

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, December 17, 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

11:30 A.M. - Fire & Ambulance District 1
Board of Governors

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 a Key Largo woodrat poster by Anne Morkill, Project Leader of Florida Keys Refuges to Monroe County for display in the Division of Growth Management offices. [VIEW](#)

C. BULK APPROVALS - COMMISSIONER WIGINGTON

1. Approval of an agreement with the State of Florida, Division of Emergency Management concerning a Citizen Corps Agreement Contract Number: 09CC in the amount of \$7,500.00; and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
2. Approval of an agreement with the State of Florida, Division of Emergency Management concerning a Community Emergency Response Team (CERT) Agreement Contract Number: 09CI in the amount of \$10,000.00; and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
3. Approval of a FY08 State of Florida, Division of Emergency Management Grant Program Agreement 08-DS-51-11-54-01-, and authorization for the County Administrator to execute any other required documentation in relation to the application process. [VIEW](#)
4. Approval to award bid and enter into an agreement between Board of County Commissioners and PBS&J to provide professional services to review and update of Public Works All-Hazard Emergency Plan; and authorization for the County Administrator to execute any other required documentation in relation to the review and update process. [VIEW](#)
5. Approval of the first amendment to the Gunster, Yoakley and Stewart, P.A. engagement agreement for outside legal services. [VIEW](#)
6. Approval of Suncom Network Services Agreement from the State of Florida, Department of Management Services. [VIEW](#)
7. Approval of receipt of monthly report on change orders reviewed by the County Administrator's Office. [VIEW](#)
8. Approval to execute the Local Governmental Agreement between South Florida Water Management District (SFWMD) and Monroe County to provide \$500,000 funding for stormwater management projects. [VIEW](#)
9. A resolution of the Board of County Commissioners of Monroe County, Florida approving amendment to the Community Development Block Grant (CDBG) Citizens Advisory Task Force, establishing new appointments and a maximum four year term of service. [VIEW](#)

C. BULK APPROVALS - CONTINUED

10. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue. [VIEW](#)
11. Approval of Amendment 001 to the Community Care for the Elderly (CCE) contract #KC871 between the Alliance for Aging, Inc. (Area Agency on Aging for Miami-Dade and Monroe Counties) and the Monroe County Board of County Commissioners (Social Services/In-Home Services) for fiscal year 7/01/08 to 6/30/09. [VIEW](#)
12. Approval of the Renewal of the Home and Community Based/Medicaid Waiver (ADA-MW) Contract between the Alliance for Aging, Inc. and the Monroe County Board of County Commissioners (Monroe County In-Home and Nutrition Services Program) for Direct In-Home Services. [VIEW](#)
13. Approval of the Older Americans Act (OAA) Contract #AA-929(1/1/09-12/31/09) for Titles III-B, C-I, C-II, and III-E between the Alliance for Aging, Inc. (Area Agency on Aging for Miami-Dade and Monroe Counties) and the Monroe County Board of County Commissioners/Monroe County In-Home and Nutrition Services. [VIEW](#)
14. Approval of Contract #KG061- Community Care for Disabled Adults (CCDA) Contract between the State of Florida, Department of Children & families and the Monroe County Board of County Commissioners/Monroe County In-Home Services. This Contract is for Fiscal Year January 1, 2009 through June 30, 2010. [VIEW](#)
15. Request for Amendment to extend GA Food Service, Inc. for a period not to exceed 90 days. [VIEW](#)
16. Approval of waiver of County's purchasing policy and procedure and approval of agreement with Perez Engineering and Development, Inc. to provide resident inspector services at the Key West International Airport construction project. [VIEW](#)
17. Rescind approval of Agenda Item L-7 from November 19, 2008 and approval to execute Resolution and Declaration of Official Intent under U.S. Treasury Regulations with respect to reimbursement from note and bond proceeds of temporary advances made for payments prior to issuance; and designation of the County Administrator as the authorized officer for purposes of executing documents related thereto. [VIEW](#)
18. Approval for Mayor to execute letter to partner with the U.S. Navy/Navy Air Station Key West on the Gulf Seafood Working Waterfront project in order to work toward funding through the Navy's Encroachment Partnering Program. [VIEW](#)

