

**MINUTES
OF THE MONROE COUNTY
BOARD OF COUNTY COMMISSIONERS**

Regular Meeting
Board of County Commissioners
Wednesday, March 15, 2017
Key Largo, Florida

A Regular meeting of the Monroe County Board of County Commissioners convened at 9:00 A.M., at the Murray E. Nelson Government Center. Present and answering to roll call were Commissioner Heather Carruthers, Commissioner Danny Kolhage, Commissioner Sylvia Murphy, Commissioner David Rice and Mayor George Neugent. Also present at the meeting were Roman Gastesi, County Administrator; Bob Shillinger, County Attorney; Pamela Hancock, Deputy Clerk; county staff, members of the press and radio; and the general public.

ADDITIONS, CORRECTION, DELETIONS

A Motion was made by Commissioner Rice and seconded by Commissioner Murphy granting approval of the additions, corrections and deletions. Motion carried unanimously.

PRESENTATION OF AWARDS

Presentation of an annual payment, in the amount of \$1,000,000.00, to the Key Largo Wastewater Treatment District, for the Mayfield Grant repayment.

B1 Presentation of Mayor's Proclamation observing March 2017 as Monroe County Fire Fighter Appreciation Month.

BULK APPROVALS

Motion was made by Commissioner Rice and seconded by Commissioner Carruthers granting approval of the following items by unanimous consent:

C1 Board granted approval and authorized execution of Amendment 1 to Contract and Task Order with RS&H, Inc. for construction engineering and inspection services for Key Largo I Roadway and Drainage Improvements Project. This task order is being awarded under the RS&H, Inc. contract for construction engineering and inspection services in the maximum not to exceed amount of \$262,160.57.

C2 Board granted approval and authorized execution of a South Florida Water Management District (SFWMD) Local Government Agreement for the Key Largo II Roadway and Drainage Improvement Project in the grant amount of \$150,000.00 with a 50% match requirement, to fund a portion of the stormwater costs associated with the project.

C3 Board granted approval and authorized execution of a Task Order with Bender & Associates Architects, P.A. for \$80,000.00 for architectural services for the roof replacement at the East Martello, funded by the Tourist Development Council.

C4 Board granted approval to award bid and authorized execution of a Contract for Fuel Delivery to Dion Fuels, LLC.

C5 Board granted approval and authorized execution of the First Amendment to Contract with Cliffhanger Janitorial, Inc., for janitorial services at Key West International Airport, renewing the agreement for one (1) year and increasing annual contract amount from \$394,999.92/year to \$403,294.92/year for annual CPI adjustment of 2.1%.

C8 Board adopted the following Resolution rescinding Resolution 274-2016 and authorizing the execution of the Consolidated Small County Solid Waste Management Grant Agreement with Florida Department of Environmental Protection for Fiscal Year 2015/2016 and approval for the County to apply for the same grant for Fiscal Year 2016/2017.

RESOLUTION NO. 048-2017

Said Resolution is incorporated herein by reference.

C9 Board granted approval of a UASI FY 2016 Memorandum of Agreement with the City of Miami, concerning a United States Department of Homeland Security Office of Grants and Training grant, through the State of Florida Division of Emergency Management sub-grant agreement #17-DS-V9-11-23-02-346, in the amount of \$95,691.41 with no county match required; and authorization for the County Administrator to execute any other required documentation in relation to the application process and execution of the agreement.

C10 Board granted approval and authorized execution of 'Consent to Contract Assignment' from Littlejohn Engineering Associates, Inc. to S&ME, Inc. for the design of Big Pine Swimming Hole.

C11 Board granted approval and authorized execution of a Settlement Agreement between Monroe County and K2M for \$25,270.39, due to Monroe County, for change orders on the Customs Project in Marathon, FL.

C12 Board granted approval to extend AT&T Support Contract for 12 months beginning March 15th, 2017 to March 14th, 2018 for the amount of \$163,706.23. This contract entitles us to support of our existing AT&T phone switch, cabling and the services of a dedicated onsite technician.

C13 Board granted approval and authorized execution of a contract with Key West Resort Utilities to provide sewer service to Bernstein Park located on Stock Island. Agreement is for the amount of \$31,449.40 to establish sewer service. Funded by the one cent infrastructure sales tax.

C14 Board granted approval and authorized Issuance (renewal) of Class A Certificate of Public Convenience and Necessity (COPCN) to the City of Marathon Fire Rescue for the operation of an ALS transport ambulance service for the period April 15, 2017 through April 14, 2019.

C15 Board adopted the following Resolution approving and establishing the 2017 Wellness Program which includes Community Organized Event Reimbursements, Lunch and Learns, Exercise Classes, Annual Health and Wellness Fairs, Health Designs, Inc./Wellness Consultant, Gym Equipment purchase, and Sit and Stand Desktop Workstation purchase; repealing prior Resolution Nos. 369-2011 and 147-2013; and providing for an effective date.

RESOLUTION NO. 049-2017

Said Resolution is incorporated herein by reference.

C17 Board granted approval and authorized execution of the First Renewal and Amendment 4 to Agreement with Buccaneer Courier extending courier services for Monroe County for an additional 2 year period.

