

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

Regular Meeting
Board of County Commissioners
Wednesday, January 22, 2020
Marathon, Florida

A regular meeting of the Monroe County Board of County Commissioners convened at 9:00 a.m. at the Marathon Government Center. Present and answering to roll call were Commissioner Craig Cates, Commissioner Michelle Coldiron, Commissioner Sylvia Murphy, Commissioner David Rice, and Mayor Heather Carruthers. Also present at the meeting were Roman Gastesi, County Administrator; Bob Shillinger, County Attorney; Kevin Madok, Clerk of Court; Pamela Hancock, Deputy Clerk; county staff, members of the press and radio; and the general public.

COMMISSION ORGANIZATION

Kevin Madok, Clerk of Court, administered the Oath of Office to Craig Cates, Commissioner District I.

ADDITIONS, CORRECTIONS & DELETIONS

A1 Motion was made by Commissioner Coldiron and seconded by Commissioner Murphy granting approval of the Additions, Corrections and Deletions to the agenda. Motion carried unanimously.

PRESENTATION OF AWARDS

B1 Presentation of Mayor's Proclamation declaring January 18-26, 2020 as the "Week of Peace" in Monroe County, Florida.

B2 Presentation of Employee of the 3rd Quarter to Craig "Smitty" Smith, Mechanic / Generator Technician, Fleet Management.

B3 Presentation of Years of Service Award for ten years of service to Firefighter Thomas Herve.

BULK APPROVALS

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

C1 Board granted approval to award bid and authorized execution of a Contract with Roofing by Ruff, Inc., in the amount of \$152,851.00, for the replacement of the Historic Courthouse gutters and roof caps.

C2 Board granted approval and authorized execution of a Grant Agreement with the State of Florida, Department of State, Division of Historical Resources in the amount of \$247,275.00; and Restrictive Covenants for the repairs to the Monroe County Historic Jail at Jackson Square. This grant requires a 50% match and the County's matching funding will be provided by a TDC Grant.

C3 Board granted approval and authorized execution of the 1st Amendment to State of Florida, Department of Transportation, Public Transportation Grant Agreement No. G1007 providing \$300,000.00 in additional funding for permitting, design and construction of Airfield Improvements at the Key West International Airport; requires \$300,000.00 grant match from Key West Airport Operating Fund 404.

C4 Board granted approval and authorized execution of State of Florida, Department of Transportation, Supplemental Joint Participation Agreement No. 3 for Contract No. G0R04 providing an additional \$150,000.00 in funding for Key West International Airport Building and Security Improvements; requires \$150,000.00 grant match from Key West Airport Operating Fund 404.

C5 Board granted approval and authorized execution of the 4th Amendment to Contract with Gardens of Eden of the Florida Keys, Inc., for landscaping services at Key West International Airport; increasing hourly rate from \$26.25 per hour to \$26.75 per hour; and annual contract amount from \$104,973.81 per year to \$106,968.31 per year; for an annual CPI adjustment of 1.9%.

C6 Board granted approval and authorized execution of a new Contract with Advanced Urgent Care for medical services, including random drug screenings based on reasonable suspicion or post accidents; and new hire physicals as needed for safety sensitive employees and firefighters in Key West and Key Largo; with service coming to Marathon soon.

C7 Board granted approval of the ratification of the 1st Renewal and Amendment to the Bound Tree Medical, LLC Agreement.

C8 Board adopted the following Resolution authorizing Cecil Lee Lawson to act as an authorized agent of Animal Control to enforce Chapter 4, Monroe County Code, and Chapter 828, Florida Statutes, to issue citations for violation of the Monroe County Code, and/or attend Court.

RESOLUTION NO. 001-2020

Said Resolution is incorporated herein by reference.

C9 Board granted approval of the ratification of the Fire Rescue EMS Billing Supervisor Employment Agreement with Dina Stitt.

C10 Board granted approval and authorized execution of a Task Order with Bender & Associates Architects, P.A., in the amount of \$95,820.00, for Phase II Design Services of the Historic Jail Museum. This task order is funded by a TDC Bricks & Mortar Grant.

C11 Board granted approval and authorized execution of a Task Order with CARDNO, Inc. for Soil and Groundwater Assessment of Per-and Polyfluoroalkyl Substances Services for Joe London Fire Training Academy.

C12 Board granted approval to rescind prior approval of the Small County Consolidated Solid Waste Grant Agreement that inadvertently omitted Exhibit A, Exhibit C and tonnage summary report exhibits (agenda item F.15 from the November 20, 2019 meeting); and granted approval and authorized execution of the Small County Consolidated Solid Waste Grant No. SC024, for Fiscal Year 2019-2020, in the amount of \$90,909.00, which now includes all exhibits.

C13 Board granted approval and authorized execution of State of Florida, Department of Transportation, Supplemental Joint Participation Agreement No. 3 to Contract No. G0E47 providing \$275,000.00 in additional funding for essential airport equipment at the Key West International Airport; requires a 50% match from Key West Airport Operating Fund 404.

C14 Board accepted the report of Airport Change Orders, for the month of September 2019, reviewed by the County Administrator/Assistant Administrator. Said report is incorporated herein by reference.

