

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.

Monday, July 28, 2008
Marathon Government Center
2798 Overseas Highway, MM 47.5 (Gulf)
Marathon, Florida

TIME APPROXIMATE

SPECIAL MEETING

**10:00 A.M. CALL TO ORDER
 INVOCATION
 SALUTE TO FLAG**

A. ADDITIONS, CORRECTIONS, DELETIONS

B. FISCAL YEAR 2008 BUDGET MEETING

Overview & Discussion of Major Issues – County Administrator

- 1. Constitutional Officers**
 - Clerk of Courts**
 - Property Appraiser**
 - Tax Collector**
 - State Attorney**

**Public Defender
Judicial
Supervisor of Elections
Sheriff**

- 2. Guardian Ad Litem**
- 3. Land Authority**
- 4. Tourist Development Council**
- 5. Health Department**
- 6. Employee Services**
- 7. Public Works**
- 8. Growth Management**
- 9. Community Services**
- 10. Veteran's Affairs**
- 11. Airport Services**
 - Key West & Marathon Airports**
- 12. Emergency Services**
- 13. Lower & Middle Keys Fire & Ambulance District Board of Governors**
- 14. Engineering**
 - Capital Plan**
- 15. Housing & Community Development**
- 16. Medical Examiner**
- 17. Technical Services**
- 18. County Attorney**
- 19. Budget & Finance**
- 20. County Administration Programs**

Announcement of three public hearing dates, times and places to consider and adopt the final budget and final millage rates. The Board of County Commissioners must notify the Property Appraiser of the proposed Millage rate for TRIM notice, and meeting dates, times and places where the Tentative Budget and Tentative Millage rates will be adopted.

C. CLERK OF COURTS

- 1. 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.**

D. COMMUNITY SERVICES

1. Approval of Amendment 001 to the Nutrition Services Incentive Program (NSIP) Contract #US-851 between the Alliance for Aging and the Monroe County Nutrition Program. [VIEW](#)

E. MAYOR DI GENNARO

1. Approval of a Resolution of the Board of County Commissioners of Monroe County, Florida, directing the Supervisor of Elections to place on the November 4, 2008 General Election ballot a referendum question regarding Ad Valorem taxes to fund Trauma Star; providing a process for the County Commission to act upon a favorable majority vote; and providing an effective date. [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.

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 7-28-08

Division: Community Services

Bulk Item: Yes X No

Department: Social Services

Staff Contact Person: Sheryl Graham X4592

AGENDA ITEM WORDING: Approval of Amendment 001 to the Nutrition Services Incentive Program (NSIP) Contract #US-851 between the Alliance for Aging and the Monroe County Nutrition Program.

ITEM BACKGROUND: The Purpose of this Amendment is to decrease the unit rate under contract to 0.595345427 from 0.63.

PREVIOUS RELEVANT BOCC ACTION: Prior approval granted to Amendment #001 of the Nutrition Services Incentive Program (NSIP) Contract #US-851 on December 20, 2007 by Debbie Frederick, Deputy County Administrator.

CONTRACT/AGREEMENT CHANGES: reduction in unit rate from 0.63 to 0.595345427

STAFF RECOMMENDATIONS: Approval

TOTAL COST: \$36,902.00

Yes X No

COST TO COUNTY: Reimbursed

SOURCE OF FUNDS: USDA (Agriculture)

REVENUE PRODUCING: Yes No X

AMOUNT PER MONTH **YEAR**

APPROVED BY: County Atty X OMB/Purchasing X Risk Management X

DOCUMENTATION: Included X Not Required To Follow

DISPOSITION:

AGENDA ITEM #

THIS AMENDMENT, entered into between the Alliance for Aging, Inc. hereinafter referred to as the "Alliance", and Monroe County Board of Commissioners.

The purpose of this amendment is to decrease the unit rate under contract. Payments will be made based on availability of funds.

- 1. This is a fixed rate contract. The Alliance shall make payment to the recipient for provision of services up to a maximum number of units of service and at the prospective rate stated below:

Service to be Provided	Units of Service	Unit Rate
Eligible Congregate and Home Delivered Meals	1 unit = 1 meal	0.595345427

Program Title	Year	Funding Source	CFDA#	Fund Amounts
Nutrition Services Incentive Program	2007- 2008	OAA	10.570	\$36,902
TOTAL FUNDS CONTAINED IN THIS CONTRACT:				\$36,902

- 2. This amendment shall begin on May 1, 2008 or the date it has been signed by both parties, whichever is earlier.