C18 Board granted approval for the Key West International Airport to purchase thirty (30) security/operations hand-held radios and the associated equipment in the amount of \$89,969.49. Motorola is the sole source vendor for the Monroe County Sheriff's Office communication system due to the compatibility of required proprietary programming features (this sole source purchase is in accordance with Chapter 7 of MC Policies & Procedures Manual). These radios will replace existing radios and provide additional radios related to the upgraded Airport Emergency Alert System project. The equipment purchase is being paid 100% from Passenger Facility Charges #16 (406-636159-560640-GAKAP151).

C19 Board granted approval of the Change Orders for the month of February reviewed by the County Administrator/Assistant Administrator. Said Change Orders are incorporated herein by reference.

C20 Board granted approval and authorized execution of the Sixth Amendment to Lease Agreement with Tropical Watersports, LLC, a water sports equipment rental vendor on Higgs Beach, to adjust for the CPI-U for the prior 12 months ending December 2016 of 2.1%.

C21 Approval of a CPI-U adjustment ending on December 31, 2015 of .7% to the Business Lease with Ships Way, Inc. for Commissioner Neugent's office space on Big Pine Key. The lease will increase from \$1,238.21 per month to \$1,246.88 per month commencing on December 15, 2016.

C22 Board granted approval of the revised Monroe County Purchasing Policy, dated March 15, 2017. Said Policy is incorporated herein by reference.

C23 Board granted approval and authorized execution of the 1st Amendment to Lease Agreement with Tesla Motors, Inc. to remove language that prohibited Tesla from charging customers a fee for use of the super charger facility at The Florida Keys Marathon International Airport. Additionally, Tesla's annual rent will be increased, from \$6,090.34 to \$7,003.89 (plus taxes), annually.

C24 Board granted approval of the ratification of the 2017 Vendor Agreement between Monroe County Social Services and Lori Rittel, RD for the provision of professional nutrition services by a registered dietician for the Nutrition Programs as required by the primary granting agency, the Alliance for Aging, Inc., for the period of December 1, 2016 through December 31, 2017 in an amount not to exceed \$5,000.00.

C25 Board adopted the following Resolutions for the transfer of funds and for the receipt of unanticipated revenue:

Amending Resolution No. 213-2016 (OMB Schedule Item No. 1)

RESOLUTION NO. 050-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 214-2016 (OMB Schedule Item No. 2)

RESOLUTION NO. 051-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 215-2016 (OMB Schedule Item No. 3).

RESOLUTION NO. 052-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 217-2016 (OMB Schedule Item No. 4).

RESOLUTION NO. 053-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 218-2016 (OMB Schedule Item No. 5).

RESOLUTION NO. 054-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 220-2016 (OMB Schedule Item No. 6).

RESOLUTION NO. 055-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 221-2016 (OMB Schedule Item No. 7).

RESOLUTION NO. 056-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 222-2016 (OMB Schedule Item No. 8).

RESOLUTION NO. 057-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 224-2016 (OMB Schedule Item No. 9).

RESOLUTION NO. 058-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 225-2016 (OMB Schedule Item No. 10).

RESOLUTION NO. 059-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 226-2016 (OMB Schedule Item No. 11).

RESOLUTION NO. 060-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 231-2016 (OMB Schedule Item No. 12).

RESOLUTION NO. 061-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 239-2016 (OMB Schedule Item No. 13).

RESOLUTION NO. 062-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 14).

RESOLUTION NO. 063-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 248-2016 (OMB Schedule Item No. 15).

RESOLUTION NO. 064-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 250-2016 (OMB Schedule Item No. 16).

RESOLUTION NO. 065-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 252-2016 (OMB Schedule Item No. 17).

RESOLUTION NO. 066-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 242-2016 (OMB Schedule Item No. 18).

RESOLUTION NO. 067-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 253-2016 (OMB Schedule Item No. 19).

RESOLUTION NO. 068-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 254-2016 (OMB Schedule Item No. 20).

RESOLUTION NO. 069-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 255-2016 (OMB Schedule Item No. 21).

RESOLUTION NO. 070-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 257-2016 (OMB Schedule Item No. 22).

RESOLUTION NO. 071-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 260-2016 (OMB Schedule Item No. 23).

RESOLUTION NO. 072-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 261-2016 (OMB Schedule Item No. 24).

RESOLUTION NO. 073-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 264-2016 (OMB Schedule Item No. 25).

RESOLUTION NO. 074-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 265-2016 (OMB Schedule Item No. 26).

RESOLUTION NO. 075-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 247-2016 (OMB Schedule Item No. 27).

RESOLUTION NO. 076-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 245-2016 (OMB Schedule Item No. 28).

RESOLUTION NO. 077-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 256-2016 (OMB Schedule Item No. 29).

RESOLUTION NO. 078-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 240-2016 (OMB Schedule Item No. 30).

RESOLUTION NO. 079-2017

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 31).

RESOLUTION NO. 080-2017

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 32).

RESOLUTION NO. 081-2017

Said Resolution is incorporated herein by reference.