C15 Board granted approval for the Director of Airports to execute, along with the FAA, the FAA approved Airport Layout Plan for the Key West International Airport.

C16 Board granted approval and authorized execution of a Task Order with M. T. Causley, Inc. to provide state required Threshold Inspection Services for the Plantation Key Courthouse Project in the amount of \$90,000.00.

C17 Board granted approval to advertise a Request for Proposals for Pharmacy Benefit Management Administrative Services and Medicare Employer Group Administrative Services with supplemental wrap-around benefits.

C18 Board accepted the report of monthly Change Orders, for the month of December 2019, reviewed by the County Administrator/Assistant Administrator. Said report is incorporated herein by reference.

C19 Board granted approval to purchase three ALTEC Model AT37G telescoping/articulating aerial devices, single operator bucket, mounted on a Ford F-550 chassis from ALTEC Industries Inc. in the amount of \$105,351.00 each, \$316,053.00 total, by "Piggybacking" the Sourcewell Contract No. 012418-ALT for the Facilities and Road Departments.

C20 Board adopted the following Resolution providing support for submission of a Grant Application for funding from the Florida Boating Improvement Program and affirming the

County's ability to provide local match funding. This project is for the installation of a new boat dock at Gulf View Boat Ramp on Big Coppitt Key under the Boating Access Facilities category of the grant.

RESOLUTION NO. 002-2020

Said Resolution is incorporated herein by reference.

C22 Board granted approval of the ratification and authorized execution of the Standard Contract No. AA-2029, Older Americans Act between the Alliance for Aging, Inc., and the Monroe County Board of County Commissioners/Monroe County Social Services/In-Home Services and Nutrition Programs for the contract period of January 1, 2020 through December 31, 2020 in the amount of \$695,115.85.

C23 Board granted approval to waive Chapter 2, Section F(3) of the Purchasing Policy and, upon finding that the competitive solicitation procedures were not evaded, award three Contracts totaling \$91,245.00 to Sea Tech of the Florida Keys, Inc. for the transfer station canopies / awnings.

C24 Board granted approval to advertise for sealed bids for Security Patrols and Services to the Duck Key Security District.

C25 Board granted approval and authorized execution of the 3rd Amendment to Business Lease for the requested annual CPI-U increase of 1.9% for the upcoming year with Ships Way, Inc., for District 2 Commissioner's office space in Big Pine Key. Ad valorem funding.

C26 Board adopted the following Resolutions for the Transfer of Funds and for the Receipt of Unanticipated Revenue:

Receipt of Unanticipated Funds (OMB Schedule Item No. 1).

RESOLUTION NO. 003-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 2).

RESOLUTION NO. 004-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 3).

RESOLUTION NO. 005-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 4).

RESOLUTION NO. 006-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 5).
RESOLUTION NO. 007-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 6).
RESOLUTION NO. 008-2020
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 7).
RESOLUTION NO. 009-2020
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 8).
RESOLUTION NO. 010-2020
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 9).
RESOLUTION NO. 011-2020
Said Resolution is incorporated herein by reference.

Rescinding Resolution No. 341-2019 (OMB Schedule Item No. 10).
RESOLUTION NO. 012-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 11).
RESOLUTION NO. 013-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 12).
RESOLUTION NO. 014-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 13).
RESOLUTION NO. 015-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 14).
RESOLUTION NO. 016-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 15).
RESOLUTION NO. 017-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 16).
RESOLUTION NO. 018-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 17).
RESOLUTION NO. 019-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 18).
RESOLUTION NO. 020-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 19).
RESOLUTION NO. 021-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 20).
RESOLUTION NO. 022-2020
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 21).
RESOLUTION NO. 023-2020
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 22).
RESOLUTION NO. 024-2020
Said Resolution is incorporated herein by reference.

C27 Board granted approval and authorized execution of the 5th Amendment to Agreement for Disposal of Remains between Castillo & Thurston's Key West Mortuary and Monroe County BOCC/Monroe County Social Services to change name of amendment to reflect official name of business to Florida Keys Funeral Services, LLC d/b/a Key West Mortuary.

C28 Board granted approval to ratify Agreement No. 19-20 between Tranquility Bay Adult Day Care of Marathon, Corp. and Monroe County Social Services to provide Facility Based Respite Services to elderly and disabled citizens residing throughout Monroe County in an amount not to exceed \$80,000.00 for the period of July 1, 2019 through October 31, 2019.

C29 Board granted approval of waiver of Purchasing Policy and Procedure, and approval on a sole source basis, of Annual Agreement between Tranquility Bay Adult Day Care of Marathon, Corp. d/b/a Las Mias Adult Day Care and Monroe County Social Services to provide Facility Based Respite Services to elderly and disabled citizens residing throughout Monroe County in an amount not to exceed \$50,000.00 for the period of November 1, 2019 through October 31, 2020.

