

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, May 21, 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

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 Years of Service Award for 20 years of service to Priscilla London, Sr. Safety Administrator, Employee Services. [VIEW](#)
2. Presentation of Years of Service Award for 10 years of service to Monroe County to Eduardo Capote, Maintenance Worker, Unincorporated Parks & Beaches, Public Works Division. [VIEW](#)
3. Presentation of Mayor's Proclamation Proclaiming the Month of May as Motorcycle Safety Awareness Month. [VIEW](#)
4. Presentation of Mayor's Proclamation Proclaiming the Week of May 17th through May 23rd 2008 as Safe Boating Week. [VIEW](#)
5. Presentation of Mayor's Proclamation Proclaiming Baptist Health South Florida as an Outstanding Employer. [VIEW](#)
6. Presentation of President's Exceptional Leadership Award to Jerry O'Cathey as the outgoing Florida Society of Certified Public Manager's Program President. [VIEW](#)

C. BULK APPROVALS – COMMISSIONER SPEHAR

1. Approval to renew current Employee Assistance Agreement for one year with the Horizon Behavioral Services, Inc. [VIEW](#)
2. Approval to submit for acceptance and signature of our County Mayor or Acting County Administrator of an Interlocal Agreement between City of Key West Transit and Monroe County, to provide our residents and guest emergency transportation during mandated hurricane evacuation orders to the county shelter located at the Florida International University campus in Miami Dade County, re-entry, and recovery phase. [VIEW](#)
3. Approval of Federal Aviation Administration grant to Construct Terminal Building (Bond Repayment Only) in the amount of \$1,664,272.00. [VIEW](#)
4. Approval for Class Act Cleaning to continue janitorial services at the Key West International Airport on a month to month basis, pending a renewal agreement. [VIEW](#)
5. Approval to award Public Works surplus items as described in attached Recap of Bid Opening on December 11, 2007 (Items 21 and 22). [VIEW](#)
6. Approval to transfer title to County vehicle number 0901-170 (serial number 1FTDF15Y6SNB17690 to the Florida Department of Environmental Protection/Office of Greenways and Trails (FDEP/OGT). [VIEW](#)
7. Approval to waive purchasing policy and accept a proposal from Hauber Inc. to perform fuel tank repairs at the Key West Courthouse, Courthouse Annex and Harvey Government Center. [VIEW](#)

C. BULK APPROVALS – CONTINUED

8. Approval to amend the agreement with Weathertrol Maintenance Corp. for central air conditioning maintenance and repair for the Lower Keys Facilities. [VIEW](#)
9. Approval to award bid and execute a contract with Dependable Janitorial & Building Maintenance, Inc. for janitorial services at the Big Pine Key Library, Big Pine Key, Florida. [VIEW](#)
10. Approval to award bid and execute a contract with Dependable Janitorial & Building Maintenance, Inc. for janitorial services at the George Dolezal Library, Marathon, Florida. [VIEW](#)
11. Approval to award bid and execute a contract with Dependable Janitorial & Building Maintenance, Inc. for janitorial services at the Islamorada Library, Islamorada, Florida. [VIEW](#)
12. Approval to award bid and execute a contract with Dependable Janitorial & Building Maintenance, Inc. for janitorial services at the Key Largo Library, Key Largo, Florida. [VIEW](#)
13. Approval to award bid and execute a contract with U. S. Water Services Corporation for operation and maintenance of the wastewater treatment plant at the Roth Building, Tavernier, Florida. [VIEW](#)
14. Approval to award bid and execute a contract with Blue Island Irrigation, Inc. for lighting at West Martello Towers. [VIEW](#)
15. Approval to grant an easement to the Florida Keys Aqueduct Authority on the Islander Village workforce housing development property to permit the installation, operation, and maintenance of water transmission and distribution facilities. [VIEW](#)
16. Approval to grant an easement to Comcast of California/Colorado/Florida/Oregon, Inc. on the Islander Village workforce housing development property to permit the installation, operation, and maintenance of a broadband communications system. [VIEW](#)
17. Approval to grant an easement to AT&T on the Islander Village workforce housing development property for public utility purposes. [VIEW](#)
18. Approval to grant an easement to The Utility Board of the City of Key West, Florida on the Islander Village workforce housing development property for public utility purposes. [VIEW](#)
19. Approval to waive purchasing policy and purchase portable digital x-ray equipment for the Medical Examiner facility from MinXray, Inc., in the amount of \$35,411.07. [VIEW](#)
20. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)