D. TOURIST DEVELOPMENT COUNCIL

1. Approval of an Agreement with Bauer Restaurant, Inc. to cover Key West Songwriter's Festival on April 29-May 3, 2009 in an amount not to exceed \$45,000, DAC I, FY 2009 Event Resources. [VIEW](#)
2. Approval to revise the 2009/10 Cultural Umbrella Event Application used by the Florida Keys Council of the Arts to make recommendations to the Monroe County Tourist Development Council concerning funding for tourism related cultural activities. [VIEW](#)
3. Approval of an Agreement with Key West Botanical Garden Society, Inc. for the Renovation of the Nature Chapel project in an amount not to exceed \$44,000, DAC I, FY 2009 Capital Resources. [VIEW](#)
4. Approval of an Amendment to Agreement with Key West Botanical Garden Society, Inc. to extend termination date to July 30, 2009. [VIEW](#)
5. Approval of an Agreement with Conch Republic Offshore Power Boat Racing Association, Inc. covering the Key West World Championship Race in an amount not to exceed \$75,000, DAC I, FY 2009 Event Resources. [VIEW](#)
6. Approval of an Agreement with Lower Keys Chamber of Commerce, Inc. covering Big Pine and Lower Keys Island Art Festival on December 13, 2009 in an amount not to exceed \$9,000, DAC II, FY 2009 Event Resources. [VIEW](#)
7. Approval of an Amendment to Agreement to exercise option to extend Agreement with C.B. Schmitt Real Estate Co. Inc. to provide office and parking space for the Monroe County Tourist Development Council administrative office. [VIEW](#)
8. Approval of an Amendment to Agreement with The Redbone, Inc. to revise dates of the Mercury Baybone Celebrity Tournament to October, 2009 in an amount not to exceed \$7,000, FY 2009 Two Penny Fishing Umbrella Funding. [VIEW](#)
9. Approval of an Amendment to Agreement with Redbone, Inc. to revise date of the Mercury Baybone Celebrity Tournament on October 2008, in an amount not to exceed \$7,000, Two Penny Fishing Umbrella Funding. [VIEW](#)
10. Approval of a Resolution Transferring Funds. [VIEW](#)
11. Approval of an Agreement with Upper Keys Business Group, Inc. covering the Key Largo Singers & Songwriters Festival in May 2009, in an amount not to exceed \$25,000, DAC V, FY 2009 Event Resources. [VIEW](#)

- D. TOURIST DEVELOPMENT COUNCIL - CONTINUED
 - 12. Approval of the 1st Amendment to Agreement with Key West Innkeepers Association, Inc. to correct date of the Lighted Historic Tour to November and December, 2007 in the amount not to exceed \$3,000 FY 2008 Two Penny Cultural Umbrella Funding. [VIEW](#)
 - 13. Approval of the 2nd Amendment with Florida Keys Land and Sea Trust, Inc. for Crane House Restoration Project in an amount not to exceed \$172,000, DAC III, FY 2009 Capital Resources. [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

ADJOURNMENT

- 11:30 A.M. F. FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS**
- 1. **Report**
 - 2. **Approval to issue a Purchase Order to Municipal Equipment Company, LLC, sole source stocking distributor of Lion Apparel's Janesville Brand of Turnouts in the state of Florida, in the amount of \$37,378.00 for the purchase of 22 sets of personal protective ensembles. [VIEW](#)**
 - 3. **Rescind Renewal Agreement which was approved at the October 15, 2008 MCBOCC meeting as Item G-2 by and between the Board of Governors of Fire and Ambulance District 1 of Monroe County, Florida and Physio-Control, Inc.; and Approval of a Renewal Agreement by and between 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. G.

LAND AUTHORITY GOVERNING BOARD

1. Selection of the Chairman and Vice Chairman of the Governing Board. [VIEW](#)
2. Approval of a resolution electing the Chairman and Vice Chairman of the Governing Board. [VIEW](#)
3. Approval of a resolution regarding the execution of all legal papers on behalf of the Land Authority. [VIEW](#)
4. Approval of minutes for the November 19, 2008 meeting. [VIEW](#)
5. Approval to purchase No Name Key property (RE # 108490-000100) for conservation. [VIEW](#)

ADJOURNMENT

11:00 A.M.

H. ENGINEERING

1. Presentation of the Florida Department of Transportation (FDOT) Tentative Five Year Work Program for fiscal years 2009-10 through 2013-14. [VIEW](#)
2. Presentation of report on Monroe County bridges. [VIEW](#)

2:00 P.M.