C26 Board granted approval and authorized execution of Modification No. 2 to the Federally-funded reoccurring Low Income Home Energy Assistance Program Subgrant Agreement #16EA-0F-11-54-01-019 between the State of Florida, Department of Economic Opportunity (DEO) and Monroe County BOCC/Monroe County Social Services for the contract period of March 1, 2016 to March 31, 2017 in the amount of \$204,849.00.

TOURIST DEVELOPMENT COUNCIL

D1 Board granted approval and authorized execution of an Agreement with the Dolphin Research Center, Inc. covering the DRC Welcome Center Generator Project in an amount not to exceed \$24,950.00, DAC III, FY 2017 Capital Resources.

D2 Board granted approval and authorized execution of an Agreement with Reef Environmental Educational Foundation, Inc. covering the REEF Interpretive Center Project in an amount not to exceed \$119,500.00, DAC V, FY 2017 Capital Resources.

D3 Board granted approval and authorized execution of an Agreement with the Coral Restoration Foundation, Inc. covering the CRF - Coral Restoration Key Largo Project in an amount not to exceed \$49,140.00, DAC V, FY 2017 Capital Resources.

D4 Board granted approval and authorized execution of an Agreement with Islamorada, Village of Islands covering the Anne's Beach Boardwalk Replacement/Repairs Phase I Project in an amount not to exceed \$300,000.00, DAC IV, FY 2017 Capital Resources.

D5 Board granted approval and authorized execution of an Agreement with the City of Marathon covering the Sombrero Beach Facilities Upgrade Project in an amount not to exceed \$40,000.00, DAC III, FY 2017 Capital Resources.

D6 Board granted approval and authorized execution of an Agreement with Dolphin Research Center, Inc. covering the DRC Gift Shop Building Improvements Project in an amount not to exceed \$17,875.00, DAC III, FY 2017 Capital Resources.

D7 Board granted approval to rescind the Capital Project Funding Agreement with Dolphin Research Center, Inc. for the DRC Public Signage Project due to grantee not moving forward with the project and requesting rescinding of funding

**PLANNING & ENVIRONMENTAL, BUILDING &
COMPLIANCE DEPARTMENTS**

H1 Board granted approval of a Contract with Advanced Data Solutions, Inc. to perform Professional Services for the Scanning and Digitizing of Records, in an amount not to exceed \$49,900.00.

H2 Board granted approval and authorized execution of Grant Agreement No. 16058 between Monroe County and the Florida Fish and Wildlife Conservation Commission providing reimbursement funding to the County in an amount not to exceed \$86,462.00 for derelict vessel removals.

H5 Board adopted the following Resolution setting a Public Hearing for April 12, 2017, at the Marathon Government Center to consider adoption of a Resolution renouncing and disclaiming any right of the public in and to a portion of the right-of-way of Hibiscus Street, laying between Lots 19 and 22, Block 36, "OCEAN ACRES SUBDIVISION", Key Largo, as recorded in Plat Book 1, Page 188, of the Public Records of Monroe County, Florida.

RESOLUTION NO. 082-2017

Said Resolution is incorporated herein by reference.

H6 Board granted approval and authorized execution of Amendment No. 3 to the 100-year Lease Agreement between Monroe County and Habitat for Humanity of Key West and Lower Keys, Inc. (Habitat), to retroactively extend a lease for property on Big Coppitt Key until December 31, 2018, subject to the conditions that Habitat commence construction of ten (10) affordable housing units by August 1, 2017 and receive certificates of occupancy for the construction of the ten (10) affordable housing units by December 31, 2018.

WASTEWATER ISSUES

J1 Board adopted the following Resolution authorizing the County Administrator to enter into State Grant Agreement LP44070 for \$1.25 million for wastewater projects on Little Torch Key and Big Pine Key, and authorization for the County Administrator to execute all other required documents for the grant.

RESOLUTION NO. 083-2017

Said Resolution is incorporated herein by reference.

SHERIFF'S OFFICE

K1 Board granted approval of the following request for expenditures from the Law Enforcement Trust Fund:

\$500.00 Key West High School Baseball Team: to help cover expenses for the team participation at the West Orange Baseball Classic in Orlando.

\$500.00 Coral Shores High School Operation Graduation 2017: to help cover expenses for the all night event that provides a safe, drug, and alcohol free celebration to recognize the achievements of our graduating seniors.

\$500.00 Key West High School Operation Graduation 2017: to help cover expenses for the all night event that provides a safe, drug, and alcohol free celebration to recognize the achievements of our graduating seniors.

\$500.00 Marathon High School Operation Graduation 2017: to help cover expenses for the all night event that provides a safe, drug, and alcohol free celebration to recognize the achievements of our graduating seniors.

COMMISSIONERS' ITEMS

L2 Board granted approval of Commissioner Kolhage's appointment of Reverend Steve Torrence to serve on the Sheriff's Shared Asset Forfeiture Fund (SAFF) Advisory Board, replacing former Sheriff Richard D. Roth, with a term expiring February 2019.

COUNTY CLERK

M2 Board granted official approval of the Board of County Commissioners minutes from the July 20, 2016 regular meeting; August 17, 2016 regular meeting; September 21, 2016 regular meeting; October 19, 2016; November 14, 2016 special meeting; November 22, 2016 regular meeting; December 6, 2016 special meeting; and December 14, 2016 regular meeting. Said minutes are incorporated herein by reference.