C. BULK APPROVALS – CONTINUED

21. Approval to advertise a public hearing for a Budget Amendment for these funds: Card Sound Bridge Fund 401, MSD Solid Waste Fund 414, Fleet Management Fund 504, Key West International Airport Fund 404, Key West Airport Series 2006 Bonds Fund 405, and Local Housing Assistance Fund 153. [VIEW](#)
22. Approval of inter-local agreement between Monroe County and the School Board of Monroe County to cooperate in support of services formerly offered by the PACE Center for Girls, Inc. for County fiscal year 2008, with option to renew. [VIEW](#)
23. Approval to award bid and execute contract for Bayshore Manor renovation to The Aledan Group in the total amount of \$202,459.20 (Base Bid - \$144,589.20; Alternate #1 - \$20,420; Alternate #2 - \$24,000; Alternate #3 - \$5,950; Alternate #4 - \$7,500). [VIEW](#)
24. Approval for contract with Marathon Garden Club to hold the “Tenth Annual Florida Keys Tropical Fruit Fiesta” at the Club. [VIEW](#)
25. Approval to rescind the 1/25/08 resolution to decrease the three animal control contracts by \$17,000 each for 2 years and to maintain basic animal control services in Big Pine Key at the facility located on Industrial Road. This action is requested in response to public input, willingness by Keys Energy Services to negotiate a short-term lease with the County to maintain the facility for basic animal services in Big Pine Key, and legal limitations concerning amending current contracts. [VIEW](#)
26. Approval of the Memorandum of Understanding for APS (Adult Protective Services) Referrals between Monroe County Board of County Commissioners (In-Home Services), The Department of Children & Families and the Alliance for Aging (Aging and Disability Resource Center/Aging Agency on Aging for Miami-Dade and Monroe Counties). [VIEW](#)
27. 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](#)
28. Approval of utility easements with Florida Keys Electric Cooperative Association and Bellsouth Telecommunications on a portion of St. Croix Place in Key Largo. [VIEW](#)
29. Approval to negotiate a contract with Reynolds, Smith and Hills, Inc. for design services for US 1 Stormwater Improvements. [VIEW](#)
30. Approval of First Amendment of the Contract for Temporary Pigeon Key Ferry Service, extending the termination date six months to December 30, 2008. [VIEW](#)

- C. BULK APPROVALS – CONTINUED
 - 31. Approval of Amendment to Lease Agreement between Monroe County and Hangers On, Inc., Tenants, for hangar space at the Florida Keys Marathon Airport. [VIEW](#)

- D. TOURIST DEVELOPMENT COUNCIL
 - 1. Approval to amend agreement with Dolphin Research Center to extend the termination date for the Dolphin Research Center Parking Area Project. [VIEW](#)
 - 2. Approval to amend agreement with Florida Keys Land and Sea Trust, Inc. to extend date of agreement to revise Exhibit A and extend agreement to June 30, 2009. [VIEW](#)
 - 3. Approval to amend agreement with The Key West Harry S Truman Foundation, Inc. to extend Agreement for the Upgrade of the Little White House HVAC System. [VIEW](#)
 - 4. Approval of an Agreement with Prange & O’Hearn, Inc. (d.b.a. Insights, Inc.) to provide Visitor Profile survey services for the Monroe County Tourist Development Council. [VIEW](#)
 - 5. Approval of an Amendment to Agreement with the Rotary Club of Key Largo, Inc. to revise invoice submission dates for the Take Stock in Children Backcountry challenge 2007. [VIEW](#)
 - 6. Approval of an Amendment to Agreement with the Lower Keys Chamber of Commerce, Inc. to revise Exhibit B of the Underwater Music Festival. [VIEW](#)
 - 7. Approval of an Amendment to Agreement with the City of Key West to revise Exhibit A allowing sand to be placed on Rest Beach instead of Smathers Beach. [VIEW](#)
 - 8. Approval of a finding of fact that a “Welcome” Sign has a primary purpose of advertising and promoting tourism within Monroe County. [VIEW](#)
 - 9. Approval of an Amendment to Agreement with the City of Key West , as assignee of the rights of Artificial Reefs of the Keys, to extend the Agreement for \$250,000 for the sinking of the Vandenberg to September 30, 2009. [VIEW](#)
 - 10. Approval of an Amendment to Agreement with the City of Key West to extend the Agreement for \$750,000 for the sinking of the Vandenberg to September 30, 2009. [VIEW](#)
 - 11. Approval of one (1) “At Large” appointment to the Tourist Development Council District III Advisory Committee. [VIEW](#)