I. CLOSED SESSION

1. A closed executive session of the Board of County Commissioners in the matter of Celeste Bruno v. Monroe County, 07-10117CV. [VIEW](#)

2:30 P.M.

2. An Attorney-Client Closed Session of the Board of County Commissioners in the matter of Lloyd Good v. Monroe County, Case No. CA K 01-97. [VIEW](#)

J. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS

1. Approval of the selected contractor, Dot Palm Landscaping, Inc., and contract for the removal of invasive exotic plants from conservation lands that are owned or managed by Monroe County. [VIEW](#)
2. Acknowledgement of receipt of the Affordable Housing Advisory Committee's recommendations to amend the Local Housing Assistance Plan, which will be considered and voted upon by the Board of County Commissioners within 90 days. [VIEW](#)
3. Approval of the selected contractor, GMR Aerial Surveys, Inc. and contract for the development of a Geospatial Land Cover Dataset for the Florida Keys. [VIEW](#)

1:30 P.M.

K. WASTEWATER ISSUES

1. Wastewater status report. [VIEW](#)

L. MONROE COUNTY HEALTH DEPARTMENT

1. Approval of current client fees for public health services provided by Monroe County Health. [VIEW](#)
2. Approval of ratification of changes to Attachment II. Part II of the FY'09 Core Contract between the County and the Health Department. [VIEW](#)

M. COMMISSIONERS' ITEMS

1. **COMMISSIONER WIGINGTON** - Approval of reappointment of Nance Frank to Art In Public Places Committee for a four year term. [VIEW](#)
2. **COMMISSIONER MURPHY** - Approval of Elected Official Bond for Mayor Pro Tem Sylvia J. Murphy. [VIEW](#)
3. **COMMISSIONER MURPHY** - Approval of the reappointment of Bill Loewy to the Monroe County Shared Asset Forfeiture Committee, Term to expire on 12/20/2010. [VIEW](#)
4. **MAYOR NEUGENT** - Approval by the Board of County Commissioners to reappoint Bob Mock to the Parks and Recreation Board to expire 1/1/2013. [VIEW](#)
5. **MAYOR NEUGENT** - Approval of a resolution of the Board of County Commissioners of Monroe County, Florida recognizing December 21 as National Homeless Persons' Memorial Day. [VIEW](#)
6. **COMMISSIONER DI GENNARO** - **A Resolution of the Board of County Commissioners of Monroe County, Florida affirming support for renegotiations with the Federal Emergency Management Agency regarding their pilot program for downstairs enclosures.** [VIEW](#)
7. **COMMISSIONER DI GENNARO** - Approval of reappointment of Christine Tejera to serve on the Parks & Recreation Advisory Board as the District 4 representative. [VIEW](#)
8. **COMMISSIONER WIGINGTON** - Approval of Elected Official Bond for Commissioner Kim Wigington. [VIEW](#)
9. **COMMISSIONER CARRUTHERS** - Approval of Elected Official Bond for Commissioner Heather Carruthers. [VIEW](#)

10:30 A.M.

N. COUNTY CLERK

1. Report
2. Official approval of the Board of County Commissioners minutes from the Regular BOCC meeting held on October 15, 200 (previously distributed)
3. Approval of Warrants. [VIEW](#)
4. Approval of Tourist Development Council Expenditures for the month of November, 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 Public Official Bond for Bill Shaw, Mosquito Control. [VIEW](#)
3. Approval of Public Official Bond for Steven K. Smith, Mosquito Control. [VIEW](#)
4. Approval of Public Official Bond for Joan Lord-Papy, Mosquito Control. [VIEW](#)
5. Approval of employment agreement and confirmation of Dr. Chad E. Brocato Sr. as Monroe County Fire Chief. [VIEW](#)
6. Approval of the appointment of Edith Zewadski-Bricker to the South Florida Workforce Investment Board. [VIEW](#)
7. Approval of employment agreement and confirmation of Wilma F. Corbin as Executive Assistant to Commissioner Wigington, District 1. [VIEW](#)
8. Approval of employment agreement and confirmation of Carol Schreck as Executive Assistant to Commissioner Carruthers, District 3. [VIEW](#)
9. Discussion and approval of the 2009 appointments of Commissioners to various duties. [VIEW](#)

