

# **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, October 15, 2008

The Harvey Government Center

at Historic Truman School

1200 Truman Avenue

Key West, Florida

9:00A.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 Employee Service Award for the Month of August 2008. [VIEW](#)
2. Mayor's Proclamation declaring November 8, 2008 as Aviation Day in recognition of Aviation History Month and the 2<sup>nd</sup> Annual Aviation Day event at Florida Keys Marathon Airport. [VIEW](#)
3. Proclamation declaring the month of November 2008 as Runaway Awareness Month. [VIEW](#)
4. Proclamation declaring November 15, 2008 as National Adoption Day in Monroe County. [VIEW](#)

C. BULK APPROVALS - **COMMISSIONER SPEHAR**

1. Approval of Republic Parking System operating budget for the period of November 1, 2008, through October 31, 2009, for parking lot management at the Key West International Airport. [VIEW](#)
2. Award of bid, in the amount of \$3,667,290.00, to Koch Corporation, for the Key West International Airport Noise Insulation Program (NIP) Phase 6 construction. [VIEW](#)
3. Approval of URS Purchase Service Order for an Environmental Assessment, Phase 1 Aviation Noise Evaluation, for the Florida Keys Marathon Airport. [VIEW](#)
4. Approval of extension agreement with Republic Parking System for Parking Lot Management at the Key West International Airport. [VIEW](#)

5. Approval of URS Purchase Service Order for Disadvantaged Business Enterprise Implementation Services, for the Key West International Airport and the Florida Keys Marathon Airport. [VIEW](#)
6. Approval of contract with Koch Corporation, for construction of the Noise Insulation Program, Phase 6, for the Key West International Airport. [VIEW](#)
7. Approval of URS Purchase Service Order for Noise Coordination for Part 150 Program (NIP), for the Key West International Airport. [VIEW](#)
8. Approval of Purchase Service Order with THC, Inc., for implementation of the Noise Insulation Program, Phase 6 Construction Services. [VIEW](#)
9. Approval of Purchase Service order with THC, Inc., for implementation of the Noise Insulation Program, Phase 7 Design Services. [VIEW](#)
10. Approval to rescind Board action on 5/21/08 awarding Public Works surplus items 21 and 22 as described in attached Recap of Bid Opening on December 11, 2007, and approval to dispose of the items. [VIEW](#)

C. BULK APPROVALS - CONTINUED

11. Approval to award Public Works surplus items as described in attached Recap of Bid Opening on September 24, 2008. (Items 4, 5, 7, 8, 16, 17, 20, 21, 24, 26, 28, 29, 30, 33, 34, 35, 36, 40, 41, 42, 44, 45, 46, 47, 48, 49, and 50). [VIEW](#)
12. Approval to amend and exercise the first option to renew the contract with Culver's Cleaning Company for Janitorial Services at Veteran's Memorial Park Restrooms, Little Duck Key, Monroe County. [VIEW](#)
13. Approval of the 2008-2009 Nutrition Services Incentive Program (NSIP) Contract #US-951 between the Alliance for Aging and the Monroe County Nutrition Program. [VIEW](#)
14. Approval of the Renewal of the Home and Community Based Case Management Referral Agreement between the Florida Department of Children & Families (DCF) and the Monroe County Board of County Commissioners (Monroe County In-Home Services Program) for State Fiscal Year (SFY) July 1, 2008 to June 30, 2009. [VIEW](#)
15. Approval of an Administrative Agreement with the Florida Keys Council of the Arts to utilize 10% of the 1% allocation for art funding, for the reimbursement of administrative expenses. [VIEW](#)
16. Approval to reduce retainage from 10% to 5% for AFCO Constructors Inc., for the construction of the Murray E. Nelson Government and Cultural Center. [VIEW](#)
17. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
18. Approval for a second renewal to the existing contract with Keys Security INC. for an amount not to exceed \$60,000.00 per year at the rate of \$16.00 per hour for Security Patrols and Services in the Duck Key Security District. [VIEW](#)
19. Approval of fiscal year 2009 contracts with non-profit organizations funded through recommendations of the Human Services Advisory Board (HSAB), the

Substance Abuse Policy Advisory Board (SAPAB), and the County Commission. [VIEW](#)

