

**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, July 16, 2008  
The Harvey Government Center  
at Historic Truman School  
1200 Truman Avenue  
Key West, Florida

9:00A.M. - Regular Meeting

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.      Presentation of Years of Service Award for 30 years of service to Monroe County to Jacob Humbert, Carpenter, Facilities Maintenance, Public Works Division. [VIEW](#)

- B. **PRESENTATION OF AWARDS - CONTINUED**
2. Presentation of Years of Service Award for 10 years of service to Monroe County to Carlton Howard, Painter, Facilities Maintenance, Public Works Division. [VIEW](#)
  3. Presentation of Years of Service Award for 10 years of service to Anne Layton Rice, Library Administrator, Community Services. [VIEW](#)
  4. Presentation of Employee Service Award for the Month of January, 2008, to Tony Gartenmayer, Building Maintenance Specialist, Facilities Maintenance, Public Works Division. [VIEW](#)
  5. Presentation of Government Finance Officers Association (GFOA) award to Monroe County's Office of Management and Budget. [VIEW](#)
  6. Proclamation of July 16, 2008 as official launch of County participation in NACo "Change the World, Start with Energy Star Campaign, and Drive \$marter Challenge. [VIEW](#)
- C. **BULK APPROVALS - MAYOR DI GENNARO**
1. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
  2. Approval to advertise a public hearing for a Budget Amendment for these funds: Marathon MSTU Fund 166, Debt Service Fund 207, One Cent Infrastructure Sales Tax Fund 304, 2003 Revenue Bonds Fund 307, and Duck Key Wastewater Fund 311. [VIEW](#)
  3. Approval of the recommendations of the Substance Abuse Policy Advisory Board concerning the uses of the Edward Byrne Memorial Justice Assistance Grant (JAG) funds and authorization for the County Administrator to execute the fiscal year 2009 JAG application. [VIEW](#)
  4. Authorization for the Mayor to execute the Edward Byrne Memorial Justice Assistance Grant Certificate of Participation with the Florida Department of Law Enforcement for fiscal year 2009 (Oct. 1, 2008 through September 30, 2009), whereby Monroe County agrees to act as the coordinating unit of government for this grant. [VIEW](#)
  5. Approval to apply for Residential Substance Abuse Treatment Grant and for the Mayor, Chief Financial Officer, and Grants Administrator to sign the application and related certifications and attachments, and complete the grant application on-line at the Florida Dept. of Law Enforcement website. [VIEW](#)
  6. ~~Approval to "piggyback" on Lee County, Florida contract and enter into contract with Adjusters International, Inc. for FEMA Public Assistance consulting services.~~ Approval to request proposals for FEMA Public Assistance consulting services. [VIEW](#)

C. BULK APPROVALS - CONTINUED

7. Approval to accept proposal from Ace Property and Casualty Insurance Company through Arthur J. Gallagher for Airport Liability Insurance. [VIEW](#)
8. Approval to accept proposal from Darwin National Insurance Company through Gehring Group for Airport Public Officials Liability and Employment Practices Liability Insurance. [VIEW](#)
9. Approval of Opposing Counsel Attorney's Fees for WC File #0301300-KK in the amount of \$30,405.10. [VIEW](#)
10. Approval to waive landing fees for USAir, for flights to Charlotte, NC, for one year, commencing on October 15, 2008. [VIEW](#)
11. Approval of a resolution to adopt tentative residential solid waste collection, disposal, and recycling rates for Fiscal Year 2009. [VIEW](#)
12. Approval of a resolution to adopt tentative solid waste collection, disposal, and recycling rates for commercial waste generators for Fiscal Year 2009. [VIEW](#)
13. Approval of a Resolution accepting a restricted donation in the amount of \$3,650.00 from the Florida Keys SPCA, Inc. for the purpose of repairing and adding fence at the Higgs Beach Dog Park, and approval of a Resolution concerning receipt of unanticipated funds for same. [VIEW](#)
14. Approval to renew agreement with Weathertrol Maintenance Corp. for central air conditioning maintenance and repair for the Lower Keys Facilities. [VIEW](#)
15. 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 Marathon Government Center. [VIEW](#)
16. Approval to award bid and execute a contract with Weathertrol Maintenance Corp. for a full maintenance program for the two centrifugal chillers at Jackson Square. [VIEW](#)
17. Approval to advertise a Request For Proposal (RFP) for various single family modular units for housing families and/or build out sheltering units for both short and long term temporary housing after a catastrophic event. [VIEW](#)
18. Approval to rescind Grant of Easement previously approved and approval of revised version of Grant of 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](#)
19. Approval of Lease Extension Agreement with Keys Woodworker, Inc. for lease of premises located at the Florida Keys Marathon Airport for use as a public parking lot for an additional five year term, commencing June 11, 2008 and ending June 10, 2013. [VIEW](#)