M3 Board granted approval of the following warrants, 10018713-10019582, 50002360-50002471, (including payroll, TDC, grants, and electronic transfers) issued for the month ending January 2017: **001 General Fund**, in the amount of \$3,872,443.98; **101 Fine & Forfeiture Fund**, in the amount of \$7,256,784.30; **102 Road & Bridge Fund**, in the amount of \$232,984.58; **115 TDC District Two Penny**, in the amount of \$339,169.43; **116 TDC Admin & Promo 2 Cent**, in the amount of \$1,763,187.34; **117 TDC District 1,3 Cent**, in the amount of \$179,922.24; **118 TDC District 2,3 Cent**, in the amount of \$ 9,876.44; **119 TDC District 3,3 Cent**, in the amount of \$20,337.69; **120 TDC District 4,3 Cent**, in the amount of \$29,720.57; **121 TDC District 5,3 Cent**, in the amount of \$26,002.24; **125 Gov Fund Type Grants**, in the amount of \$647,482.70; **141 Fire & Amb Dist 1 L&M Keys**, in the amount of \$723,566.96; **144 Fire/Ambulance**, in the amount of \$724.35; **147 Uninc Svc Dist Parks&Rec**, in the amount of \$94,626.10; **148 Plan, Build, Zoning**, in the amount of \$386,893.04; **149 Municipal Policing**, in the amount of \$1,108,340.69; **150 911 Enhancement Fee**, in the amount of \$39,471.22; **152 Duck Key Security Dist**, in the amount of \$885.13; **153 Local Housing Assistance**, in the amount of \$78,380.96; **157 Boating Improvement Fund**, in the amount of \$20,237.36; **158 Misc Special Revenue Fund**, in the amount of \$30,087.97; **160 Environmental Restoration**, in the amount of \$105.42; **163 Court Facilities**, in the amount of \$5,936.97; **164 Drug Abuse Trust 603**, in the amount of \$3,159.41; **171 Stock Island Wastewater**, in the amount of \$35,249.95; **180 Building Fund**, in the amount of \$288,674.82; **207 2003 Revenue Bonds**, in the amount of \$300.00; **304 1 Cent Infra Surtax**, in the amount of \$703,139.92; **312 Cudjoe Regional WW Proj**, in the amount of \$7,935.93; **314 Series 2014 Revenue Bonds**, in the amount of \$1,168,843.37; **401 Card Sound Bridge**, in the amount of \$56,927.35; **403 Marathon Airport**, in the amount of \$499,514.00; **404 Key West Intl Airport**, in the amount of \$429,192.59; **406 PFC & Oper Restrictions**, in the amount of \$120,822.45; **414 MSD Solis Waste**, in the amount of \$1,421,220.98; **501 Worker's Compensation**, in the amount of \$26,288.63; **502 Group Insurance Fund**, in the amount of \$771,701.73; **503 Risk Management Fund**, in the amount of \$35,837.31; **504 Fleet Management Fund**, in the amount of \$148,416.86.

M4 Board granted approval of Tourist Development Council expenditures for the month of January 2017, as follows: **Advertising**, in the amount of \$1,765,925.29; **Bricks & Mortar Projects**, in the amount of \$62,414.22; **Events**, in the amount of \$95,947.71; **Office Supplies & Operating Costs**, in the amount of \$15,189.79; **Personnel Services**, in the amount of \$146,254.35; **Public Relations**, in the amount of \$86,169.28; **Sales & Marketing**, in the amount of \$69,372.25; **Telephone & Utilities**, in the amount of \$12,647.61; **Travel**, in the amount of \$10,138.32; **Visitor Information Services**, in the amount of \$83,675.36.

M5 Board granted approval of FKAA invoices \$50,000.00 or over for the fiscal year (to include salaries), relating to the Cudjoe Regional Wastewater System Project. Said invoices are incorporated herein by reference.

M6 Board granted approval of FKAA invoices for the fiscal year (to include salaries), relating to the Cudjoe Regional Wastewater System Project. The invoices under \$50,000.00 are being provided for information only. Said invoices are incorporated herein by reference.

M7 Board granted approval to dispose of BOCC accounts payable records, Fiscal Years 2008-2010.

COUNTY ADMINISTRATOR

N3 Board granted approval and authorized execution of a \$0 on-call Contract with Amec Foster Wheeler, Inc. for Category B canal infrastructure engineering services.

COUNTY ATTORNEY

O2 Board granted approval and authorized execution of a Lease between Judge Edwin A. Scales, III and Monroe County BOCC for designated space in the Monroe County Courthouse, Freeman Justice Center.

O3 Board granted authorization to initiate litigation against Mark S. and Mark S. Berta Jr. and the property located at 242 Oleander Drive, Key Largo, and upon any and all other real and/or personal property owned by Mark S. and Mark S. Berta Jr. if necessary, to gain compliance and to enforce the lien arising from code compliance case number CE16060028.

O4 Board granted approval of Consent to Assignment and Amendment with West Law Group PLLC, the successor firm of Pannone Lopes Devereaux & West LLC, effective March 1, 2017 and authorization for the County Attorney to execute related documentation.