20. Approval of contracts with non-profit service organizations funded by the County Commission for fiscal year 2009. These organizations do not apply to the Human Services Advisory Board; they are funded directly by the Board of County Commissioners as budget line items. [VIEW](#)
21. Approval of contract with Florida Department of Law Enforcement For Monroe Youth Challenge Middle School Program IV funded by the Edward Byrne Justice Assistance Grant Program. [VIEW](#)

C. BULK APPROVALS - CONTINUED

22. Approval of contract with Monroe County Education Foundation, provider of the Monroe Youth Challenge Middle School IV program funded by the Edward Byrne memorial Justice Assistance Grant Program & the Clerk's Drug Abuse trust Fund. The total contract amount is \$50,000. \$44,366.00 will be funded by the Edward Byrne Memorial Justice Assistance Grant Program and \$5634.00 will be funded by the Clerk's Drug Abuse Trust fund. [VIEW](#)
23. Approval to rent old Mosquito Control hangar and facilities to Antique Aircraft Restoration, Inc. on a month-to-month interim basis at \$3,500 per month, retroactive to the date of occupancy, pending preparation of a formal lease agreement. [VIEW](#)
24. Approval to rent counter and office space at the Florida Keys Marathon Airport to Collins Aviation, LLC, on a month-to-month interim basis pending preparation of a formal lease agreement, effective October 15, 2008, at \$1,133.01 per month plus tax. [VIEW](#)
25. Approval of a lease agreement with Islands Flying Club, Inc. for premises at the Florida Keys Marathon Airport on which to construct an enclosed hangar for the storage of aircraft. [VIEW DELETED](#)
26. Approval of annual update to Exhibit A that specifies FY 2009 payroll costs for the Extension Agent positions jointly funded by the University of Florida (UF) and Monroe County as per the Memorandum of Understanding (MOU) between Monroe County and the UF effective October 1, 2006. [VIEW](#)
27. Approval of a FY09 Florida Department of Emergency Management Federally Funded Subgrant Agreement 09-BG-20-11-54-01, and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
28. Approval of an agreement with the State of Florida, Division of Emergency Management concerning an Emergency Management Base Grant (Contract # 09-BG-0311-54-01) in the amount of \$98,726.00; and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)

29. Approval of a Memorandum of Agreement with the City of Miami concerning an United States Department of Homeland Security's Office of Grants & Training (OG&T), through the State of Florida Division of Emergency Management (DEM) sub-grant (Agreement # 09DS-24-11-23-02-011) in the amount of \$336,998.00, and authorization for the County Administrator to execute and other required documentation in relation to the application process. [VIEW](#)

C. BULK APPROVALS - CONTINUED

30. Approval of three Crisis Intervention Strategy Management (CISM) courses to be conducted by Corporate Crisis Management to Monroe County First Responders, and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
31. Amendment of Contract with Department of Agriculture and Consumer Services, Division of Forestry for providing fire protection to forest and wild lands within the County, amending the third recital paragraph and paragraphs 1 & 2, to reflect a change in acreage, fee per acre, and annual cost. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Approval of Fishing Umbrella event agreements for FY 2009 as per attached spreadsheet totaling \$228,750. [VIEW](#)
2. Approval of an Agreement with Dolphin Research Center, Inc. covering the Storm Water Reclamation System project in an amount not to exceed \$24,437, DAC III, FY 2009 Capital Resources. [VIEW](#)
3. Approval of an Agreement with Key West Film Society, Inc. covering the Tropic Cinema Phase 5: Expansion of Tropic Cinema project in an amount not to exceed \$211,264, DAC I, FY 2009 Capital Resources. [VIEW](#)
4. Approval of an Inter-local Agreement with the City of Key West for the Smathers and Rest Beach Renourishment project in an amount not to exceed \$43,000, DAC I, FY 2009 Capital Resources. [VIEW](#)
5. Approval to advertise Request for Proposal for Long Distance Telephone Services for the Monroe County Tourist Development Council. [VIEW](#)
6. Approval of an Agreement with Upper Keys Community Pool, Inc. covering the Competitive Equipment and Community Room Enhancement project in an amount not to exceed \$4,000, DAC V, FY 2009 Capital Resources. [VIEW](#)
7. Approval of an Agreement with Mitchell Wolfson Family foundation, Inc. covering the Audubon House & Tropical Gardens Exterior Rehabilitation project in an amount not to exceed \$60,000, DAC I, FY 2009 Capital Resources. [VIEW](#)
8. Approval of Cultural Umbrella event agreements for FY 2009 as per attached spreadsheet totaling \$418,244. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL - CONTINUED