C. BULK APPROVALS - CONTINUED

20. Approval of assignment of the Cristal Clear FBO, LLC lease at the Florida Keys Marathon Airport to Coast FBO, Inc. [VIEW](#)
21. Approval to enter into a Federally Funded Subgrant Agreement with the State of Florida Division of Emergency Management for the Florida Keys Marathon Airport Terminal Wind Retrofit Project. [VIEW](#)
22. Approval to enter into a two-year lease agreement with the Utility Board of the City of Key West to use the decommissioned Big Pine Peaker generating site for animal control services. [VIEW](#)
23. Approval of a resolution to waive the existing requirements that each grant and contract amendment be individually approved by the Board of County Commissioners when the award or cost does not exceed \$25,000.00. [VIEW](#)
24. Approval by the Board, acting as Plan Administrator of the Length of Service Award Plan (LOSAP) to begin 10-year disbursement of funds to one eligible participant, Thomas P. Cullen, Jr. with a monthly benefit of \$165.00 commencing August 1, 2008. [VIEW](#)
25. Approval of a contract with Stephen Frink Photographic, Inc. for Art in Public Places at the Murray E. Nelson Government & Cultural Center. [VIEW](#)
26. Approval of a contract with John David Hawver Gallery for Art in Public Places at the Murray E. Nelson Government & Cultural Center. [VIEW](#)
27. Approval to enter into an Art in Public Places Award agreement with Daniel Lawler to provide art at the Freeman Justice Center. [VIEW](#) ~~DELETE~~
28. Approval of a contract with Xavier Cortada for Art in Public Places at the Murray E. Nelson Government & Cultural Center. [VIEW](#)
29. Approval of a contract with Alan S. Maltz Gallery for Art in Public Places at the Murray E. Nelson Government & Cultural Center. [VIEW](#)
30. Approval of a contract with Roberta Cris Sandifer for Art in Public Places at the Murray E. Nelson Government & Cultural Center. [VIEW](#)
31. Approval to execute Amendment No. 2 to the Local Governmental Agreement between South Florida Water Management District (SFWMD) and Monroe County to provide \$500,000 funding for stormwater management projects. [VIEW](#)
32. Grant of Easement to the Florida Keys Aqueduct Authority (FKAA) to construct, reconstruct, lay, install, maintain, relocate, repair, replace improve, remove, and inspect water distribution facilities and have the right to ingress and egress to the Medical Examiner's Facility. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Approval to rescind 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](#)
2. Approval of an Amendment to Agreement with Middle Keys Events Council, Inc. to revise scope of services for the marathon SBI Offshore Grand Prix on May 15-18, 2008. [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

F. ENGINEERING

1. Receipt of monthly report on change orders reviewed by the County Administrator's Office. [VIEW](#)
2. ~~Discussion and approval of the short list ranking for the Development, Construction, and Management of a hotel at the Key West and Marathon Airport and authorization to negotiate with same.~~ Presentation and discussion of the proposed hotel project at the Key West and Marathon Airport including a discussion of the respondents to the Request for Proposals for the Development, Construction, and Management services for said hotels. [VIEW](#)

