

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, June 17, 2009
Marathon Government Center
2798 Overseas Highway, MM 47.5 (Gulf)
Marathon, Florida

9:00 A.M. - Regular Meeting

9:15 A.M. - Land Authority Governing Board

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 the Employee Service Award for the month of February 2009, to Petey Griffin, Assistant Maintenance Technician, Florida Keys Marathon Airport. [VIEW](#)

B. PRESENTATION OF AWARDS - CONTINUED

2. Presentation of Employee Service Award for the month of January to Tiffany Stankiewicz, Development Administrator, Planning and Environmental Resources Department. [VIEW](#)
3. Presentation of Employee Service Award for the month of April to Bryan Davisson, GIS Planner, Growth Management Division. [VIEW](#)

C. BULK APPROVALS - COMMISSIONER CARRUTHERS

1. Approval of revised Library Policy sections 2.01, 2.03, 2.04, and 5.05. [VIEW](#)
2. Approval to award bid and enter into an agreement between the Board of County Commissioners and Ferrara Fire Apparatus Inc., in the amount of \$302,550.00 for the purchase of one 3000 gallon Tanker with 1500 GPM pump. [VIEW](#)
3. Approval to advertise for sealed bids for the maintenance of Monroe County Fire Rescue's fire apparatus, including preventative maintenance, unscheduled maintenance and annual pump testing. [VIEW](#)
4. Approval of a request for Amendment 001 to Contract AA-929 between Monroe County Social Services and the Alliance for Aging, which changes the unit rate and the number of service units for Nutrition Education. The total amount of funding for Nutrition Education remains the same. [VIEW](#)
5. Approval of ratification of an application for funds under the American Recovery & Reinvestment Act. The projected funding available is \$63,000, which if awarded to Monroe County, would be used to serve additional congregate and home delivered meals to clients of the Nutrition Program. [VIEW](#)
6. Approval of the Alzheimer's Disease Initiative (ADI) Contract KZ-997 between the Alliance for Aging, Inc. (Area Agency on Aging) and the Monroe County Board of County Commissioners (Social Services/In-Home Services) for fiscal year 7/1/09 to 6/30/10. [VIEW](#)
7. Approval of the Community Care for the Elderly (CCE) Contract KC-971 between the Alliance for Aging, Inc. (Area Agency on Aging) and the Monroe County Board of Commissioners (Social Services/In-Home Services) for fiscal year 7/1/09 to 6/30/10. [VIEW](#)
8. Approval of the Home Care for the Elderly (HCE) Contract KH-972 between the Alliance for Aging, Inc. (Area Agency on Aging) and the Monroe County Board of County Commissioners (Social Services/In-Home Services) for fiscal year 7/1/09 to 6/30/10. [VIEW](#)

C. BULK APPROVALS - CONTINUED

9. Approval of Amendment 001 to the Community Care for Disabled Adults (CCDA) Contract # KG-061 (1/1/09-6/30/10) between the Florida Department of Children & Families and the Monroe County Board of County Commissioners (Social Services/In-Home Services). [VIEW](#)
10. Approval of Continuation of a contract between Monroe County Board of County Commissioners and S.T.E.P.S in the Right Direction, Inc., a 501(c)(3) home health agency, to provide direct in-home services for the elderly and disabled as provided under grants to Monroe County from the Alliance for Aging (e.g., CCE and OAA) and the Department of Children & Families (e.g., CCDA). [VIEW](#)
11. Approval for Continuation of a contract between the Monroe County Board of County Commissioners and Hospice of the Florida Keys, Inc. d/b/a Visiting Nurse Association, to provide direct in-home services for the elderly and disabled as provided under grants to Monroe County from the Alliance for Aging (e.g., ADI, CCE, and OAA) and the Department of Children & Families (e.g., CCDA). [VIEW](#)
12. Approval to advertise a Request for Qualifications for the Noise Insulation Program (NIP) Consultant. [VIEW](#)
13. Approval of the 1st amendment to the consultant agreement with Perez Engineering for resident inspector services at the Key West International Airport construction project. [VIEW](#)
14. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
15. Approval of Amendment #2 to the Hosted Application Service Agreement with Sarasota County for licensing, hosting and support of the Gov Max software. The amendment extends the contract to May 31, 2010. Sarasota County is a sole source provider. [VIEW](#)
16. Approval to ratify submission of the grant application for the Residential Substance Abuse Treatment (RSAT) Program through the Florida Department of Law Enforcement. [VIEW](#)
17. Authorization for the Mayor to execute the Edward Byrne Memorial Justice Assistance Grant funding distribution letter with the Florida Department of Law Enforcement for fiscal year 2010 (Oct 1, 2009 through Sept. 30,2010), whereby Monroe County agrees to the distribution of JAG program funds in the County. [VIEW](#)
18. Approval of Resolution to submit the Consolidated Small County Solid Waste Management Grant Application to the Florida Department of Environmental Protection (DEP). [VIEW](#)

