

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 18, 2008
Marathon Government Center
2798 Overseas Highway, MM 47.5 (Gulf)
Marathon, Florida

9:00 A.M. - Regular Meeting

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

3:00 P.M. - Public Hearings

5:00 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 10 years of service to Monroe County to Irene Toner, Director, Emergency Management, Emergency Services Division. [VIEW](#)
2. Presentation of the Florida Keys Council for People with Disabilities Award to C. J. Geotis, Port Manager of the City of Marathon, Florida. [VIEW](#)
3. Mayor's Proclamation in recognition of the community services provided by the American Red Cross. [VIEW](#)

C. BULK APPROVALS - **COMMISSIONER McCOY**

1. Approval of Renewal Agreement with Synagro Southeast, Inc. for operation and maintenance of the sewage treatment plant at the Florida Keys Marathon Airport. [VIEW](#)
2. Approval of Third Amendment to Ground Lease Agreement between Monroe County and Sea Grape Apartments, LTD, to extend the deadline to commence construction of Project. [VIEW](#)
3. Approval of Agreement Addendum for Interim Medical Examiner Services between Monroe County and Michael D. Hunter, M.D., P.A., to extend agreement for District 16 Medical Examiner services on a month-to-month basis pending the appointment of a permanent Medical Examiner and to provide for an increase in monthly payment to provide janitorial services upon occupancy of new Medical Examiner's facility. [VIEW](#)
4. Approval of Contract Renewal with Culver's Cleaning Company to provide janitorial services at the Florida Keys Marathon Airport. [VIEW](#)
5. Approval of a resolution to appoint 11 members to Affordable Housing Advisory Committee. [VIEW](#)
6. Approval of Federal Aviation Administration grant(s) for the Noise Insulation Program Phase 6 construction and/or Noise Insulation Program Phase 7 Design, for the Key West International Airport. [VIEW](#)
7. Approval of Federal Aviation Administration grant to construct Runway Safety Areas at the Key West International Airport. [VIEW](#)
8. Approval of Federal Aviation Administration grant(s) for additional funding for the Noise Insulation Program Phase 6 construction and/or Noise Insulation Program Phase 7 Design, for the Key West International Airport, and approval for the Mayor to execute the grant agreement(s) upon receipt from FAA. [VIEW](#)
9. Approval of URS Purchase Service Order 06/07-24R, for the Runway Safety Area Design Plans and Specifications, for the Key West International Airport. [VIEW](#)
10. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)

C. BULK APPROVALS - CONTINUED

11. 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](#)
12. Approval to ~~renew~~ terminate County Fiscal Year 2008 contract between Monroe County and the PACE Center for Girls, Inc. as of March 31, 2008. [VIEW](#)
13. Approval of a Resolution to submit the Consolidated Small County Solid Waste Management Grant Application to the Florida Department of Environmental Protection. [VIEW](#)
14. Approval of a Great Florida Birding Trail Sign Maintenance Agreement with the Florida Fish and Wildlife Conservation Commission. [VIEW](#)
15. Approval for the Pigeon Key Foundation to have a licensed contractor make repairs to the laundry room building on Pigeon Key. [VIEW](#)
16. Approval to advertise an ordinance amending Sec. 13-5.5 of the Monroe County Code creating the Big Pine Key Park. [VIEW](#)
17. Approval to amend and renew contract with Diversified Services of Key West., Inc. for janitorial services at the May Hill Russell Library, Key West, Florida, and the Department of Juvenile Justice Building - second floor. [VIEW](#)
18. Approval to increase the not to exceed amount of \$25,000 to \$45,000 for additional services in the contract with Siemens Building Technologies, Inc. for the testing, certification, and maintenance of the Monroe County Detention Center's fire alarm system, building automation system, and smoke control system; the Sheriff's Administration Building's fire alarm system and building automation system; the Juvenile Justice Center's fire alarm system and building automation system; and the Courthouse Annex's fire alarm system. [VIEW](#)
19. Approval to amend and renew the contract with Aramark Uniform Services, a division of ARAMARK Uniform & Career Apparel, LLC. for the Division of Public Works uniform services. [VIEW](#)
20. Approval to award bid and execute a contract with All Power Generators Corp. for emergency generator inspections, maintenance and repairs. [VIEW](#)
21. Approval to enter into a Federally Funded Subgrant Agreement with the State of Florida Division of Emergency Management for the Marathon Garage Overhead Door Wind Retrofit Project. [VIEW](#)
22. Approval of a month-to-month Contract Extension with mbi/k2m for professional architectural/engineering services under a continuing contract for small projects in which construction costs do not exceed \$1,000,000. [VIEW](#)