- E. STAFF REPORTS
 - 1. AIRPORTS
 - 2. BUDGET & FINANCE
 - 3. COMMUNITY SERVICE

- E. STAFF REPORTS - CONTINUED
 - 4. EMERGENCY SERVICES
 - 5. EMPLOYEE SERVICES
 - 6. ENGINEERING
 - 7. GROWTH MANAGEMENT
 - 8. HOUSING & COMMUNITY DEVELOPMENT
 - 9. PUBLIC WORKS
 - 10. TECHNICAL SERVICES

ADJOURNMENT

- 11:30 A.M. F. **FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS**
 - 1. Report
 - 2. Approval of Settlement Agreement between Monroe County Fire Rescue and Chelsa Call account # 90401-01. [VIEW](#)

ADJOURNMENT

- 10:00 A.M. G. **LAND AUTHORITY GOVERNING BOARD**
 - 1. Approval of minutes for the meetings held on April 16, 2008 and April 28, 2008. [VIEW](#)
 - 2. Approval of a contract to sell Parcel BBB, Summerland Key Properties to the United States of America for conservation. [VIEW](#)
 - 3. Approval of a resolution authorizing staff to request exemptions from assessments levied by the Key Largo Wastewater Treatment District on properties acquired for purposes other than development. [VIEW](#)

ADJOURNMENT

- H. **ENGINEERING**
 - 1. Discussion of additional work required at the Murray E. Nelson Government and Cultural Center and approval of methodology to pay for same. [VIEW](#)
- 11:15 A.M. 2. Approval of Second Amendment of the Supplemental Agreement for Road and Bridge Funds between Islamorada Village of Islands and Monroe County, extending the completion date so that the road work may be performed after Aqueduct water lines are replaced. [VIEW](#)

I. DIVISION OF GROWTH MANAGEMENT – BULK APPROVALS

1. Approval of a request by The Racquet Club at Ocean Reef, Inc., for a floodplain variance to section 0.5-317(3)b.(i) in order to construct an 600 square foot maintenance equipment and supply storage building below base flood elevation at 212 Anchor Drive, Ocean Reef, key largo RE00081730-000000. [VIEW](#)
2. Approval of contract with TSI Disaster Recovery Services to provide derelict vessel and marine debris removal services throughout the keys, and waiver of irregularities in response to Request for Qualifications and selection of contractor. [VIEW](#)
3. Approval of a resolution authorizing Code Enforcement Inspectors, Lynn Tsouchlos and Allen white to issue citations for disposition in county court. [VIEW](#)
4. Approval of a resolution by the Monroe County Board of Commissioners setting a minimum percentage that will be accepted to settle fines and costs imposed in Code Enforcement cases. [VIEW](#)

1:30 P.M.

J. WASTEWATER ISSUES

1. Report to update the status of Wastewater projects. [VIEW](#)
2. ~~Approval to designate No Name Key improved residential areas as a “Hot Spot” for inclusion in the regional central wastewater system for the Lower Keys.~~ **Approval to provide central sanitary wastewater service to the property owners of No Name Key through inclusion in the Lower Keys Regional Service Area wastewater treatment and collection system.**[VIEW](#)
3. Discussion and approval of reallocation of funding to Key Largo Wastewater Treatment District (KLWTD). [VIEW](#)
DELETED
4. Approval to rescind the July 18, 2007 approval of executing an easement and approval to execute, as grantee, a 20’ sewer utility easement agreement for Tract C of Porpoise Point Section Four on Big Coppitt Key, Real Estate ID# 00155820-000000. [VIEW](#)
5. Approval to advertise a Request for Qualifications to prepare the grant application and to provide administrative services for the Community Development Block Grant program related to wastewater. [VIEW](#)