C. BULK APPROVALS - CONTINUED

19. Approval of 2nd Amendment to Agreement for Consulting Services with Government Services Group, Inc., to produce and mail the statutorily required first class notices for proposed residential rate increases per Appendix B of the original contract. [VIEW](#)
20. Approval of Renewal Agreement with Sweetwater Environmental Inc. to transfer, collect, store, treat, transport, and dispose of sludge/septage generated within Monroe County. [VIEW](#)
21. Approval to award bid and execute contract with Smith Industries, Inc. d/b/a Smith Fence Company for Security Fencing Improvements- Plantation Key & Marathon Jails. [VIEW](#)
22. Approval for Culver's Cleaning Company to continue to provide janitorial services for the Florida Keys Marathon Airport on a month-to-month basis. [VIEW](#)
23. Approval of Termination of Lease and Concession Agreement with The Hertz Corporation at the Florida Keys Marathon Airport effective June 21, 2009, and approval to advertise a Request for Proposals for space being vacated. [VIEW](#)
24. Approval for Synagro Southeast, Inc. to continue to operate and maintain the sewage treatment plant at the Florida Keys Marathon Airport on a month to month basis. [VIEW](#)
25. Approval of lease agreement with Antique Aircraft Restoration, Inc. to rent old Mosquito Control hangar and facilities; rent is \$3,500 per month. [VIEW](#)
26. Approval to advertise a Request for Qualifications (RFQ) for on call engineering services. [VIEW](#)
27. Approval for the installation of a streetlight at the intersection of US1 and Dobie Street, Summerland Key. [VIEW](#)
28. Approval of receipt of monthly report on change orders reviewed by the County Administrator's Office. [VIEW](#)
29. Approval of a contract with Native Construction Contracting, Inc. for replacement of the boat ramp and docks at Sunset Point Park. [VIEW](#)
30. Approval to apply for and if awarded accept grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grants Programs Directorate (GPD) of the Fiscal Year 2009 American Recovery and Reinvestment Act (ARRA) Assistance to Firefighters Fire Station Construction Grants (SCG) for the construction of the Conch Key Fire Station and / or other Fire Stations which would meet the grant criteria. ~~Approval to apply for, and if awarded, accept grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grants Programs Directorate (GPD) of the Fiscal Year 2009 American Recovery and Reinvestment Act (ARRA) Assistance to Firefighters Fire~~

C. BULK APPROVALS - CONTINUED

~~Station Construction Grants (SCG) for the construction of Fire Stations.~~ [VIEW](#)

31. Approval of 1 Year Extension of Term for BBMA Agreement #FL03-F871-00 from AT & T. [VIEW](#)
32. Approval to extend the current agreement with Goodman-Gable-Gould/Adjusters International to provide Insurance Adjusting Claim Services. [VIEW](#)
33. Approval of Second Amendment of the Legal Services Agreement with Kelley, Kronenberg, Gilmartin, Fichtel, Wander, P.A. for a one-time approval of payment in the amount of \$218.50 for the emergency use of non-authorized timekeeper. [VIEW](#)
34. Approval of Third Amendment of the Legal Services Agreement with Kelley, Kronenberg, Gilmartin, Fichtel, Wander, P.A. to update authorized timekeepers retroactively to February 2009. [VIEW](#)
35. Approval of the wording on the dedication plaque for the Big Pine Key Fire Station. [VIEW](#)
36. Approval of GSA lease at Key West International Airport. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Approval of an Amendment to Agreement with Key West Chamber of Commerce to exercise option to extend Agreement for Visitor Information Services to September 30, 2011. [VIEW](#)
2. Approval of an Amendment to Agreement with Lower Keys Chamber of Commerce to exercise option to extend Agreement for Visitor Information Services to September 30, 2011. [VIEW](#)
3. Approval of an Amendment to Agreement with Marathon Chamber of Commerce to exercise option to extend Agreement for Visitor Information Services to September 30, 2011. [VIEW](#)
4. Approval of an Amendment to Agreement with Islamorada Chamber of Commerce to exercise option to extend Agreement for Visitor Information Services to September 30, 2011. [VIEW](#)
5. Approval of an Amendment to Agreement with Key Largo Chamber of Commerce to exercise option to extend Agreement for Visitor Information Services to September 30, 2011. [VIEW](#)
6. Approval of an Amendment to Agreement with Monroe Council of the Arts Corporation, d/b/a Florida Keys Council of the Arts to exercise option to extend Agreement for two additional years to September 30, 2011 and to show recommendation committee members. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL - CONTINUED

7. Approval of an Amendment to the Agreement with Schooner Western Union Preservation Society, Inc. to revise Exhibit A of the Schooner Western Union Maritime Museum Refit project in an amount not to exceed \$405,000, DAC I, FY 2009 Capital Resources. [VIEW](#)