O5 Board grant authorization to initiate litigation against US BANK, NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2012 SC2 TITLE TRUST, and the property located at 203 Pimilico Lane Key Largo to seek compliance with the County Codes and enforce the liens arising from code compliance case number(s) CE11040047, CE13100189 and CE14090057.

LEGISLATIVE AFFAIRS

R2 Board granted approval to support HB 1295, a local bill that will enable Monroe County Board of County Commissioners (and the School Board of Monroe County, and any political subdivision of Monroe County) to conduct public meetings, hearings, and workshops by means of communications media technology, where no final action is taken at such meeting, and pursuant to the board adopting its own rules by ordinance, authorizing the use of communications media technology.

EXTENSION SERVICES

R3 Board adopted the following Resolution of the Board of County Commissioners of Monroe County, Florida requesting support for Florida Sea Grant College through Federal Congressional Programmatic Budget Request FY18 funding for the National Sea Grant College Program in the amount of \$80 million.

RESOLUTION NO. 084-2017

Said Resolution is incorporated herein by reference.

SUSTAINABILITY

R4 Board adopted the following Resolution of the Board of County Commissioners of Monroe County, Florida requesting funding support for the federal Environmental Protection Agency and their role in the FKNMS Water Quality Protection Program through Federal Congressional Appropriations FY18 Funding.

RESOLUTION NO. 085-2017

Said Resolution is incorporated herein by reference.

Motion carried unanimously.

COUNTY ADMINISTRATOR

Roman Gastesi, County Administrator, played a video that is being shown at the community meetings that is narrated by Mayor Neugent. Mr. Gastesi introduced Cammy Clark, Public Information Officer for Monroe County, who produced the video, to the Board. Ms. Clark announced that the Residential and Business Surveys are available in the book titled *State of the County 2016/17* (available at the meeting); and, that it is also available on the home page of the county's website, www.monroecounty-fl.gov, under Strategic Planning Survey.

PROJECT MANAGEMENT

R1 Motion was made by Commissioner Kolhage and seconded by Commissioner Carruthers to adopt the following Resolution providing support for submission of grant applications by Project Management for funding of two projects from the Florida Boating Improvement Program (FBIP) and affirming the County's ability to provide local match funding. The two projects are for installation of a boat dock and parking lot repairs at the Geiger Key Boat Ramp under the

Boating Access Facilities category and installation of educational and safety kiosks stocked with boater guides, pamphlets, and brochures at all Monroe County boat ramps under the Boater Education category. The projects are \$200,000.00 each and the FBIP grants will provide 75% funding with Monroe County providing 25% matching funds on each. Motion carried unanimously.

RESOLUTION NO. 086-2017

Said Resolution is incorporated herein by reference.

MISCELLANEOUS BULK APPROVALS

C6 Christine Hurley, Assistant County Administrator, addressed the Board concerning approval of a Professional Services Agreement between Monroe County and Health Designs, Inc. for Health Designs to provide a Wellness Champion that will travel to all County office locations and promote wellness and ways to utilize health and prescription insurance benefits in a more prudent way to save money for the insurance user, as well as the County. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval and authorizing execution of the agreement. Motion carried unanimously.

C7 Christine Hurley, Assistant County Administrator; and, James Callahan, Fire Chief, addressed the Board concerning approval of a Memorandum of Understanding between the Monroe County Board of County Commissioners and the Sheriff's Office for use of Sheriff gyms in Key West, Marathon, and Plantation Key by employees and retirees of the Board of County Commissioners and the constitutional officers who are participants in the County health plan, in exchange for County purchasing new equipment for the Plantation Key gym to provide a wider range of equipment as part of the County Wellness Program. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval and authorizing execution of the MOU. Motion carried unanimously.

C16 Kevin Wilson, Assistant County Administrator, addressed the Board concerning approval of Agreement with Advanced Disposal Services Solid Waste Southeast, Inc. (Advanced Disposal) for the County to process, through its contracted haulers, solid waste and yard waste collected in the Village of Islamorada. After discussion, motion was made by Mayor Neugent and seconded by Commissioner Kolhage granting approval and authorizing execution of the agreement. Motion carried unanimously.

TOURIST DEVELOPMENT COUNCIL

D8 Motion was made by Commissioner Murphy and seconded by Commissioner Kolhage to appoint Valerie Barth to the "At Large" appointment to the Tourist Development Council District V Advisory Committee. Motion carried unanimously.

STAFF REPORTS

Legislative Affairs: Lisa Tennyson, Legislative Affairs Coordinator, addressed the Board concerning the update on the following: Florida Keys Stewardship Act funding; Everglades Restoration (SB10); 8.9% Windstorm increase; Authorization to preserve proof of

pump out (HB7043 & SB1338); Telecommunications (local) bill; reduction in judgeships; Pre-emption bills; Vacation rental bill (SB188 & HB425); (HB17) pre-empting local government from regulating business activity; Pre-emption bill (SB596) cellular equipment in the county ROW; and fiscal responsibility bill. Ms. Tennyson announced that the FAC conference is scheduled for April 5th; the Cabinet meeting in Tallahassee is scheduled for April 11th; Florida Keys Days is scheduled for April 18th; and the last day of session is scheduled for May 5th.

