

FINAL 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 17, 2007
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

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 Recognition and Thank You to Mr. Richie Moretti, owner of the Turtle Hospital in Marathon. Mr. Moretti has been recognized by the International Fund for Animal Welfare to receive the 2007 IFAW Animal Action Award. [VIEW](#)
2. Presentation of award for 30 years of service and retirement to Susan Hawxhurst, Sr. Administrator, Community Support Services, Social Services Department. [VIEW](#)
3. Presentation of Years of Service Award for 25 years of service to Monroe County to Dent Pierce, Division Director, Public Works Division. [VIEW](#)
4. Presentation of Years of Service Award for 15 years of service to Monroe County to John King, Sr. Director, Lower Keys Operations, Public Works Division. [VIEW](#)
5. Presentation of Years of Service Award for 15 years of service to Monroe County to David Perez, Sr. ~~Landscaper, Facilities Maintenance Department~~, Foreman, Parks & Beaches, Public Works Division. [VIEW](#)
6. Presentation of Employee Service Award for the month of July, 2007 to Brandon Gill, System Analyst, Department of Technical Services, Division of Technical Services. [VIEW](#)
7. Presentation of the Florida Keys Council for People with Disabilities Award to Rosemarie Natta and Wanda Lee, In-Home Services, Social Services Department. [VIEW](#)
8. Presentation of Florida Keys Council for People with Disabilities Award to John King, Sr. Director, Lower Keys Operations, Facilities Maintenance Department, Public Works Division. [VIEW](#)
9. Proclamation declaring the month of November 2007 as Keys Recycling Month. [VIEW](#)
10. Presentation of the Employee Service Award for the Month of August, 2007 to April Pearson, Executive Assistant to David S. Koppel, County Engineer. [VIEW](#)
11. **Presentation of Honorary Conch Certificate to Mario DiGennaro, Sr.; father of Mayor DiGennaro. [VIEW](#)**

C. BULK APPROVALS - COMMISSIONER NEUGENT

1. Approval to terminate lease with General Services Administration (GSA) for office space at the Florida Keys Marathon Airport, effective October 1, 2007 [VIEW](#)
2. Approval of Purchase Service Order with THC, Inc. for implementation of Noise Insulation Program (Phase 6 Design Services) for the Key West International Airport. [VIEW](#)

3. Approval for final payment in the amount of \$6,553.80 for legal services provided by the firm of Charouhis, Fandino, Lopez & Wright, P.A. for representing the County in two workers' compensation claims filed by the same employee/claimant. [VIEW](#)

C. BULK APPROVALS - CONTINUED

4. Approval of changes to the Monroe County Personnel Policies and Procedures Manual as recommended by the Policies and Procedures Board. [VIEW](#)
5. Approval of Receipt of monthly report on Change Orders reviewed by the County Administrator's Office. [VIEW](#)
6. Approval of a Fourth Amendment to Agreement with Currie Sowards Aguila Architects for Architectural/Engineering services at the Freeman Justice Center. [VIEW](#)
7. Approval of a Second Amendment to Agreement with Currie Sowards Aguila Architects for Architectural/Engineering services at the Murray E. Nelson Government and Cultural Center. [VIEW](#)
~~DELETE~~
8. Approval to reimburse Mr. Doug Bell \$21,317.55 for the construction of the Big Pine Key Soccer Field. [VIEW](#)
9. Approval to award bid and enter into a contract for the construction of the Big Pine Key Fire Station. [VIEW](#) ~~DELETE~~
10. Approval of Change Order No. 1 with E.G. Braswell Construction, Inc. for the Brick and Stone Exterior Cladding at the Freeman Justice Center. [VIEW](#)
11. Approval to close Barataria Road, Cutthroat Harbor Estates, Cudjoe Key. [VIEW](#)
12. Approval to pay outstanding SubZero, Inc. invoice required for emergency repairs at the Detention Center's kitchen refrigeration equipment in the amount of \$188.00. [VIEW](#)
13. Approval to award bid and enter into a contract with Culver's Cleaning Company for Janitorial Services at Veteran's Memorial Park Restrooms, Little Duck Key, Monroe County. [VIEW](#)
14. Approval of the Monroe County Parks and Recreation Board recommendation to have all park/field lights on at the Sugarloaf School Park from Sunset to 9:00 p.m., six nights a week (Monday to Saturday), to correlate with the school year or approximately nine months a year. [VIEW](#)
15. Approval to reject all proposals and re-advertise for sealed proposals for snack and beverage vending machines at Monroe County Facilities. [VIEW](#)
16. Approval of Request from the Board to terminate the service agreement between Palm Beach Credit Adjustors Incorporated d/b/a Focus Financial Services and Monroe County Board of County Commissioners and the Board of Governors for the Lower and Middle Keys Fire and Ambulance District effective midnight