E. STAFF REPORTS

1. AIRPORTS
2. BUDGET & FINANCE
3. EMERGENCY SERVICES
4. EMPLOYEE SERVICES
5. PROJECT MANAGEMENT
6. GROWTH MANAGEMENT
7. PUBLIC WORKS
8. TECHNICAL SERVICES

ADJOURNMENT

9:15 A.M. F. LAND AUTHORITY GOVERNING BOARD

1. Approval of the minutes for the May 20, 2009 meeting. [VIEW](#)
2. Approval to accept the donation of Block 5, Lot 3, Harris Ocean Park Estates on Key Largo for conservation. [VIEW](#)
3. Approval to purchase property for conservation.
 - a) Block 8, Lot 18, Ocean Park Village on Key Largo. [VIEW](#)
 - b) Block 26, Lot 8, Eden Pines Colony Third Addition on Big Pine Key. [VIEW](#)
 - c) Block 6, Lots 3 and 21, Ramrod Shores on Ramrod Key. [VIEW](#)
 - d) Block 8, Lots 19 and 20, Indian Mound Estates on Sugarloaf Key. [VIEW](#)
4. Approval to purchase Block 54, Lots 16 and 17, Maloney subdivision (5530 Third Avenue) on Stock Island as an affordable housing site in partnership with Habitat for Humanity of Key West and Lower Florida Keys, Inc. [VIEW](#)
5. Approval of a resolution authorizing the conveyance of Block 54, Lots 16 and 17, Maloney subdivision (5530 Third Avenue) on Stock Island to the Monroe County Board of County Commissioners as an affordable housing site. [VIEW](#)

ADJOURNMENT

- G. AIRPORT
- 10:15 A.M. 1. Discussion and action concerning the recommendation from THC, our Noise Insulation Program (NIP) Consultant, to disqualify the two lowest bidders for NIP Phase 7 construction. [VIEW](#)
2. Discussion regarding runway issues at Florida Keys Marathon Airport. [VIEW](#)
- 10:00 A.M. H. GROWTH MANAGEMENT
1. **Presentation by the Florida Department of Environmental Protection (FDEP) regarding projects under construction throughout the Florida Keys Overseas Heritage Trail.** [VIEW](#)
2. Approval of First Amendment to the Ground Lease Agreement between Monroe County Board of County Commissioners and Islander Village, LLC to extend the time for the completion of the construction of the Affordable Housing Units by 18 months. [VIEW](#)
- 1:30 P.M. J. CLOSED SESSION
1. **A closed executive session of the Board of County Commissioners in the matter of Monroe County v. Marcia Turner and Garabet Khatchikian, Case No. 07-CA-101-M and Monroe County v. Khatchikian and Turner, Code Enforcement Case No. CE06120166 (Monroe County Circuit Court Case No. 07-CA-319-K).** [VIEW](#)
- 1:45 P.M. 2. **Closed session of the Board of County Commissioners to discuss collective bargaining with the Teamsters, Local 769.** [VIEW](#)
- 2:15 P.M. K. WASTEWATER ISSUES
1. **Wastewater status report.** [VIEW](#)
2. **Approval of a resolution by the Monroe County Board of County Commissioners confirming the intended wastewater service areas as either centralized or decentralized, and clearly showing non-service areas within Monroe County and the Florida Keys Aqueduct Authority Wastewater jurisdictional areas.** [VIEW](#)
3. **Approval of Memorandum of Agreement between the Florida Department of Health, the Monroe County Health Department, Monroe County and the Florida Keys Aqueduct Authority to work together to upgrade onsite sewage treatment and disposal systems (OSTDS) in that portion of unincorporated Monroe County where Monroe County is responsible for funding central wastewater systems.** [VIEW](#)

- L. MONROE COUNTY SHERIFF DEPARTMENT
 - 1. Approval of request for expenditure from the Law Enforcement Trust Fund. [VIEW](#)