Growth Management: Christine Hurley, Assistant County Administrator, provided an update regarding the Community Rating Program (CRS) that is anticipated to result in a \$4.4 million savings October 1; advised the Board that staff will begin physically collecting data in neighborhood areas that have had repetitive claims (taking pictures & looking at structures); staff will also be looking into sea level rise, as well as drainage maintenance planning, to participate in the CRS second program, and if the County is successful for 2018 the County could obtain about \$5.3 million in savings for the community.

Public Works & Engineering: Kevin Wilson, Assistant County Administrator, provided the Board with a copy of the March 2017 Cudjoe Finance Status; gave an update on the deep injection well; Mr. Wilson made a power point presentation titled *Marathon Library Solar Option Reconciliation*. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Kolhage granting approval of staff recommendation to include roof top solar as an owner option (alternate) to be bid by the proposers and decide at the time of award whether to accept that option based on cost and policy. Roll vote was taken with the following results:

Commissioner Carruthers	No
Commissioner Kolhage	Yes
Commissioner Murphy	Yes
Commissioner Rice	Yes
Mayor Neugent	No

Motion carried.

PLANNING & ENVIRONMENTAL, BUILDING & COMPLIANCE DEPARTMENTS

During discussion, of the following item, Commissioner Rice excused himself.

H3 Christine Hurley, Assistant County Administrator; and Roman Gastesi, County Administrator, addressed the Board concerning approval to negotiate a contract with AECOM Technical Services, Inc. (AECOM) for Professional Transportation Planning Services to perform the biennial Travel Time and Delay Study for the US 1 Corridor and for general transportation planning assistance. The selection is based on the ranking of the responses received on January 19, 2017 to RFQ-101-0-2017/11. If unable to negotiate successfully with AECOM, approval to negotiate with the next highest ranked firm, Trident Engineering, LLC, and the next successive firm until an agreement is reached. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Murphy granting approval of the item. Motion carried unanimously, with Commissioner Rice not present.

After further discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Kolhage directing staff to add in a Work Order, with the selected firm, to do an analysis of where the traffic is coming from and what we can do about it. Motion carried unanimously, with Commissioner Rice not present.

Commissioner Rice returned to the meeting and took his seat.

COUNTY ADMINISTRATOR

N2 Phil Goodman, Chairman of Florida Keys Mosquito Control addressed the Board concerning the Wolbachia Mosquito. Mr. Goodman introduced the Board to Dr. Stephen Dobson, Professor of Entomology at the University of Kentucky and CEO of Mosquito Medic. Dr. Dobson made a brief presentation to the Board regarding the Wolbachia Mosquito and the trial that will be conducted in Stock Island. The Board took no official action.

PLANNING & ENVIRONMENTAL, BUILDING & COMPLIANCE DEPARTMENTS

H4 Christine Hurley, Assistant County Administrator, addressed the Board concerning the correction of a scrivener's error to add the legal description as Exhibit A of an Interlocal Agreement (ILA), approved by the BOCC on December 14, 2016, between Monroe County and City of Marathon transferring 52 low income and 3 very low income (55 total) Affordable Housing ROGO Allocations from Monroe County to the City of Marathon. This ILA is proposed by Keys Affordable Development III, LLC, for a project that proposes developing 55 new affordable housing units and is applying for state low income housing tax credits (LIHTC). The following individual addressed the Board: Nick Batty representing the Toppinos. Bob Shillinger, County Attorney; and Roman Gastesi, County Administrator addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice to defer approval of the item until the Marathon meeting then we will revisit the status of it, and may ask for a longer term deferral, or a revisit of the underlying item. Motion carried unanimously.

H7 The following individuals addressed the Board concerning approval of a Resolution, of the Board of County Commissioners of Monroe County, Florida, directing the Monroe County Planning and Environmental Resources Department to process an Ordinance to defer the approval of new private applications for comprehensive plan or land development code amendments, development agreements (including 380 development agreements), and minor and major conditional use permits (excluding applications proposing only affordable housing dwelling units), with proposed occupancy by "three unrelated people" or "two unrelated people and any children related to either of them" of a dwelling unit, and applications utilizing the term "lock-out," commencing March 15, 2017, until the BOCC can review and possibly amend the comprehensive plan and land development code regarding the definitions of dwelling unit; household; family and the undefined term "lock-out" of a dwelling unit; providing for expiration within 365 days of the effective date of an interim development ordinance or when the comprehensive plan and land development code amendments become effective, whichever comes first: Jim Hendrick, representing Torch Key Properties (Patrick & Diane Colee); Dottie Moses, Bill Hunter, Deb Curlee, Vice President of Last Stand. Christine Hurley, Assistant

County Administrator; and, Bob Shillinger, County Attorney, addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Carruthers adopting the following Resolution, as amended, and read into the record by Ms. Hurley, as follows:

Approval of a Resolution of the Board of County Commissioners of Monroe County, Florida, directing the Monroe County Planning and Environmental Resources Department to process an Interim Development Ordinance to defer the approval of new applications private or received applications that have not been fully approved for comprehensive plan or land development code amendments, development agreements (including 380 development agreements), and minor and major conditional use permits (excluding applications proposing only affordable housing dwelling units), with proposed occupancy by "three unrelated people" or "two unrelated people and any children related to either of them" of a dwelling unit, and applications utilizing the term "lock-out," commencing March 15, 2017, until the BOCC can review and possibly amend the comprehensive plan and land development code regarding the definitions of dwelling unit; household; family and the undefined term "lock-out" of a dwelling unit; providing for expiration within 365 days of the effective date of an interim development ordinance or when the comprehensive plan and land development code amendments become effective, whichever comes first.