P. COUNTY ATTORNEY

1. Report
2. Approval of Resolution to extend the default date for the SHIP mortgage issued to Woods Corner. [VIEW](#)
3. Approval to schedule an Attorney-Client Closed Session of the Board of County Commissioners in the matter of Monroe County v. Bender & Associates, CA K 03-915 for the regularly scheduled BOCC meeting to be held January 28, 2009. [VIEW](#)
4. Approval to schedule an Attorney-Client Closed Session of the Board of County Commissioners in the matter of Galleon Bay vs. Monroe County v. State of Florida, CAK-02-595, for the regularly scheduled BOCC meeting to be held January 28, 2009. [VIEW](#)

P. COUNTY ATTORNEY - CONTINUED

5. Approval of the unanimous recommendation from the Contractor's Examining Board to appoint Mr. Rudy Krause, as a regular member of the Board for an initial three (3) year term to begin January 19, 2009; and approval to reappoint the Mr. Charles Miller as an alternate member, for another term to begin January 1, 2009. [VIEW](#)
6. Authorization to institute collection proceedings and/or enter settlement negotiations with Alice Pastuck Colpetsir in Code Enforcement Case CE06020191. [VIEW](#)
7. Approval to advertise a public hearing for an Ordinance adopting a new Code of Ordinances (re-codification of existing Monroe County Code) for Monroe County, Florida, to be held at the regularly scheduled BOCC meeting on January 28, 2009. [VIEW](#)
8. Approval to file amicus curiae brief in the Third DCA in support of the State of Florida in the matter of Florida Department of Environmental Protection v. West, et al., 3D08-2819 (Lower Tribunal No. 95-20-165-CA-18). [VIEW](#)
9. Approval of resolution inviting City of Key West to adopt an ordinance to include the Trauma Star MSTU within the municipal boundaries. [VIEW](#)
10. Approval of resolution inviting City of Marathon to adopt an ordinance to include the Trauma Star MSTU within the municipal boundaries. [VIEW](#)
11. Approval of resolution inviting City of Key Colony Beach to adopt an ordinance to include the Trauma Star MSTU within the municipal boundaries. [VIEW](#)
12. Approval of resolution inviting City of Layton to adopt an ordinance to include the Trauma Star MSTU within the municipal boundaries. [VIEW](#)
13. Approval of resolution inviting City of Islamorada to adopt an ordinance to include the Trauma Star MSTU within the municipal boundaries. [VIEW](#)
14. Approval of resolution inviting Key Largo Fire Rescue & Emergency Medical Services District to adopt an ordinance to include the Trauma Star MSTU within the municipal boundaries. [VIEW](#)
15. Presentation of settlement proposal from Last Stand to resolve its challenge to the permit approved by the SFWMD on the Key West International Airport runway safety area project AND request for approval of a special meeting for the scheduling of an Attorney-Client Closed Session of the BOCC in the matter of Protect Key West and the Florida Keys, Inc. d/b/a "Last Stand" v. South Florida Water Management District and Monroe County, Florida, DOAH Case No. 08-3823. [VIEW](#)

3:00 P.M.

Q. PUBLIC HEARINGS

1. A public hearing to consider a request for Administrative Relief for Judi's House Inc. on Parcel 7, White Heron Estates A Condominium, Sugarloaf Key, Real Estate Number 0172070.000700. [VIEW](#)
2. A public hearing to consider approval of a resolution for unanticipated funds for a Budget Amendment of Fiscal Year 2009 Key West International Airport Fund, #404. [VIEW](#)

5:01 P.M.

R. PUBLIC HEARINGS

1. A Public hearing for approval of a resolution to use the uniform method to collect non-ad valorem special assessments toward the cost of providing wastewater utility services to properties in Key Haven, Lower Sugarloaf through No Name Key, and Long Key. [VIEW](#)

S. MONROE COUNTY HOUSING AUTHORITY

1. Approval of a resolution of the Board of County Commissioners of Monroe County, Florida authorizing the reduction of impact fees by 25% for the next 18 months and authorizing the Monroe County SHIP Administrator to apply for and administer a special award of down payment assistance funds for Monroe County; and the County Administrator is authorized to take further consistent action necessary to implement this resolution, and providing for an effective date. [VIEW](#)
2. Approval of a resolution of the Board of County Commissioners of Monroe County, Florida authorizing the Monroe County SHIP Program Administrator to administer a special award of down payment assistance funds for the City of Key West; and providing for 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 by 12:00 p.m. on Friday, September 15, 2006.