUBLIC HEARINGS

1. A Public Hearing to consider adoption of a Resolution renouncing and disclaiming any right of the County and the public in and to a portion of Key Haven Boulevard according to the Plat of Key Haven (Racoon Key), Plat Book 4, Page 46, of the Public Records of Monroe County, Florida and as depicted in the Special Purpose Survey, Dwg. No. 05-520 as updated 2/12/2007. [VIEW](#)
2. A Public Hearing to consider an ordinance amending Sec. 6-85 of the Monroe County Code relating to Terms of Office; Removal

and Vacancies of members on the Contractors Examining Board.
[VIEW](#)

3:00 P.M. O. PUBLIC HEARINGS - CONTINUED

3. A Public Hearing to consider an ordinance adding Sec. 2.1-6 of the Monroe County Code requiring warning signs to be posted at all point of sale, including bars and restaurants, about the dangers to unborn children of women who drink alcoholic beverages while pregnant. [VIEW](#)
4. A Public Hearing to consider a Resolution approving execution of an Interlocal Agreement with the City of South Miami Health Facilities Authority regarding issuance of tax-exempt revenue bonds on behalf of Mariners Hospital, Inc. [VIEW](#)
5. A public hearing to consider a request for Administrative Relief for Rodolfo Martinez on Lot 18, Block 17, Cutthroat Harbor Estates 1st Addition, Cudjoe Key. [VIEW](#)

5:01 P.M. P. PUBLIC HEARINGS

1. A Public Hearing to consider approval of a resolution for a Budget Amendment for Key West Int'l Airport Fund 404, and KW AIP Series 2006 Bonds Fund 405. [VIEW](#)
2. A Public Hearing to consider approval of a resolution for a Budget Amendment for the General Fund 001 and the Fine & Forfeiture Fund 101 to transfer the Trauma Star Helicopter revenue and expenditures from 001 to 101. [VIEW](#)
3. A public hearing to adopt a Resolution repealing Resolution 389-2005 and amending the fee schedule for planning and development applications. [VIEW](#)
4. A public hearing to adopt an ordinance amending text of the Monroe County Code Section 9.5-22(h)(2); planning commission meetings, hearings and procedure, to change one of the locations of the regularly scheduled bi-monthly meetings of the planning commission from the middle keys sub-area to the lower keys sub-area. [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, April 13, 2007.