C. BULK APPROVALS - CONTINUED

23. Approval of Renewal Agreement between Monroe County Board of County Commissioners and Stand Up For Animals, Inc. (SUFA) extending current contract one (1) additional year (period of July 1, 2008 - June 30, 2009) and changing the hours of operation of the Big Pine Key Animal Shelter from 10A - 2P to 8A - 12P, Tuesday through Saturday. [VIEW](#)
24. Approval to amend State of Florida Department of Children and Families contract ~~#KG606~~ #KG060 extending the contract for an additional six months. The new effective end date of the contract shall be December 31, 2008. The additional County match shall be \$4,483.00 for the period from July 1, 2008 through December 31, 2008. [VIEW](#)
25. Approval of the Home Care for the Elderly (HCE) Case Management Contract Number KH 872 between the Alliance for Aging, Inc. and the Monroe County Board of County Commissioners (Monroe County Social Services/In-Home Services Program) for Fiscal Year July 1, 2008 through June 30, 2009. [VIEW](#)
26. Approval of the Alzheimers' Disease Initiative (ADI) Contract Number KZ 897 between the Alliance for Aging, Inc. (Area Agency on Aging) and the Monroe County Board of County Commissioners (Community Services/In-Home Services) for fiscal year 7/1/08 to 6/30/09. [VIEW](#)
27. Approval of the Community Care for the Elderly (CCE) Contract Number KC871 between the Alliance for Aging, Inc. (Area Agency on Aging) and the Monroe County Board of County Commissioners (Community Services/In-Home Services) for fiscal year 7/1/08 to 6/30/09. [VIEW](#)
28. Award of Bid and approval of a Contract between Monroe County Board of County between 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., CCE and OAA) and the Department of Children and Families (e.g., CCDA). [VIEW](#)
29. Approval of Resolution of the Board of County Commissioners of Monroe County, Florida superseding Resolution 245A-2006 and adopting an amended fee schedule for use for providing Emergency Medical Air Transport Service. [VIEW](#)
30. Approval to advertise a notice of calling for bids/ RFP to select a vendor who will review and update the current Monroe County Public Works All-Hazard Emergency Plan. [VIEW](#)
31. Approval of Receipt of monthly report on change orders reviewed by the County Administrator's Office. [VIEW](#)

C. BULK APPROVALS - CONTINUED

32. Approval of an Agreement with Leonardo Nierman to display a 12' tall sculpture titled "Eternal Flight" at the Freeman Justice Center. [VIEW](#)
33. Approval to award bid and enter into contract with B.A.T. Construction for installation of a culvert at Breezeswept Beach Estates on Ramrod Key. [VIEW](#)
34. Approval to award bid and execute contract with B.A.T. Construction, Inc. for the Environmental Wetlands Mitigation at the new Medical Examiner's Facility. B.A.T. Construction, Inc. was the lowest conforming responsive bidder. [VIEW](#)
35. Approval of second amendment to the contract for Temporary Ferry Service to Pigeon Key to increase number of additional trips for education groups to ~~114~~ 119. [VIEW](#)
36. Approval to award bid and enter into contract with Charley Toppino & Sons, Inc. for the Prado Circle Stormwater Improvements Project on Big Coppitt Key. [VIEW](#)
37. Approval of quote #BBS080318085500 for an Addendum to Bellsouth Business Services Master Agreement #DS0025 from AT&T for a NetVPN circuit to replace a current MCSO frame circuit. Furthermore, by approval of Addendum #BBS080318085500, the board also ratifies the Bellsouth Business Master Services Agreement #DS0025 dated September 20, 2002. [VIEW](#)
38. Approval of quote #BBS08040911908 for an Addendum to Bellsouth Business Services Master Agreement #DS0025 from AT&T for two(2) NetVPN circuits to replace two(2) current Court Administration NetVPN circuits. Furthermore, by approval of Addendum #BBS08040911908, the board also ratifies the Bellsouth Business Master Services Agreement #DS0025 dated September 20, 2002. [VIEW](#)
39. Approval of Order Attachment for CSA Services #FL08-5214-02 from AT&T for renewal of Monroe County BOCC primary rate interface (PRI) agreement. [VIEW](#)
40. Approval of Lessor Consent to Leasehold Mortgage Agreement. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Approval of an Amendment to Agreement with Red Barn Actors' Studio, Inc. covering the Red Barn Theatre/Live Theatre between October 2007 and September 2008 to revise Exhibit A reflecting changes to schedule. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL - CONTINUED