October 17, 2007 and enter into a new service agreement between Gila Corporation d/b/a Municipal Services Bureau and Monroe County Board of County Commissioners and Monroe County Board of Governors Fire and Ambulance District 1 effective October 18, 2007 for the collection of outstanding ground and air ambulance account receivable balances. [VIEW](#)

C. BULK APPROVALS - CONTINUED

17. Approval of an agreement with the State of Florida, Division of Emergency Management concerning an Emergency Management Base Grant (Contract # 08-BG-24-11-54-01) in the amount of \$102,959.00; and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
18. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
19. Approval to renew the existing Hosted Application Service Agreement with Sarasota County for one additional year. [VIEW](#)
20. Approval of contract with Florida Department of Law Enforcement for Monroe Youth Challenge Middle School program funded by the Edward Byrne Justice Assistance Grant Program. [VIEW](#)
21. Approval of contracts with non-profit organizations funded by the County for fiscal year 2008; some are funded based upon Human Services advisory Board recommendations, and others are funded directly by the Commission as "line items". [VIEW](#)
22. Approval to advertise a Request for Qualifications for the Tavernier Historic District intensive level survey and publication. [VIEW](#)
23. Approval of contract with Care Center for Mental Health, provider of Family Treatment Drug Court program funded by the Edward Byrne Memorial Justice Assistance Grant Program. [VIEW](#)
24. Approval of contract with Boys & Girls Club, provider of SMART Moves/Marathon Prevention program funded by the Edward Byrne Memorial Justice Assistance Grant Program. [VIEW](#)
25. Approval of contract with Monroe County Education Foundation, provider of the Monroe Youth Challenge Middle School program funded by the Edward Byrne Memorial Justice Assistance Grant Program. [VIEW](#)
26. Approval to waive purchasing policy for the previously approved contract with KPMG for professional services to update the Fiscal Year 2005 and the Fiscal Year 2006 Full Cost allocation Plan and the OMB A-87 Cost Allocation Plan. [VIEW](#)
27. Approval of a Resolution authorizing the removal of Tia Stotts, a former agent of Stand Up For Animals, Inc. (SUFA), to be

removed from Resolution No. 023-2007, effective August 29, 2007. [VIEW](#)

28. Approval of the Library Long Range Plan of Services for the years 2008-2010. [VIEW](#)
29. Approval of annual update to Exhibit A that specifies FY 2008 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](#)

C. BULK APPROVALS - CONTINUED

30. Approval of the Two-Year South Florida Workforce 2007 Workforce Services Plan (No County Funds Required). [VIEW](#)
31. Approval of Amendment 5 to CAMP DRESSER & MCKEE INC (CDM) contract to provide stormwater engineering services to Monroe County. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Approval of one (1) "At Large" appointment to the Tourist Development Council District ~~IV~~ V Advisory Committee. [VIEW](#)
2. ~~Approval of one (1) "At Large" appointment to the Tourist Development Council District V Advisory Committee.~~ Approval of one (1) "At Large" appointment to the Tourist Development Council District IV Advisory Committee. [VIEW](#)
3. Approval of Fishing Umbrella event agreements for FY 2008 as per attached spreadsheet totaling \$262,500. [VIEW](#)
4. Agreement with the Dolphin Research Center, Inc. to fund the Walkway on Causeway project in an amount not to exceed \$7,350, DAC III, FY 2008 Capital Resources. [VIEW](#)
5. Agreement with the Dolphin Research Center, Inc. to fund the parking lot project in an amount not to exceed \$33,000, DAC III, FY 2008 Capital Resources. [VIEW](#)
6. Agreement with The Florida Keys Community College and the Letters "FKCC" to fund the Tennessee Williams Grand Foyer Cabaret Enhancement project in an amount not to exceed \$25,000, DAC I, FY 2008 Capital Resources. [VIEW](#)
7. Agreement with Upper Keys Community Pool, Inc. covering the Scoreboard and Starting Block project at Jacob's Aquatic Center in an amount not to exceed \$4,500, DAC V, FY 2008 Capital Resources. [VIEW](#)
8. Approval of an Agreement with Florida Keys Land & Sea Trust, Inc. covering the Crane House Restoration and Enhancement

project in an amount not to exceed \$172,000, DAC III, FY 2008 Capital Resources. [VIEW](#)