9. Approval of an Amendment to Agreement with the City of Key West covering the Smathers & Rest Beach Sand Renourishment project in an amount not to exceed \$60,876. [VIEW](#)
10. Approval of an Agreement with Islamorada Village of Islands to provide Beach Cleaning and Trash Removal Services in an amount not to exceed \$33,500, DAC IV, FY 2009 Capital Resources. [VIEW](#)
11. Approval of an Inter-local Agreement with the City of Key West for the White Street Pier Rip Rap Project in an amount not to exceed \$73,500, DAC I, FY 2009 Capital Resources. [VIEW](#)
12. Approval of an Amendment to Agreement with Smith Travel Research, Inc. to extend Agreement and revise reports and compensation requirements. [VIEW](#)
13. Approval of an Agreement with the City of Marathon covering the Marathon Community Park Amphitheatre Lighting and Sound System Upgrade project in an amount not to exceed \$14,085, DAC III, FY 2009 Capital Resources. [VIEW](#)
14. Approval of an Agreement with Islamorada Village of Islands for the Anne's Beach Repair and Replacement Project in an amount not to exceed \$162,583, DAC IV, FY 2009 Capital Resources. [VIEW](#)
15. Discussion and approval of one (1) "At Large" appointment to the Tourist Development Council District II Advisory Committee. [VIEW](#)
16. Discussion and 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. EMERGENCY SERVICES
4. EMPLOYEE SERVICES
5. ENGINEERING
6. GROWTH MANAGEMENT

7. PUBLIC WORKS
8. TECHNICAL SERVICES

F. ENGINEERING

1. Approval of receipt of monthly report on change orders reviewed by the County Administrator's Office. [VIEW](#)

**ADJOURNMENT**

**11:30 A.M. G. FIRE & AMBULANCE DISTRICT 1**

**BOARD OF GOVERNORS**

1. Report
2. A Resolution of the Board of Governors of Fire and Ambulance District 1 of Monroe County Florida authorizing a lump sum years of service award to certain eligible volunteer firefighters whom each have provided at least ten (10) years of fire, rescue and emergency medical services to the residents and visitors of Monroe County and whom each have reached the age of sixty. [VIEW](#)
3. Approval of a Renewal Agreement by and between the Board of Governors of Fire and Ambulance District 1 of Monroe County, Florida and Physio-Control, Inc., formerly known as Medtronic Emergency Response Systems, Inc., for the preventative inspection and maintenance of biomedical equipment. [VIEW](#)

**ADJOURNMENT**

**10:00 A.M. H. LAND AUTHORITY GOVERNING BOARD**

1. Approval of the minutes for the meetings held on September 15, 2008, September 17, 2008, and September 29, 2008. [VIEW](#)
2. Approval to purchase Block 10, Lot 7, Twin Lakes subdivision on Key Largo for conservation. [VIEW](#)
3. Mayor Di Gennaro - Approval to re-appoint Barbara Neal to the Land Authority Advisory Committee. [VIEW](#)
4. Commissioner Neugent - Approval to re-appoint Denise Werling to the Land Authority Advisory Committee. [VIEW](#)

## ADJOURNMENT

### I. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS

1. Approval of one (1) year extension to file for final plat approval for Rockland Investment Corporation, Inc. [VIEW](#)
2. Approval of Amendment No. 3 and extension to existing contract with Advanced Data Solutions (ADS) for continued scanning, indexing and imaging of Growth Management files. [VIEW](#)
3. Approval of a resolution of the Monroe County Board of Commissioners amending Resolution No. 177-2008 to change the terms and sunset date of the Green Building Code Task Force. [VIEW](#)

### I. GROWTH MANAGEMENT - CONTINUED

4. Approval of a resolution reserving the "H" value necessary for a proposed 16 unit affordable housing development on Big Pine Key located at Skeeter's Marine. [VIEW](#)
5. Approval of a revised Interlocal Agreement (ILA) between Monroe County and the City of Marathon to allow transferable development rights across jurisdictional boundaries between the County and the City. [VIEW](#)