- 1:30 P.M. J. WASTEWATER ISSUES - CONTINUED**
- 6. Approval of a Resolution assuming responsibility for coordinating all the salient service infrastructure entities so that wastewater services are provided to the Citizens of the Keys in the most efficient, protected and cost efficient manner and providing for an effective date. [VIEW](#)**
- 2:00 P.M. K. SOUNDING BOARD**
- 1. Request to speak to the Board of County Commissioners in regards to the Key Largo Community Master Plan and tourism- Ron Miller. [VIEW](#)**
- L. MONROE COUNTY SHERIFF DEPARTMENT**
1. Approval of request for expenditure from Law Enforcement Trust Fund. [VIEW](#)
- M. COMMISSIONERS' ITEMS**
1. **MAYOR McCOY** – Presentation by Jackie Harder to the BOCC to update them on the progress of the South Florida Workforce Development Board. [VIEW](#)
 2. **MAYOR McCOY** – Approval of the reappointment of Jackie Harder to the South Florida Workforce Development Board. [VIEW](#)
 3. **MAYOR McCOY** – Approval of the appointment of Millard “Mike” McCleary to the Monroe County Port Advisory Board. [VIEW](#)
 4. **COMMISSIONER NEUGENT** – Approval of a request to rescind the prior action taken by the Board of County Commissioners, April 16, 2008 for approval of an Ordinance to impose a ninth-cent local option motor and special fuel (“gas”) tax. [VIEW](#)
 5. **COMMISSIONER NEUGENT** – Discussion of a request by a constituent to waive minor conditional use fee for a one story motel located at the Sugarloaf Lodge . [VIEW](#)
- 2:30 P.M. 6. COMMISSIONER MURPHY - Approval of a resolution of the Monroe County Board of County Commissioners requesting the Florida Department of Transportation revise the Five Year Work Program as it pertains to milling and resurfacing of US Highway 1 from Mile Marker 93 to 106 reducing the proposed north bound shoulder total width to no more than four feet or matching that of the southbound proposal. [VIEW](#)**

M. COMMISSIONERS' ITEMS - CONTINUED

7. **COMMISSIONER DiGENNARO** - Approval of an Amendment extending the Inter-Local \$2 Million Capital Project funding agreement between Monroe County and the City of Key West for the Vandenberg Project for one year to September 30, 2009. [VIEW](#)
8. **COMMISSIONER SPEHAR** - Approval of a Resolution by the Board of County Commissioners of Monroe County, Florida to the Florida Congressional Delegation regarding the national strategic importance of maintaining spaceflight expertise at the Kennedy Space Center and ensuring that future crew and cargo logistic missions to the International Space Station use domestic capabilities. [VIEW](#)

N. COUNTY CLERK

1. Report
2. Official approval of the Board of County Commissioners minutes from the Special BOCC meetings of March 5th, 20th, and April 2nd, 2008 and Regular BOCC meeting of March 19, 2008 (previously distributed)
3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of April, 2008. [VIEW](#)
5. Approval to remove surplus equipment from inventory via disposal. [VIEW](#)
6. Approval for the Clerk to issue a Request for Proposal from financial institutions to provide a line or letter of credit agreement to provide emergency cash requirements for post-disaster expenditures, if necessary.
7. Correction to the August 15, 2007 BOCC meeting Minutes: Agenda Item: M7 - Board granted approval of Mayor DiGennaro's appointment of Freddy Varela as a mayoral appointment to the TDC as a tourism representative.

O. COUNTY ADMINISTRATOR

11:00 A.M.

1. Report
2. **Presentation by the by Chip Merriam, Deputy Director of Water Resources, South Florida Water Management District on Water Supply and Growth Management – A Comprehensive Planning Overview.** [VIEW](#)
3. Approval to salvage five County owned RVs. [VIEW](#)

P. COUNTY ATTORNEY

1. Report
2. Approval to terminate contract with Richard Fowler, Esq. to serve as an Alternative Code Enforcement Special Master. [VIEW](#)
3. Approval of a resolution to reduce the number of newspapers used to print notices to one (1) newspaper. [VIEW](#)
4. Approval of a resolution authorizing staff to prepare necessary documents and to submit same to Key Largo Wastewater Treatment District to obtain exemptions from wastewater assessments for properties which were obtained for conservation and other non-development purposes. [VIEW](#)
5. Approval to advertise a public hearing for an ordinance amending Sec. 6-4 of the Monroe County Code. [VIEW](#)
6. Approval of Resolution setting date, time and place for a public hearing concerning the proposed abandonment of a portion of Pompano Drive, Anglers Park, Key Largo, as recorded in Plat Book 1, at Page 159 of the Public Records of Monroe County, Florida. [VIEW](#)
7. Approval of amendment to the contract with Michael Casey, Esq. of the firm of Epstein, Becker & Green, P.A. to advise the County on employment issues, employment investigation, and personnel issues which have a potential for litigation and in which the County Attorney has a conflict. This Amendment raises the cap on the contract from \$75,000.00 to \$85,000.00. [VIEW](#)
8. Approval of request to schedule a closed executive session of the Board of County Commissioners in the matter of Department of Community Affairs v. Monroe County, et al, DOAH 08-2035 at the June 18, 2008 BOCC meeting in Marathon. [VIEW](#)
9. Approval of settlement agreement in the matter of Barbara Eads v. Monroe County, CA P 03-117. [VIEW](#)
10. Approval of lease agreement with Key West Hospitality, LLC (Salute Restaurant on Higgs Beach). [VIEW](#)
11. Approval of the Settlement Agreement with Orlando Ramos, Sr., Code Enforcement Case CE06100027 in the amount of \$275.00 [VIEW](#)
12. Approval to execute a Declaration of Easement with the Utility Board of the City of Key West. [VIEW](#)
13. Approval of settlement agreement in John Benson v. Monroe County & Largo 103, LLP, CA P 07-603. [VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