RESOLUTION NO. 087-2017

Said Resolution is incorporated herein by reference.

Roll call vote was unanimous.

SOUNDING BOARD

Q1 Dave Richardson, representing Air Methods, addressed the Board concerning LifeNet's request for an annual subsidy in the amount of \$400,000.00. The Board took no official action.

COMMISSIONERS' ITEMS

L3 Christine Hurley, Assistant County Administrator, addressed the Board concerning approval of a Resolution of the Board of County Commissioners of Monroe County, Florida directing the Monroe County Planning and Environmental Resources Department to process an ordinance to defer the approval of new private applications utilizing Monroe County Code Section 139-2 (affordable housing incentive program) to transfer ROGO exemptions from mobile homes to another location, commencing March 15, 2017, until the land development code is amended to limit the transfer ROGO exemptions from mobile homes to only tier III designated platted lots within the Improved Subdivision (IS) land use district and within the same ROGO planning subarea for the development of single family detached dwelling units; as recommended by the Affordable Housing Advisory Committee and the BOCC; providing for expiration within 365 days of the effective date of an interim development ordinance or when the land development code amendments become effective, whichever comes first. The following individuals addressed the Board: Bill Hunter and Deb Curlee, Vice President of Last Stand. Motion was made by Commissioner Rice and seconded by Commissioner Kolhage granting

approval of the item. After discussion, the motion was withdrawn by the maker and accepted by the second. After further discussion, the item was continued to later in the day.

CLOSED SESSION

I1 Cynthia Hall, Assistant County Attorney, announced a Closed Session of the Board of County Commissioners and the County's bargaining team to prepare for upcoming collective bargaining negotiations with the International Association of Firefighters (IAFF) Local 3909.

Mayor Neugent declared the open session of the meeting closed. After the closed session, the meeting was re-opened with all Commissioners present.

COMMISSIONERS' ITEMS

L1 The following individuals addressed the Board concerning the discussion and direction from the Board of County Commissioners to address the request of the City of Marathon, City of Key West, City of Key Colony Beach, City of Layton, Village of Islamorada, Last Stand of the Florida Keys, The Federation, and the Ocean Reef Club Association for a policy change to the Tourist Development Council: Deb Curlee, Vice President of Last Stand; Dottie Moses, representing Island of Key Largo Federation of Homeowner's Association; Marty Pavlock, representing Marathon Wild Bird Center; Bernard Spinrad, representing Friends of Old Seven & DAC III; Loyal Eldridge, representing Marathon Garden Club; Deb Gillis, representing Islamorada, Village of Islands; Mike Forester, Brian Schmitt, Michelle Coldiron, representing the City of Marathon; Harold Wheeler, representing the Tourist Development Council; Craig Cates, representing the City of Key West; Rita Irwin, Jodi Weinhofer, representing the Lodging Association of the Florida Keys & Key West; Daniel Samess, representing the Marathon Chamber of Commerce; Virginia Panico, representing the Key West Chamber of Commerce; and Mike Morawski, representing Ernest Hemingway Home & Museum. Bob Shillinger, County Attorney; and, Christine Limbert-Barrows, Assistant County Attorney addressed the Board.

After discussion, motion was made by Commissioner Rice and seconded by Commissioner Kolhage to fund the cities, the same as the county, up to 100%. Roll call vote was taken with the following results:

Commissioner Carruthers	No
Commissioner Kolhage	Yes
Commissioner Murphy	Yes
Commissioner Rice	Yes
Mayor Neugent	Yes

Motion carried.

After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy that the Bricks and Mortar capital funds stay in the Bricks and Mortar funds account unless the DAC makes a special request which will come to the BOCC. Motion carried unanimously.

After discussion, motion was made by Commissioner Rice and seconded by Commissioner Carruthers that we change the not for profit percentage up to 75% and that their in-kind portion constitutes no more than 50% of their match. Roll call vote was unanimous.

PUBLIC HEARINGS

P1 The second of three Public Hearings was held to consider a Resolution by the Monroe County Board of County Commissioners transmitting to the State Land Planning Agency an Ordinance by the Monroe County Board of County Commissioners amending Monroe County Comprehensive Plan Policy 101.5.30 to include the definition of height; creating Policy 101.5.31 to address height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and creating Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs by establishing standards when a structure can elevate above FEMA base flood elevation and including a maximum height limit; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the State Land Planning Agency and the Secretary of State; providing for inclusion in the Monroe County 2030 Comprehensive Plan; providing for an effective date. The following individuals addressed the Board: Deb Curlee, Vice President of Last Stand; and, Dottie Moses, representing Island of Key Largo Federation of Homeowner Association. Christine Hurley, Assistant County Administrator; and, Bob Shillinger, County Attorney addressed the Board. The final Public Hearing will be held, April 12, 2017, in Marathon.