9. Approval of an Inter-local Grant Award Agreement with Monroe County and the City of Key West for funding for the Smathers and Rest Beach Sand. [VIEW](#)
10. 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 18-20, 2007. [VIEW](#)
11. Approval of an Amendment to Agreement with Islamorada Community Entertainment, Inc. to extend Agreement to allow for completion of Segment 1. [VIEW](#)
12. Approval of Cultural Umbrella event agreements for FY 2008 as per attached spreadsheet totaling \$434,945. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL - CONTINUED

13. Approval of an Agreement with the Greater Marathon Chamber of Commerce covering the Original Marathon Seafood Festival on March 15-16, 2008 in an amount not to exceed \$25,000, DAC III, Event Resources. [VIEW](#)
14. Approval of an Agreement with 218 Duval Street Corp. covering Fight Night in the Keys on January 18, 2008 in an amount not to exceed \$25,000. [VIEW](#)
15. Approval of an Agreement with Premiere Racing, Inc. covering Acura Key West 2008 in an amount not to exceed \$70,000, DAC I, FY 2008 Event Resources. [VIEW](#)
16. Approval of an Agreement with Hog's Breath Saloon of Key West, Inc. covering Key West Songwriters Festival in an amount not to exceed \$40,000, DAC I, FY 2008 Event Resources. [VIEW](#)
17. Approval of an Agreement with Upper Keys Rotary Foundation, Inc. covering the 13th Annual Gigantic Nautical Flea Market on February 23-24, 2008, DAC IV, FY 2008 Event Resources. [VIEW](#)
18. Approval of an Amendment to Agreement with Florida Keys Birding and Wildlife Festival to revise date of event. [VIEW](#)
19. Approval of an Agreement with Lower Keys Chamber of Commerce, Inc. covering the Lower Keys Jazz & Blues Festival in an amount not to exceed \$2,000, DAC II, FY 2008 Event Resources. [VIEW](#)
20. Approval of an Agreement with Lower Keys Chamber of Commerce, Inc. covering the Big Pine Nautical Flea Market in an amount not to exceed \$8,000, DAC II, FY 2008 Event Resources. [VIEW](#)
21. Approval of an Amendment to Agreement with The Marathon Community Theatre, Inc. to revise their schedule of events outlined in Exhibit A. [VIEW](#)
22. Approval of an Agreement with Key West Tourist Development Association in an amount not to exceed \$115,000 (District 1

allocation = \$75,000; District II allocation = \$5,000; District III allocation = \$11,500; District IV allocation = \$11,500; District V allocation = \$12,000) for Fantasy Fest on October 17-26, 2008.

[VIEW](#)

23. Approval of an Agreement with Lower Keys Chamber of Commerce, Inc. covering the Big Pine Key Winterfest & Island Art Fair in an amount not to exceed \$2,167, DAC II, FY 2008 Event Resources. [VIEW](#)
24. Approval of an Agreement with Monroe Council of the Arts commencing October 1, 2007 to fund costs of tourist related programs. [VIEW](#)

E. STAFF REPORTS

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

ADJOURNMENT

11:30 A.M. F. FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS

1. Report
2. Approval of Request from the Board to terminate the service agreement between Palm Beach Credit Adjustors Incorporated d/b/a Focus Financial Services and Monroe County Board of County Commissioners and the Board of Governors for the Lower and Middle Keys Fire and Ambulance District effective midnight October 17, 2007 and enter into a new service agreement between Gila Corporation d/b/a Municipal Services Bureau and Monroe County Board of County Commissioners and Monroe County Board of Governors Fire and Ambulance District 1 effective October 18, 2007 for the collection of outstanding ground and air ambulance account receivable balances. [VIEW](#)
3. Approval of 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](#)