- M. COMMISSIONERS' ITEMS
 - 1. **MAYOR NEUGENT** - Approval of authority for mayor to send a letter to Keys Energy Services stating that Monroe County has no objection to use of No Name Key County bridge and No Name Key County rights of way for placement of electrical lines provided that any obstruction, whether permanent or temporary, to said bridge and rights of way, or any physical changes there to are coordinated with the Engineering Department in compliance with County ordinances regarding its roads and bridges and that Keys Energy will maintain lines and whatever structural supports they install to support their lines. [VIEW](#)
 - 2. **MAYOR NEUGENT** - Discussion on Marathon Airport issues as proposed by Mr. Dick Ramsey in an Interlocal Agreement between Monroe County and the City of Marathon. [VIEW](#)
 - 3. **COMMISSIONER CARRUTHERS** - Approval of the appointment of Sandra Walters to the Marine & Port Advisory Committee. [VIEW](#)
 - 4. **COMMISSIONER DI GENNARO** - Approval to waive the minor conditional use permitting fee for development of the Aqua Ranch property on Long Key. [VIEW](#)
 - 5. **COMMISSIONER CARRUTHERS** - Approval for issuing a RFQ to identify potential vendors to develop a Master Plan for the renovation of Higgs Beach County Park. [VIEW](#)
 - 6. **COMMISSIONER CARRUTHERS** - Approval of reconsideration of Item E3 from the June 2, 2009 BOCC meeting: [Discussion of a counter settlement proposal to resolve the outstanding issues associated with Comprehensive Plan Amendment package 08-01 (working waterfront amendments) with direction to the Growth Management Division and the County Attorney's Office.], and direction to staff re settlement counter proposal. [VIEW](#)

- N. COUNTY CLERK
 - 1. Report
 - 2. Official approval of the Board of County Commissioners minutes from the Special meeting of May 12, 2009 and Regular meeting of May 20, 2009 (previously distributed).
 - 3. Approval of Warrants. [VIEW](#)
 - 4. Approval to remove surplus equipment from inventory via disposal or advertise for bid. [VIEW](#)
 - 5. Approval of Tourist Development Council Expenditures for the month of May, 2009. [VIEW](#)

O. COUNTY ADMINISTRATOR

1. Report. [VIEW](#)
2. Approval of Lease Agreement with Early Learning Coalition of Miami-Dade/Monroe to provide office space at the Gato Building, 1100 Simonton Street, Key West. [VIEW](#)
3. Approval of Second Amendment to Agreement between Monroe County and Tew Cardenas, LLP. [VIEW](#)

P. COUNTY ATTORNEY

1. Report
2. Request by property owner Thomas Miller for mitigation of fines in Code Enforcement Case CE08010069. Fines total \$12,000 and costs are \$131.45. [VIEW](#)
3. Approval of a Resolution in support of renaming West Summerland Key to "Scout Key". [VIEW](#)
4. **Request by property owner(s) for mitigation of fines in the matters of (a) Monroe County, Florida v. Marcia Turner and Garabet Khatchikian, Case No. 07-CA-101-M and (b) Monroe County v. Khatchikian and Turner, Code Enforcement Case No. CE06120166 (Monroe County Circuit Court Case No. 07-CA-319-K). [VIEW](#)**
5. Approval of request to schedule a closed executive session of the Board of County Commissioners in the matter of Board of County Commissioners of Monroe County, Florida v. Tony Welters and Virginia Welters, Case No. 03-CA-1505-K and Board of County Commissioners of Monroe County, Florida v. Louis Welters, et. al., Case No. 04-CA-639-K during its regular meeting scheduled for July 15, 2009 in Key West. [VIEW](#)

2:00 P.M.

3:00 P.M.

Q. PUBLIC HEARINGS

1. **A public hearing to consider approval of a resolution for unanticipated funds for a Budget Amendment of Fiscal Year 2009 Key West International Airport Fund, # 404, new fund #406 Passenger Facility Charge, and Marathon Airport Fund, # 403. [VIEW](#)**
2. **A public hearing to consider adoption of a County Ordinance regarding preference to local businesses in bidding procedures. [VIEW](#)**
3. **A public hearing to consider adoption of a County Ordinance amending Monroe County Code Chapter 12, Article II providing for five (5) district advisory boards to correspond with commission districts and revising the composition of the Beach and Shore Preservation Authority District's Advisory Boards. [VIEW](#)**

3:00 P.M.

Q. PUBLIC HEARINGS -CONTINUED

4. A public hearing to consider adoption of a County Ordinance amending sec. 4-70, Monroe County Code providing for the limiting of chaining and tethering dogs. [VIEW](#)
5. A public hearing to consider a request for Administrative Relief for Brooks W. & Susan R. Thommes on Lot 33 & Pt Lot 34, Block 3, Cudjoe Gardens 2nd Add., Cudjoe Key, Real Estate Number 00173760.000000 & 00173780.000100. [VIEW](#)
6. A public hearing to consider an ordinance by the Monroe County Board of County Commissioners creating Sections 9-2 and 9-3 of the Monroe County Code regarding affordable housing permitting priority and the review of regulations affecting housing costs. [VIEW](#)
7. A public hearing to approve an ordinance by the Monroe County Board of County Commissioners repealing and rescinding ordinance No. 008-2008 concerning amendments to the Monroe County 2010 Comprehensive Plan revising sections of the Future Land Use Element and the Conservation and Coastal Management Element regarding recreational and commercial working waterfronts. [VIEW](#)
8. A public hearing to consider a Development Agreement between Monroe County and Calusa Campground Association, Inc. [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, June 12, 2009.