P2 A Public Hearing was held to consider adoption of an Ordinance amending Sec. 2-347 to add investigative services to the class of services currently eligible for exemption from competitive bidding and amending Sec. 2-346 to provide a definition of "investigative services". Motion was made by Commissioner Murphy and seconded by Commissioner Rice to adopt the following Ordinance. Roll call vote was taken with the following results:

Commissioner Carruthers	Yes
Commissioner Kolhage	No
Commissioner Murphy	Yes
Commissioner Rice	Yes
Mayor Neugent	Yes

Motion carried.

ORDINANCE NO. 001-2017

Said Ordinance is incorporated herein by reference.

COMMISSIONERS' ITEMS

L3 Motion was made by Commissioner Kolhage and seconded by Commissioner Murphy to adopt the following Resolution as re-drafted by Christine Hurley, Assistant County Administrator, and read into the read by Bob Shillinger, County Attorney, as follows:

A Resolution of the Board of County Commissioners of Monroe County, Florida, directing staff of the Monroe County Planning and Environmental Resources Department to process an Interim Development Ordinance which defers the approval of new private applications or received applications that are not yet approved, commencing March 15, 2017, utilizing: 1. Monroe County Code Section 139-2 (Affordable Housing Incentive Program) to transfer ROGO exemptions from mobile homes to another location; or 2. Monroe County Code Section 138-22(b) (transfer of ROGO exemptions off site) to transfer market rate units after an affordable housing unit has been awarded to another location until the Land Development Code is amended to consider: a. Limiting the transfer of market rate ROGO exemptions to receiver site properties that meets all of the following criteria: i. receiver site is a Tier III designated platted lot; and ii. receiver site is a platted lot within the Improved Subdivision (IS) Land Use District or the Urban Residential Mobile Home (URM) Land Use District; and iii. receiver site is a platted lot located within the same ROGO planning subarea; and iv. receiver site property is not a working waterfront; as recommended by the Affordable Housing Advisory Committee and the BOCC; providing for expiration within 365 days of the effective date of an Interim Development Ordinance or when the Land Development Code amendments become effective, whichever comes first. Motion carried unanimously.

RESOLUTION NO. 088-2017

Said Resolution is incorporated herein by reference.

COUNTY ADMINISTRATOR

N1 Roman Gastesi, County Administrator, directed the Board to the County Administrator's written report for March 2017. Said report is incorporated herein by reference. Mr. Gastesi reported that five community meetings have been held so far and that six are scheduled for next week in Marathon and Key West.

Rhonda Haag, Sustainability Coordinator; and Roman Gastesi, County Administrator, addressed the Board concerning the following two items:

N4 Approval to enter into a \$21,499.00 Task Order 1 for CEI and construction administration services for the 290 air curtain installation, under the on-call contract with Amec Foster Wheeler, Inc. for Category B canal infrastructure engineering services.

N5 Approval to enter into a \$87,762.00 Task Order 2 for CEI and construction administration services for the canal 83 muck removal / backfilling/ air curtain installation, under the on-call contract with Amec Foster Wheeler, Inc. for Category B canal infrastructure engineering services.

After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval and authorizing execution of Items N4 and N5. Roll call vote was taken with the following results:

Commissioner Carruthers	Yes
Commissioner Kolhage	No
Commissioner Murphy	Yes
Commissioner Rice	Yes
Mayor Neugent	Yes

Motion carried.

COUNTY ATTORNEY

O1 Bob Shillinger, County Attorney, directed the Board to the County Attorney’s written report for March 2017. Said report is incorporated herein by reference. Mr. Shillinger advised the Board that he received a call from the Bureau of Land Management, who manages Wisteria Island, requesting that the Board give input on the Sheriff’s request that the island be closed to the public during certain times of the day, due to public safety concerns. He advised the Board that he will schedule an item for a Public Hearing in April, on a Resolution, to have a closure order and that the Board can decide on it.

Mr. Shillinger addressed the Board concerning Gulf Seafood. He advised the Board that the Bankruptcy Court has approved a settlement agreement between the seller and the bank and the foreclosure appointing a receiver. Board granted Mr. Shillinger the authority to send a letter of intent, expressing the Board’s interest in buying the property, and outlining the steps that have been taken to date to do that.

O6 Kevin Wilson, Assistant County Administrator, addressed the Board concerning approval to advertise for a Public Hearing to be held to consider adoption of an Ordinance amending Sections 21-46, 21-70, 21-71, 21-72 and 21-75 of the Monroe County Code providing definitions, providing for anti-scavenger clause and providing for rules, regulations and licensing requirements and fees for specialty haulers and transfer stations pursuant to the solid waste specialty hauler program. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice to advertise for the Public Hearing. Motion carried unanimously.

There being no further business, the meeting of the Board of County Commissioners was adjourned.

Kevin Madok, CPA, Clerk
and ex-officio Clerk to the
Board of County Commissioners
Monroe County, Florida

Pamela G. Hancock, D.C.