2. Approval of an Amendment to Agreement with the Lower Keys Chamber of Commerce, Inc. to revise event name from "Big Pine Key Winterfest and Island Art Fair" to "Big Pine and Lower Keys Island Art Festival". [VIEW](#)
3. Approval of an Agreement with Judy Bobick d.b.a. Ace Building Maintenance, to provide janitorial services for the TDC Administrative office at 1201 White Street, Suite 102, Key West. [VIEW](#)
4. Approval of an Amendment to Agreement with Key West Council on the Arts to revise their Schedule of Events "Exhibit A". [VIEW](#)

E. STAFF REPORTS

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

ADJOURNMENT

- 10:00 A.M. F. LAND AUTHORITY GOVERNING BOARD**
Approval of minutes for the May 21, 2008 meeting. [VIEW](#)
Approval to purchase Tract AD, Pine Key Acres on Big Pine Key for conservation. [VIEW](#)

ADJOURNMENT

G. ENGINEERING

1. Discussion and approval of the Selection Committee who will review the response to the RFQ for the Americans with Disabilities Compliance Assessment for County Facilities and Roads. [VIEW](#)

H. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS

1. Pursuant to previous Board direction, approval is requested of a resolution by the Board of County Commissioners transferring \$116,593.00 from the Employee Fair Share Housing Fund no. 136 to the Building Department Fund No. 180. [VIEW](#)
2. Approval of Second Amendment to contract with Greenberg Traurig P.A. for the consulting services of Kenneth Metcalf, extending the contract expiration date for one year, changing the funding source and amending the scope of work. [VIEW](#)
3. Adoption of a resolution formally creating the Green ~~Ribbon~~ **Building Code** Task Force pursuant to previous BOCC direction for the evaluation and recommendation of green building techniques to be included as a local technical amendment to the Florida Building Code. [VIEW](#)

1:30 P.M. I. WASTEWATER ISSUES

1. Report to update the status of Wastewater projects. [VIEW](#)
2. Discussion with Florida Keys Aqueduct Authority, South Florida Water Management District, Growth Management & Planning and as a FYI to the public, Section 163.3177(6)(h) F.S. requires coordination between water supply providers and the recipient local government. Such coordination may include sharing of updated information to meet ongoing water supply needs, implementation of alternative water supply project, establishing Level of Service. [VIEW](#)
3. Update on Key Largo Wastewater Treatment District activities by Chuck Fishburn, General Manager. [VIEW](#)

2:00 P.M. J. SOUNDING BOARD

1. Request to speak to the Board of County Commissioners in regards to contractors' qualifications for construction work performed in Monroe County - Franklin D. Greenman representing the Florida Keys Contractors Association. [VIEW](#)