All provisions in the contract and any attachments thereto in conflict with this amendment shall be and are hereby changed to conform with this amendment.

All provisions not in conflict with this amendment are still in effect and are to be performed at the level specified in the contract are hereby amended to conform with this amendment.

This amendment and all its attachments are hereby made a part of the contract.

IN WITNESS WHEREOF, the parties hereto have caused this 1-page amendment to be executed by their undersigned officials as duly authorized.

PROVIDER:

Monroe County Board of Commissioners

ALLIANCE FOR AGING, INC.

SIGNED BY: _____

SIGNED BY: _____

NAME: _____

NAME: Max B. Rothman, JD, LL.M.

TITLE: _____

TITLE: President & CEO

DATE: _____

DATE: _____

MONROE COUNTY ATTORNEY

APPROVED AS TO FORM

[Handwritten Signature]

PEDRO J. MERCADO

ASSISTANT COUNTY ATTORNEY 7/22/08

THIS AMENDMENT, entered into between the Alliance for Aging, Inc. hereinafter referred to as the "Alliance", and Monroe County Board of Commissioners.

The purpose of this amendment is to increase the contract by \$ 3,100.68 for a total contract amount of \$ 36,902.24, adjust the number of units under contract and adjust the Unit Rate. Payments will be made based on availability of funds.

- 1. This is a fixed rate contract. The Alliance shall make payment to the recipient for provision of services up to a maximum number of units of service and at the prospective rate stated below:

Service to be Provided	Units of Service	Unit Rate	Maximum Units
Eligible Congregate and Home Delivered Meals	1 unit = 1 meal	0.63	60,131

Program Title	Year	Funding Source	CFDA#	Fund Amounts
Nutrition Services Incentive Program	2007- 2008	OAA	10.570	\$36,902.24
TOTAL FUNDS CONTAINED IN THIS CONTRACT:				\$36,902.24

- 2. This amendment shall begin on October 1, 2007 or the date it has been signed by both parties, whichever is earlier.

All provisions in the contract and any attachments thereto in conflict with this amendment shall be and are hereby changed to conform with this amendment.

All provisions not in conflict with this amendment are still in effect and are to be performed at the level specified in the contract are hereby amended to conform with this amendment.

This amendment and all its attachments are hereby made a part of the contract.

IN WITNESS WHEREOF, the parties hereto have caused this 1-page amendment to be executed by their undersigned officials as duly authorized.

PROVIDER:

SIGNED BY: [Signature]

NAME: Debbie Frederick, CPM

TITLE: Acting County Administrator

DATE: [Signature]

ALLIANCE FOR AGING, INC.

SIGNED BY: [Signature]

NAME: Max B. Rothman, JD, LL.M.

TITLE: President & CEO

DATE: JUL 7 2007

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

ADD-ON

Meeting Date: Mon. July 28, 2008

Division: BOCC

Bulk Item: Yes No

Department: Mayor Di Gennaro, District 4

Staff Contact Person: Tamara Lundstrom
(305 289-6000)

AGENDA ITEM WORDING: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, DIRECTING THE SUPERVISOR OF ELECTIONS TO PLACE ON THE NOVEMBER 4, 2008 GENERAL ELECTION BALLOT A REFERENDUM QUESTION REGARDING AD VALOREM TAXES TO FUND TRAUMA STAR; PROVIDING A PROCESS FOR THE COUNTY COMMISSION TO ACT UPON A FAVORABLE MAJORITY VOTE; AND PROVIDING AN EFFECTIVE DATE.

ITEM BACKGROUND: On July 14, 2008, the BOCC approved funding to continue Trauma Star air medical transport services for 6 months in the amount of \$900,000.00.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: _____

BUDGETED: Yes No

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing Risk Management

DOCUMENTATION: Included Not Required

DISPOSITION: _____

AGENDA ITEM # E

RESOLUTION NO. _____ - 2008

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, DIRECTING THE SUPERVISOR OF ELECTIONS TO PLACE ON THE NOVEMBER 4, 2008 GENERAL ELECTION BALLOT A REFERENDUM QUESTION REGARDING AD VALOREM TAXES TO FUND TRAUMA STAR; PROVIDING A PROCESS FOR THE COUNTY COMMISSION TO ACT UPON A FAVORABLE MAJORITY VOTE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Monroe County Sheriff obtained a helicopter with the use of forfeiture funds in 2002 and operated an air ambulance service for trauma victims to be transported rapidly to trauma care facilities in Miami, saving hundreds, if not thousands, of lives; and