### 1:30 P.M. J. WASTEWATER ISSUES

1. Report to update the status of Wastewater projects through September 2008. [VIEW](#)
2. ~~Approval to execute Stakeholder Agreements for the Florida Keys Reasonable Assurance Documents upon clarification and revision, where required, of issues identified.~~ Discussion of Stakeholder Agreements for the Florida Keys Reasonable Assurance Documents (FKRAD) and direction to staff. [VIEW](#)

### K. MONROE COUNTY SHERIFF DEPARTMENT

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

L. MONROE COUNTY HEALTH DEPARTMENT

1. Approval of the contract between Monroe County Board of County Commissioners and the State of Florida, Department of Health for operation of the Monroe County Health Department - Contract Year 2008-2009. [VIEW](#)

M. COMMISSIONERS' ITEMS

1. **COMMISSIONER MURPHY** - Approval of the reappointment of Maria Richardson to the Monroe County Library Advisory Board; this term runs for four years—November 1, 2008 through November 1, 2012. [VIEW](#)
2. **COMMISSIONER MURPHY** - Approval of the reappointment of Donna Bosold to the Arts in Public Places Committee; this term runs for four years—November 1, 2008 through November 1, 2012. [VIEW](#)

N. COUNTY CLERK

1. Report
2. Official approval of the Board of County Commissioners minutes from the Regular BOCC meeting held on August 20, 2008 (previously distributed)
3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of September, 2008. [VIEW](#)
5. Approval to remove surplus equipment from inventory via disposal or advertise for bid. [VIEW](#)

O. COUNTY ADMINISTRATOR

1. Report [VIEW](#)
2. Approval of the appointment of Nelson Lazo to the Health Council of South Florida Board of Directors in the category of Provider. [VIEW](#)
3. Confirmation of the County Administrator's appointment of Sheryl Graham to the position of Social Services Director. [VIEW](#)
4. Approval of a resolution urging the U.S. Secretary of Transportation to designate the Overseas Highway/U.S. 1 in the Florida Keys as one of "America's Byways" [VIEW](#)

P. COUNTY ATTORNEY

1. Report
2. Approval of Agreement for Professional Engineering Services from Pistorino & Alam Consulting Engineers, Inc. to assist in preparation of the upcoming trial in Monroe County v. Bender & Associates, et. al. [VIEW](#)
3. Approval of contract rate with Department of Administrative Hearings (DOAH) from \$137 per hour to \$140 per hour effective October 1, 2008 as provided by the Contract and pursuant to F.S. 120.65(11). [VIEW](#)
4. Approval of Resolution to extend the default date for the SHIP mortgage issued to Woods Corner. [VIEW](#)
5. Approval of termination of the Higgs Beach Concession/ Restaurant (Salute) Lease Agreement. [VIEW](#)
6. Approval of Consent to Assignment of the Higgs Beach Concession/Restaurant (Salute) Lease Agreement. [VIEW](#)
7. Approval to schedule and advertise an Attorney-Client Closed Session of the Board of County Commissioners in the matter of Lloyd Good v. Monroe County, Case No. CA K 01-977 for the regularly scheduled BOCC meeting to be held November 19, 2008. [VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

8. Request by property owner Isolina Souto to propose settlement in 16<sup>th</sup> Judicial Circuit Case, Monroe County v. Isolino Souto, Case No. 08-CA-391-P (Code Enforcement Case Nos. CE04070091, CE05010246, CE04060232 and CE04050109). [VIEW](#)
9. Ratification of collective bargaining agreement covering time period October 1, 2008 through September 30, 2011 with IAFF Local 3909 Unit One and Unit Two. [VIEW](#)
10. Approval of request to schedule a closed executive session of the Board of County Commissioners in the matter of Celeste Bruno v. Monroe County, 07-10117CV, during its meeting on November 19, 2008. [VIEW](#)