K. MONROE COUNTY SHERIFF DEPARTMENT

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

- L. CLOSED SESSIONS
- 2:15 P.M. 1. 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. [VIEW](#)
- 2:45 P.M. 2. A closed executive session of the Board of County Commissioners in the matter of Celeste Bruno v. Monroe County, CV 07-10117. [VIEW](#)
- M. COMMISSIONERS' ITEMS
- 10:30 A.M. 1. **COMMISSIONER NEUGENT** - Discussion of a request by a constituent to waive conditional use fee for a one story motel located at the Sugarloaf Lodge. [VIEW](#)
- 10:30 A.M. 2. **MAYOR Di GENNARO** - Approval of a resolution of the Board of County Commissioners of Monroe County, Florida declaring support of Congressional Legislation to exclude the Developed residential area of the unrecorded plat on the East end of No Name Key, otherwise known as "Island's End", located in Monroe County, Florida from the Federal Coastal Barrier Resources System. [VIEW](#)
- 10:45 A.M. 3. **MAYOR Di GENNARO** - Approval to direct staff to amend Section 9.5-258 Coastal Barrier Resources System Overlay District of the Monroe County Code to eliminate the prohibition of the establishment of central wastewater treatment collection systems and utilities for No Name Key in accordance with previously approved BOCC direction to include No Name Key within the central sanitary wastewater system plan for the Lower Keys Regional Service Area. [VIEW](#)
- 11:00 A.M. 4. **MAYOR Di GENNARO** - Presentation by the local chapter of the Red Cross of the services provided to the local communities of the Keys. [VIEW](#)
- N. COUNTY CLERK
1. Report
2. Official approval of the Board of County Commissioners minutes from the Regular BOCC meeting of April 16, 2008 (previously distributed)
3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of May, 2008. [VIEW](#)
5. Approval to remove surplus equipment from inventory via disposal. [VIEW](#)
6. Approval to advertise a citizen member appointment to the Value Adjustment Board. The citizen member must own a homestead property within the county. [VIEW](#)

N. COUNTY CLERK - CONTINUED

7. Authorization for the Clerk to take any and all action required under the Bond Documents to effect the replacement of the Remarketing Agent under the bond documents concerning Airport Variable Rate Revenue Bonds (Key West International Airport), Series 2006. [VIEW](#)

O. COUNTY ADMINISTRATOR

1. Report
2. Confirmation of the County Administrator's appointment of Tina Boan to the position of Senior Director of the office of Budget & Finance. [VIEW](#)

Confirmation of the County Administrator's appointment of William Hays to the position of Director, Veterans Affairs. [VIEW](#)

P. COUNTY ATTORNEY

1. Report
2. Authorization to institute collection proceedings and/or enter settlement negotiations with Eldine Sands in Code Enforcement Case CE07020268. [VIEW](#)
3. Authorization to institute collection proceedings and/or enter settlement negotiations with Victor LaFond in Code Enforcement Case CE07010108. [VIEW](#)
4. Authorization to institute collection proceedings and/or enter settlement negotiations with Cross Key Marina, LLC in Code Enforcement Case CE07010201. [VIEW](#)
5. Authorization to institute collection proceedings and/or enter settlement negotiations with Faresh Miguel Atala in Code Enforcement Cases CE06070204, CE06070205, CE06070206, CE06070207. [VIEW](#)
6. Authorization to institute collection proceedings and/or enter settlement negotiations with Tracy Kamm, Leanne Kamm, Joseph Juhasz and Dina Juhasz in Code Enforcement Case CE07040019. [VIEW](#)
7. Authorization to institute collection proceedings and/or enter settlement negotiations with Jeffrey and Mary Mitchell in Code Enforcement Case CE04020028. [VIEW](#)
8. Authorization to institute collection proceedings and/or enter settlement negotiations with Martin Nelson and Sara Lleana Lopez in Code Enforcement Case CE07010300. [VIEW](#)
9. Authorization to institute collection proceedings and/or enter settlement negotiations with David Black in Code Enforcement Case CE07010182. [VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

10. Approve the Settlement Agreement between Monroe County Code Enforcement and John A. Tuckus, Ann C. Tuckus, and John A. Tuckus, III. [VIEW](#)
11. Approval of Second Amendment to legal consulting services agreement with White & Smith, LLC. [VIEW](#)
12. Approval of Sixth Amended Settlement Agreement in Richard M. Osborne & Conch Contrada LC v. Monroe County & Joe Paskalik, CA K 01-108. [VIEW](#)
13. Approval of Amendment to Lease, Termination of Agreement and Bill of Sale between Monroe County and Comcast of California/Colorado/Florida/Oregon, Inc. which will transfer ownership of Communication Tower at Long Key to County. [VIEW](#)
14. Approval to participate with Leon, Alachua, Manatee, and other counties in lawsuit challenging any financial obligation of counties to fund regional conflict counsel, subject to condition that County's contribution to cost of the litigation is limited to \$1,000, to be paid out of the County Attorney budget for outside legal counsel costs. [VIEW](#)
15. Approval to file appeal in the Code Enforcement Case of Monroe County v. Robert J. Moraitis, CE 07030383. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS

1. A Public Hearing to consider approval of a resolution for a Budget Amendment for Fiscal Year 2008 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](#)
2. A Public Hearing to consider approval of a Resolution renouncing and disclaiming any right of the County and the public in and to 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](#)
3. A Public Hearing for an ordinance amending Sec. 6-4 of the Monroe County Code. [VIEW](#)
4. A public hearing to consider a request for Administrative Relief for Cristina Keegan Lots 5 & 6, Block 8, Anglers Park, Key Largo, Real Estate Number 00552390.000000 & 00552400.000000. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS - CONTINUED

5. A public hearing to consider a request for Administrative Relief for Marling Holding Inc. on Lot 23, Block 7, Largo Gardens, Key Largo, Real Estate Number 00456870.000000. [VIEW](#)
6. A public hearing to consider a request for Administrative Relief for Marling Holding Inc. on Lot 24, Block 7, Largo Gardens, Key Largo, Real Estate Number 00456880.000000. [VIEW](#)
7. A public hearing to consider a request for Administrative Relief for Marling Holding Inc. on Lot 21, Block 7, Largo Gardens, Key Largo, Real Estate Number 00456850.000000. [VIEW](#)
8. A public hearing to consider a request for Administrative Relief for Native Rental Properties, LLC on Lot 10, Block 4, Revised Plat of Sunrise Point, Key Largo, Real Estate Number 00484620.000000. [VIEW](#)
9. A public hearing to consider a request for Administrative Relief for Rodney Almeida on Lot 11, Block 6, Winston Waterways #2, Key Largo, Real Estate Number 00546820.000000. [VIEW](#)
10. A public hearing to consider a request for Administrative Relief for Jorge Santamaria on Lot 5, Block 3, Bay Harbor Amd. Plat, Key Largo, Real Estate Number 00489870.000000. [VIEW](#)
11. A public hearing to consider a request for Administrative Relief for Reisman, Murray & Eleanor (Trustees) on Lot 36, Block 6, Winston Waterways #2, Key Largo, Real Estate Number 00547070.000000. [VIEW](#)
12. A public hearing to consider a request for Administrative Relief for Juan C. & Roxana Varela Quintana on Lot 185, Port Largo, Key Largo, Real Estate Number 00453160.000000. [VIEW](#)
13. A public hearing to consider a request for Administrative Relief for Patrick C. & Lia E. McCaffrey on Lot 5, lying South of Canal, Paradise Point Cove, Key Largo, Real Estate Number 00514050.000000. [VIEW](#)
14. A public hearing to consider a resolution at the request of Key Haven Estates, LLC granting approval of a final plat for the subdivision of land into 43 residential lots and two commercial tracts to be known as Key Haven Estates, which is a replat of Key Haven 4th Addition Lots 19-23, 9th Addition Lots 3-8 and 11-24, and Enchanted Island Lots 39-44, 63-72 and 77-83, located within Sections 25 and 26, Township 67, Range 25 East, Monroe County, Florida. [VIEW](#) - [Click here for the application \(2.26MB\)](#)

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

- 15. A public hearing to consider an ordinance, at the request of Planning and Environmental Resources Staff, to amend the Monroe County Code Section 9.5-122.4(d) and Section 9.5-124.8(a)(3) to allow credit for habitat mitigation on lots dedicated for positive point vales on No Name and Big Pine Keys, and to adopt a new Section 9.5-350 establishing mitigation requirements for habitat conservation on No Name and Big Pine Keys.(Staff is requesting the item be continued to the July 16, 2008 BOCC meeting in Key West) [VIEW](#)**

5:01 P.M. R. PUBLIC HEARINGS

- 1. A public hearing to consider a resolution to extend an Interim Development Ordinance (IDO) deferring the acceptance of applications for redevelopment and/or conversion of marine facilities including commercial marinas and working waterfronts for one year after the effective date or when applicable comprehensive plan and/or land development regulations become effective. [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 13, 2008.