ADJOURNMENT

10:00 A.M. G. LAND AUTHORITY GOVERNING BOARD

1. Approval of minutes for the meetings held on September 12, 2007, September 14, 2007, September 19, 2007, and September 21, 2007. [VIEW](#)

G. LAND AUTHORITY GOVERNING BOARD - CONTINUED

2. Approval of a resolution authorizing the encumbrance of Bahama Conch Community Land Trust property located at 307 and 307½ Julia Street in Key West. [VIEW](#)
3. Approval to add Suncrest Landing Mobile Home Park on Stock Island to the Acquisition List for affordable housing in partnership with Habitat for Humanity of Key West and Lower Florida Keys. [VIEW](#)
4. Approval to add 1225, 1227a, and 1227b Third Street and 2107, 2107 Rear, and 2109 Patterson Avenue to the Acquisition List for affordable housing in partnership with Key West Housing Authority. [VIEW](#)
5. Approval to accept the donation of Block 3, Lot 6, Silas Knowles subdivision on Big Pine Key for conservation. [VIEW](#)

ADJOURNMENT

H. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS

1. Approval of a resolution to allow thirty-five thousand (35,000) square feet of commercial floor area to be made available, in two allocations, for Year 16 Non-Residential Rate of Growth (NROGO) Annual Allocation. [VIEW](#)
2. Approval of a resolution authorizing Code Enforcement Inspector, Martina Lake, to issue citations for disposition in county court. [VIEW](#)
3. Approval of a lease agreement between Monroe County and State of Florida for the management of certain State-owned conservation lands in the Florida Keys Ecosystem and the Coupon Bight Florida Forever projects. [VIEW](#)

I. MONROE COUNTY SHERIFF DEPARTMENT

1. Approval of request for expenditure from Law Enforcement Trust Fund. [VIEW](#)
2. Approval of Renewal of Contract between Monroe County Board of County Commissioners and Sheriff's Office to provide law enforcement and security services to Key West International Airport [VIEW](#)
3. Approval of contract to remove the communications tower owned by the county and located at the site of the Marathon Courthouse due to structural damage. [VIEW](#)

10:30 A.M. J. MONROE COUNTY TAX COLLECTOR

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

K. MONROE COUNTY HOUSING AUTHORITY

1. Approval of a resolution of the Board of County Commissioners of Monroe County, Florida adopting an amendment to the Monroe County State Housing Initiatives Partnership (SHIP) Program Local Housing assistance Plan (LHAP). [VIEW](#)

L. COMMISSIONERS' ITEMS

1. **COMMISSIONER MURPHY** - Discussion of the Card Sound intersection project. [VIEW](#)
2. **COMMISSIONER NEUGENT** - Proposal to revisit the County Administrator's 2008/2009 Budget Action Plan to acquire consultant [VIEW](#)
3. **COMMISSIONER NEUGENT** - Approval of a resolution of the Board of County Commissioners of Monroe County, Florida supporting the upcoming test by Keys Hydro Power to determine the feasibility of providing hydro power through turbine farms to generate low-cost electricity to the Florida Keys. [VIEW](#)
4. **COMMISSIONER NEUGENT** - Approval of a resolution of the Board of County Commissioners of Monroe County, Florida establishing the basis for an Energy Policy. [VIEW](#)
5. **COMMISSIONER NEUGENT** - Approval of the Board of County Commissioners of Monroe County, Florida to reappoint Ralph Close to the Library Advisory Board expiring 10-14-11. [VIEW](#)

6. **COMMISSIONER NEUGENT** - Approval by the Board of Commissioners, Monroe County, FL Resolution No. 266-2007 that now includes Exhibit 1 that discusses the General Management Plan Preliminary Alternatives. [VIEW](#)
7. **COMMISSIONER NEUGENT** - Request to revisit the Working Waterfront proposal transmitted to Department of Community Affairs. [VIEW](#)
8. **McCOY** - Approval of a Resolution supporting the appointment of Robert Eadie as the Administrator of the Monroe County Health Department by the Surgeon General of the State of Florida. [VIEW](#)
9. **MAYOR DiGENNARO** - Approval of a Resolution requesting that the Florida Department of Children and Families restore funding for emergency shelter grant proposal number 06F07KS3, to provide operational funding for Samuel's House. [VIEW](#)