G. EMPLOYEE SERVICES

1. Discussion of County's Property, Liability, Benefit (Health) policies and contracts. [VIEW](#)

H. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS

1. Approval of a resolution of the Monroe County Board of county Commissioners establishing the monetary value of a single ROGO allocation system competition point for purposes of payment by applicants in the ROGO system with a maximum of 2 points available per application. [VIEW](#)

H. GROWTH MANAGEMENT - CONTINUED

2. Approval of a resolution to extend the authority of the Growth Management Director to toll time limit requirements for obtaining a building permit or required permit inspection for properties adversely impacted by the Court ordered injunction on the issuance of new flood insurance policies under the National Flood Insurance Program pending resolution of the injunction. [VIEW](#)

1:30 P.M.

I. WASTEWATER ISSUES

1. Report to update the status of Wastewater projects. [VIEW](#)
2. Approval of amendment 1 for Florida Department of Environmental Protection (FDEP) Wastewater Grant LP6803. [VIEW](#)

2:00 P.M.

J. SOUNDING BOARD

1. Request to speak to the Board of County Commissioners in regards to a 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. COMMISSIONERS' ITEMS

1. **COMMISSIONER McCOY** - Appointment of Jedde V. Regante to the newly formed Board Monroe County Green Building Code Task Force. [VIEW](#)
2. **COMMISSIONER SPEHAR** - Approval of the District 1 appointment of Mr. Robert L. Drolet to the Green Building Code Task Force Committee by the Board of County Commissioners of Monroe County. [VIEW](#)
3. **COMMISSIONER SPEHAR** - Approval of the District 1 appointment of Mr. Glenn Stevenson to the Green Building Code Task Force Committee by the Board of County Commissioners of Monroe County. [VIEW](#)

L. COMMISSIONERS' ITEMS - CONTINUED

10:00 A.M.

4. **COMMISSIONER SPEHAR** - Approval of the District 1 appointment of Ms. Aleksandra Leto to the Human Services Advisory Board by the Board of County Commissioners of Monroe County. [VIEW](#)
5. **COMMISSIONER SPEHAR** - Approval of the District 1 appointment of Mr. James D. Cameron as ~~Chairman~~ to the Planning Commission Board by the Board of County Commissioners of Monroe County. [VIEW](#)
6. **COMMISSIONER SPEHAR** - Approval of a resolution of the Board of County Commissioners of Monroe County, Florida in opposition to the privatization of Alligator Alley. [VIEW](#)
7. **MAYOR Di GENNARO** - **Approval of Resolution supporting the efforts of Governor Charlie Crist and the South Florida Water Management District to acquire land south of Lake Okeechobee for the protection and restoration of America's Everglades and Florida's coastal estuaries.** [VIEW](#)
8. **COMMISSIONER NEUGENT** - Approval by the Board of County Commissioners to appoint Michael Welber to the Green Building Code Task Force expiring July 15, 2009. [VIEW](#)
9. **COMMISSIONER NEUGENT** - Approval by the Board of County Commissioners to appoint David Tuttle to the Green Building Code Task Force expiring July 15, 2009. [VIEW](#)
10. **COMMISSIONER NEUGENT** - Approval by the Board of County Commissioners to reappoint Rite Irwin to the Tourist Development Council term expiring August 17, 2012. [VIEW](#)
11. **COMMISSIONER SPEHAR** - Approval of a resolution by the Board of County Commissioners of Monroe County, Florida express concern over the large population of iguanas in Monroe County and requesting the Fish and Wildlife Conservation Commission to enact regulations governing the possession, distribution or release of iguanas within the State; providing an effective date. [VIEW](#)
12. **MAYOR Di GENNARO** - Approval of Resolution honoring the visit of Mayor Mori of Kagoshima, Japan, sister city of the City of Miami, to Monroe County/Key West. [VIEW](#)

M. COUNTY CLERK

1. Report
2. Official approval of the BOCC minutes from the Regular BOCC meeting of May 21, 2008 & Special Meeting of May 23, 2008 - (previously distributed).