14. Approval of two resolutions related to the affordable housing project at Woods Corner, Islamorada, as follows:

1) Resolution extending the due date of the \$315,000 construction SHIP mortgage from April 30, 2008 to June 30, 2008, and authorizing the County Administrator to execute partial releases or satisfactions of mortgage as payments are received thereon; and

2) Resolution transferring SHIP fund from one line item to another to allow checks to be issued for individual purchase SHIP mortgages pending deposit in bank and clearing of check issued by MKCLT at each closing for portions of the construction loan. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS

1. A Public Hearing for an ordinance authorizing County workers and/or contractors to go onto private property in the event of a declared emergency if it becomes necessary to remove obstructions, debris, etc. for the safety and welfare of the general public. [VIEW](#)

2. A Public Hearing for an ordinance to establish a local Affordable Housing Advisory Committee as required by Florida Statute 420.9076 and Florida Administrative Code 67-37.010. [VIEW](#)

3. A public hearing to consider a request for Administrative Relief for Harold & Sherry Fried on Lot 20, Block 9, Bahia Mar Estates, Key Largo, Real Estate Number 00545040.000000. [VIEW](#)

4. A public hearing to consider a request for Administrative Relief for Harold & Sherry Fried on Lot 17, Block 9, Bahia Mar Estates, Key Largo, Real Estate Number 00545010.000000. [VIEW](#)

5. A public hearing to consider a request for Administrative Relief for Concept Investment Group Inc. on Lot 18, Block 1, Key Largo Ocean Shores Amd. & Ext., Key Largo, Real Estate Number 00497770.000000. [VIEW](#)

6. A public hearing to consider a request for Administrative Relief for Concept Investment Group Inc. on Lot 19, Block 1, Key Largo Ocean Shores Amd. & Ext., Key Largo, Real Estate Number 00497780.000000. [VIEW](#)

7. A public hearing to consider a request for Administrative Relief for Antero & Carmen De La Osa on Lot 398, Port Largo 5th Add., Key Largo, Real Estate Number 00453475.001400. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS - CONTINUED

8. A public hearing to consider a request for Administrative Relief for Island Investment Partners Inc. on Lot 21, Block 1, Key Largo Ocean Shores Amd. & Ext., Key Largo, Real Estate Number 00497800.000000. [VIEW](#)
9. A public hearing to consider a request for Administrative Relief for Island Investment Partners Inc. on Lot 22, Block 1, Key Largo Ocean Shores Amd. & Ext., Key Largo, Real Estate Number 00497810.000000. [VIEW](#)
10. A public hearing to consider a request for Administrative Relief for Feliz & Marlene Munoz on Lot 14, Block 1, Key Largo Ocean Shores Amd. & Ext., Key Largo, Real Estate Number 00497730.000000. [VIEW](#)
11. A public hearing to consider a request for Administrative Relief for Ernest T. Simpson III and Anita Wysong on Lots 9 & 10, Block 7, Twin Lakes, Key Largo, Real Estate Number 00548820.000000 and 00548830.000000. [VIEW](#)
12. A public hearing to consider a request for Administrative Relief for Robert A. & Jannie K. Barker on Lots 9 & 10, Block 4, Cross Keys Waterway Estates Sec. 1, Key Largo, Real Estate Number 00468471.006700 & 00468471.006800. [VIEW](#)
13. A public hearing to consider a request for Administrative Relief for Rafael Otero on Lot 22, Block 6, Winston Waterways #2, Key Largo, Real Estate Number 00546930.000000. [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, May 16, 2008.