M. COUNTY CLERK

1. Report
2. Official approval of the Board of County Commissioners minutes from the Special Meeting of August 8, 2007 & Regular Meeting of August 15, 2007 (previously distributed)
3. Approval of Warrants. [VIEW](#)

M. COUNTY CLERK - CONTINUED

4. Approval of Tourist Development Council Expenditures for the month of August, 2007. [VIEW](#)
5. Approval to remove surplus equipment from inventory via disposal or advertise for bids. [VIEW](#)

N. COUNTY ADMINISTRATOR

1. Report (Grants Activity Report) [VIEW](#)

O. COUNTY ATTORNEY

1. Report
2. Approval of a Resolution setting date, time and place for a public hearing concerning the proposed abandonment of a portion of St. Croix Place, Tract E Port Largo, A Subdivision in Section 33, Township 61 South, Range 39 East on Key Largo, Monroe County, Florida according to the plat thereof recorded in Plat Book 6 Page 90 of the Public Records of Monroe County, Florida (Key Largo Community Park). [VIEW](#)
3. Approval of payment of \$30,318.70 to Ferencik, Libanoff, Brandt, Bustamante & Williams, P.A. for legal services provided on behalf of Monroe County in the matter of Monroe County v. Lodge Construction, Case No. CA-K-00-617. [VIEW](#)

4. Approval of amendment to all contracts with the Division of Administrative Hearings to reflect DOAH's new hourly rate of \$145.00 effective October 1, 2007. [VIEW](#)
5. Approval of payment of invoices for legal services rendered by the firm Paul, Hastings in Galleon Bay v. Monroe County, Case No. 2002-CA-595-M for a total of \$347,431.15. [VIEW](#)
6. Approval of payment of invoices for legal services by Paul Hastings for services rendered in Emmert v. Monroe County, which total \$26,681.19. [VIEW](#)
7. Approval of payment of invoices from Paul Hastings for services rendered in Collins v. Monroe County, Case No. 04-379-CA-K which total \$50,508.89. [VIEW](#)
8. Approval of proposed settlement agreement in the Code Enforcement case of Monroe County, Florida v. E & OL Land Development Corporation, Case No. CEB U4-94-1359. [VIEW](#)
9. Approval of proposed settlement agreement in the Code Enforcement case of Monroe County, Florida v. Roy's Trailer Park, Case No. CE05020310 [VIEW](#)
10. Approval to terminate the Revenue Guaranty Agreement with Delta Airlines. [VIEW](#)

O. COUNTY ATTORNEY - CONTINUED

11. Approval of the assignment of the Airport Gift Shop lease at the Key West International Airport from Ms. Diane Heberle / Springboard Enterprises, Inc. d/b/a "The Airport Gift Shop" to Ms. Gina Borrego and Last Chance Gifts, LLC. [VIEW](#)
12. Approval of revised Fourth Amendment to Agreement between Monroe County and Construction Manager, The Morganti Group, Inc. and rescission of previously approved 4th amendment on 1/17/2007. [VIEW](#)
13. Approval to advertise and hold an Attorney-Client Closed Session in the matter of Florida Keys Citizens Coalition and Last Stand v. Department of Community Affairs and Monroe County, FL, Case No. DOAH 06-2449GM. [VIEW](#)

3:00 P.M.

P. PUBLIC HEARINGS

1. A Public Hearing to consider adoption of a Resolution renouncing and disclaiming any right of the County and the public in and to a portion of Fourth Street, "Summerland Beach Addition No. 1", Summerland Key, Monroe County, Florida as recorded in Plat Book 3, Page 20, of the Public Records of Monroe County, Florida. [VIEW](#)

2. **A Public Hearing to consider adoption of an ordinance amending Section 13.5-5(d) of the Monroe County Code extending the hours of the Big Coppitt Volunteer Fire Department Park. [VIEW](#)**
3. **A Public Hearing for Approval of a resolution to replace the current fee schedule for the Planning and Environmental Resources Department. [VIEW](#)**
4. **A Public Hearing for Approval of a resolution to replace the current fee schedule for the Building Department. [VIEW](#)**

5:01 P.M. Q. PUBLIC HEARINGS

1. **A Public Hearing to consider approval of a resolution for a Budget Amendment for Fiscal Year 2007 Impact Fees Police Facilities Fund 134. [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, October 12, 2007.