**3:00 P.M. Q. PUBLIC HEARINGS**

- 1. A Public Hearing to consider approval of a resolution for a Budget Amendment of Fiscal Year 2008 Fire & Ambulance District 1 Lower & Middle Keys Fund 141. [VIEW](#)**
- 2. A public hearing to consider an ordinance by the Monroe County Board of County Commissioners approving the request by the Monroe County Planning & Environmental Resources Department to amend the Future Land Use Map (FLUM) designation from Residential Conservation (RC) to Recreation (R) of property legally described as Block 3, Lots 3 & 4, Silver Shores Estates, Ramrod Key, Monroe County, Florida having Real Estate Numbers 00211090.000000 and 00211100.000000. [VIEW](#)**
- 3. A public hearing to consider an ordinance by the Monroe County Board of County Commissioners approving the request by the Monroe County Planning & Environmental Resources Department to amend the Future Land Use Map (FLUM) designation from Mixed Use / Commercial (MC) to Recreation (R) of property legally described as Whispering Pines Plat No. 3, PB4-59, Big Pine Key Tract A, Big Pine Key, Monroe County, Florida having Real Estate Number 00286360.000000. [VIEW](#)**

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

- 4. A public hearing to consider an ordinance by the Monroe County Board of County Commissioners approving the request by Crown Four, LLC, on behalf of the Trustees of the Big Pine Key Congregation of Jehovah's Witnesses Trust, Peter Abrahamsen and Lucky's Landing Inc., to amend the Future Land Use Map (FLUM) designation from Institutional (INS) to Mixed Use / Commercial (MC) of property legally described as Lot 1, Part Lot 2 & Part State Road No. 5, Barry Beach, Little Torch Key, PB2-127, Monroe County, Florida, having Real Estate Numbers 00214960.000000, 00214960.000100 & part of 00214970.000000. [VIEW](#)**
- 5. A public hearing to consider an ordinance by the Monroe County Board of County Commissioners approving the request by Seafarer Resort, LLC to amend the Future Land Use Map (FLUM) designation from Residential Low (RL) to Mixed Use / Commercial (MC) for property legally described as Island of Key Largo, Part Lot 10, Monroe County Florida, having Real Estate Number 00091010.000000. [VIEW](#)**
- 6. A public hearing to consider an ordinance by the Monroe County Board of County Commissioners approving the request by EL EL SI, LLC to amend the Future Land Use Map (FLUM) designation from Residential High (RH) to Mixed Use / Commercial (MC) for property legally described as Island of Key Largo PB1-59 Pt Lots 9 & 10 & .71 Ac Bay Btm., Monroe County Florida, having Real Estate Number 00091090.000000. [VIEW](#)**

7. **A public hearing to consider an ordinance by the Monroe County Board of County Commissioners approving the request by Dancing Bear Properties LLC to amend the Future Land Use Map (FLUM) designation from Residential Medium (RM) to Mixed Use / Commercial (MC) of property legally described as Seaside PB1-97 Key Largo, PT Lot 22 SQR 1 & Re-Sub Seaside PB2-10 Key Largo PT SQR 4 PB2-10 A/K/A Lots 1 & 2 SQR 4 PB1-97 & Bay BTM adj to lots 1 & 2 & Pt Gov Lot 4 Adj Ocean View Blvd., Seaside PB1-97 & PB2-10, Monroe County, Florida, having Real Estate Numbers 00491690.000000, 00491700.000000 & 00492290.000000. [VIEW](#)**

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

8. **A public hearing to consider an ordinance by the Monroe County Board of County Commissioners concerning gross acreage density calculations for affordable, employee and workforce housing; amending the text of the Year 2010 Monroe County Comprehensive Plan to allow maximum net density calculations for affordable, employee, and workforce housing to be calculated on a gross acreage basis while retaining open space, setback and buffering requirements. [VIEW](#)**
9. **A public hearing to consider an ordinance by the Monroe County Board of County Commissioners amending the text of the Educational FLUM category; amending policies 101.4.11 and 101.4.21 of the Monroe County Year 2010 Comprehensive Plan; encouraging affordable, employee, and workforce housing at existing and future school sites; allocating residential density to the Education (E) Future Land Use Category. [VIEW](#)**
10. **A public hearing to approve a compliance (settlement) agreement to resolve the outstanding issues associated with the Comprehensive Plan Amendment package 08-01 (working waterfront amendments). [VIEW](#)**
11. **A public hearing to approve an Ordinance of the Monroe County Board of County Commissioners adopting amendments to the Monroe County Year 2010 Comprehensive Plan pursuant to a compliance agreement with the Department of Community Affairs (DCA) regarding working water fronts. [VIEW](#)**

**10:30 A.M. R. MONROE COUNTY TAX COLLECTOR**

- 1. Presentation of the Tax Collector's excess fees check to the County Commission.**

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, October 10, 2008.