WHEREAS, the Board of County Commissioners appropriated funds to purchase a replacement helicopter when the original helicopter became so old that maintenance and replacement parts became cost-prohibitive; and

WHEREAS, the annual costs of operation of TraumaStar, the Sheriff's rapid-transport air ambulance, has been approximately \$1,800,000 per year in excess of revenues collected from user service fees; and

WHEREAS, State legislature in 2007 and 2008, has limited the collection of ad valorem taxes by local governments, except by super-majority or unanimous vote by the governing board or by approval through referendum by the taxpayers; and

WHEREAS, it has been estimated that the amount necessary to supplement the TraumaStar service revenues to keep it operational for trauma scenes throughout the Florida Keys can be met by less than a .015 mill tax; and

WHEREAS, a running order by the Monroe County Fire Chief designates Mile Marker 95 as the point above which air ambulance service from Miami-Dade County is requested for trauma scenes, and below which TraumaStar is requested for trauma scenes due to the time necessary for the respective air ambulance to reach the scene; and

WHEREAS, it is equitable to assess a lower millage in the area above Mile Marker 95 because TraumaStar acts as a secondary provider for trauma scenes in that area and a higher millage in the area below Mile Marker 95 where it acts as primary provider; and

WHEREAS, the impact of the maximum levy of the proposed surtax on a property with an assessable value of \$350,000 would be \$52.50 per year below Mile Marker 95 and \$26.25 per year above Mile Marker 95; and

WHEREAS, a majority vote by the electors still requires local legislation which would render the measure effective for the November 2009 tax bills for the County's fiscal year ending September 30, 2010; and

WHEREAS, the annual levy of tax, if approved by the voters and implemented by subsequent ordinance, will be dependent on the revenue stream that becomes established by TraumaStar service fees, but will be limited to the millage approved by the voters; now therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MONROE COUNTY that:

Section 1. Referendum.

(a) The proposed levy of an additional ad valorem tax for the purposes of operating TraumaStar shall be presented to the county electorate by placing the question of approval of the levy of the surtax on the ballot at a referendum election to be held on November 4, 2008.

(b) The Supervisor of Elections of Monroe County shall cause the following question to be placed on the ballot on November 4, 2008:

LEVY OF EXCESS MILLAGE, AT VARIED RATES, TO OPERATE TRAUMA STAR

Do you favor legislation, for the purpose of operating TraumaStar, a local government owned and operated air ambulance, to levy ad valorem tax not to exceed fifteen cents per \$1,000 taxable value below Mile Marker 95, and not to exceed 7½ cents per \$1,000 taxable value from Mile Marker 95 to Miami-Dade County, in addition to the millage rate allowed by Florida Statute Section 200.185 without voter referendum?

_____ Yes

_____ No

Section 2. Advertisement of Ballot Question.

The County Attorney shall cause to be advertised in a paper of general circulation at least twice, once in the fifth week and once in the third week prior to the week in which the referendum election is to be held.

Section 3. Enabling Legislation.

If approved by the referendum election, a public hearing shall be advertised and held for the County to consider an ordinance to implement the taxation authorized by the voters.

Section 4.

Required Municipal Ordinances and Interlocal agreement with Special District.

If a County ordinance is passed, each municipality which is to be included in the service district shall pass an ordinance providing for inclusion, and the Key Largo Fire Rescue and Emergency Medical Services District, for which emergency medical services are not a primary function per Laws of Florida 2005-329, shall enter into an interlocal agreement with the County for the service to be available in that jurisdiction.

Section 5. Effective Date.

This resolution shall be effective on July 28, 2008.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 28th day of July, AD, 2008.

Mayor Mario DiGennaro	_____
Mayor Pro Tem Charles "Sonny" McCoy	_____
Commissioner Sylvia Murphy	_____
Commissioner George Neugent	_____
Commissioner Dixie Spehar	_____

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

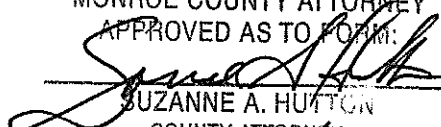
(SEAL)

ATTEST:

DANNY L. KOLHAGE, CLERK

By: _____
Mayor Mario Di Gennaro

By: _____
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

SUZANNE A. HUTTON
COUNTY ATTORNEY
Date 7/25/08