M. COUNTY CLERK - CONTINUED

3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of June, 2008. [VIEW](#)
5. Approval of a Resolution authorizing a \$10,000,000 Line of Credit from Bank of America, N.A.; approving the form of and authorizing the execution of a Promissory Note and a Loan Agreement; and providing an effective date. [VIEW](#)

N. COUNTY ADMINISTRATOR

9:45 A.M.

1. Report
2. **Presentation by Senator Bullard on her 2008 Post-Session Report.** [VIEW](#)
3. Approval for the running of the 27<sup>th</sup> Annual 7-Mile Bridge Run for Saturday, April 25, 2009 from 6:45 A.M. to 9:00 A.M. [VIEW](#)
4. Approval of a resolution waiving prohibition against appearing before the Board in legislative and quasi-judicial matters in Section 5 of the Employment Agreement with Thomas J. Willi. [VIEW](#)
5. Approval of moving the regular scheduled September 17, 2008 BOCC Meeting location from the Marathon Government Center to Key West, Harvey Government Center. [VIEW](#)
6. Approval for the running of the Inaugural Jewfish Creek Bridge Run/Walk 2009 for Saturday, November 14, 2009 from 6:30 A.M. to 10:30 A.M. [VIEW](#)
7. Approval of the reimbursement to Bob Freeman, Decentralized Wastewater Treatment Systems Coordinator, USEPA Region 4 for travel that recently occurred for the site visit of Collier County's STEP/STEG Systems. [VIEW](#)
8. Approval for the running of the Parrot Heads of the Upper Keys Jewfish Creek Bridge Run for Saturday, November 14, 2009. [VIEW](#)

O. COUNTY ATTORNEY

1. Report
2. Approval of Quit Claim Deed. [VIEW](#)
3. Approval to negotiate an Interlocal Agreement with the Monroe County Sheriff's Office. MCSO will handle the responsibility for contracting, funding and erection of a new communications tower to be located on County owned land adjacent to the Marathon Courthouse. Replacement cost will be at no cost to the County. [VIEW](#)

O. COUNTY ATTORNEY - CONTINUED

4. Approval of Resolution to extend the default date for the SHIP mortgage issued to Woods Corner. [VIEW](#)
5. Approval of request to schedule a closed executive session of the Board of County Commissioners in the matter of The Tower Group, Inc. vs. Monroe County Board of County Commissioners, Case No. 07-CA-1482K and Monroe County Board of County Commissioners v. Gonzalez Architects, et al., Case No. 08-CA-458-K at the August 20, 2008 meeting in ~~Key Largo~~ Marathon. [VIEW](#)
6. Approval to enter into a separate professional services contract, with Trauner Consulting Services, Inc., and to waive the purchasing policy to enable County to continue to use Trauner as a technical expert in the case of The Tower Group vs. Monroe County. Trauner was originally hired under the contract with Gray/Robinson, P.A.; this action takes the contract out of the Gray/Robinson contract. [VIEW](#)
7. Approval of the Settlement Agreement with Brian and Jocelyn Tiedemann, Code Enforcement Case CE06090166 in the amount of \$2,500.00. [VIEW](#)
8. Approval of selection of MBI/K2M Architecture Inc and Award of Contract for the Americans with Disabilities Act (ADA) Compliance Assessments for Monroe County Facilities and Roads. [VIEW](#)

3:00 P.M.

P. PUBLIC HEARINGS

1. A Public Hearing to consider approval of an ordinance amending Sec. 13-5.5 of the Monroe County Code, creating the Big Pine Key Park. [VIEW](#)
2. A Public Hearing to consider approval of an ordinance repealing Ordinance No. 22-2001 of the Monroe County Code regarding Art in Public Places. [VIEW](#)
3. A public hearing to consider approval of Amending Monroe County Ordinance to decrease the reimbursement amounts for breakfast, lunch and dinner for Commissioners, officers and employees while on Class C travel on official business. [VIEW](#)
4. 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 values 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. [VIEW](#)

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

- 5. 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 4<sup>th</sup> Addition Lots 19-23, 9<sup>th</sup> 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](#)**

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, July 11, 2008.