HURRICANE IRMA RECOVERY

D2 Board adopted the following Resolution to reserve sixteen affordable housing allocations consisting of 6 low income; 5 median income; and 5 moderate income affordable housing allocations pursuant to Monroe County Code Section 138-24(b)(2), as requested by Mobile Homes Holdings Coco, LLC, for a 16 unit affordable/employee housing development located on U.S. Highway 1, Lot 30, Sacarma, a subdivision of Government Lots 3 and 4 in Section 29, Township 66 South, Range 28 East, Cudjoe Key (approximate mile marker 21.5), having property identification number 00174960-000000, until January 22, 2021.

RESOLUTION NO. 025-2020

Said Resolution is incorporated herein by reference.

D4 Board granted approval and authorized execution of a Task Order with CPH, Inc. for Harry Harris Park Beach Jetty and Wilkinson's Point Irma Damage Consulting Services for \$55,785.00 (see Attachment "A"). Attachment "A" is incorporated herein by reference.

D5 Board granted approval and authorized execution of the 3rd Amendment to Contract with Wood Environment & Infrastructure Solutions, Inc. for Marine Debris Monitoring Services in connection with the Natural Resources Conservation Service Grant NR184209XXXXC027, to revise contract to use higher burdened hourly rates for personnel instead of unburdened rates in return for removing digital field documentation equipment expenses; retroactive to July 18, 2018.

D6 Board granted approval to ratify the 4th Amendment to NRCS Grant Agreement NR184209XXXXC027, providing a 90-day time extension, no new funds, to the Grant Agreement from the United States Department of Agriculture Natural Resources Conservation Service (NRCS) for marine debris removal, administrative and related services totaling \$49,716,015.02 (NRCS federal portion: \$38,260,712.02).

D7 Board granted approval and authorized execution of the 3rd Amendment to Contract with Adventure Environmental, Inc. for a time extension retroactive from July 31, 2019 to April 30, 2020, to allow time for clearing of 76 new canals of marine debris and 2 new canals for sediment removal as approved by NRCS.

D8 Board granted approval and authorized execution of the 4th Amendment to Contract with Wood Environment & Infrastructure Solutions, Inc. for Marine Debris Monitoring Services in connection with the Natural Resources Conservation Service Grant NR184209XXXXC027, for no cost time extension retroactive from July 19, 2019 to April 30, 2020; for monitoring of 2 additional canals for sediment removal; and 76 canals for debris removal.

D9 Board granted approval to reject the sole bid for the Big Pine Key Park Sheriff's House Hurricane Repairs and re-advertise the Request for Proposals.

D10 Board adopted the following Resolution to reserve ten affordable housing Rate of Growth (ROGO) allocations consisting of 10 low income affordable housing allocations pursuant to

Monroe County Code Section 138-24(b) for a 10 unit affordable housing development located on S Conch Avenue and N Conch Avenue, Part Lot “14”, Conch Key Subdivision, Conch Key, having real estate number 00385780-000400 and all Lot 13, the Easterly 30 feet of Lot 14, the Easterly 39 feet of Lot 30 & all of Lot 31, Conch Key Subdivision, Conch Key, having real estate number 00385780-000000 (approximate mile marker 63) until October 16, 2020, with the existing market rate ROGOs being reserved by the County upon closing of the property to be used in administrative relief.

RESOLUTION NO. 026-2020

Said Resolution is incorporated herein by reference.

TOURIST DEVELOPMENT COUNCIL

E1 Board granted approval and authorized execution of an Agreement with Upper Keys Community Pool, Inc. for the Jacobs Aquatic Center Spalling, Plaster, Safety and Paint Project in an amount not to exceed \$36,750.00, DAC V, Fiscal Year 2020 Capital Resources.

E2 Board granted approval and authorized execution of an Agreement with the Coral Restoration Foundation, Inc. for the CRF- Coral Restoration - Lower Keys - 2020 2nd Round Project in an amount not to exceed \$22,425.00, DAC II, Fiscal Year 2020 Capital Resources.

E3 Board granted approval and authorized execution of an Agreement with the Coral Restoration Foundation, Inc. for CRF - Coral Restoration - Islamorada - 2020 2nd Round Project in an amount not to exceed \$22,425.00, DAC IV, Fiscal Year 2020 Capital Resources.

E4 Board granted approval and authorized execution of an Amendment to Extend Agreement with City of Key Colony Beach for the Sunset Park ADA Restroom Facility Project.

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

I3 Board adopted the following Resolution to extend the reservation of sixty affordable housing allocations consisting of 27 low income; and 33 moderate income affordable housing allocations pursuant to Monroe County Code Section 138-24(b)(2) for a 60 unit affordable housing development located on U.S. Highway 1, South Point Drive and Cypress Road, Tract “A”, Revised Plat of Amended Plat of Sugarloaf Shores Section F, Sugarloaf Key (approximate mile marker 16.5), having real estate number 00166976-011300, until November 20, 2020.

RESOLUTION NO. 027-2020

Said Resolution is incorporated herein by reference.

I4 Board adopted the following Resolution to extend reservation of twenty-eight low income category affordable housing ROGO allocations pursuant to Monroe County Code Section 138-24(b)(2) for a 28 unit affordable employee housing development located on U.S. Highway 1, South Point Drive and Cypress Road, Tract “B”, Revised Plat of Amended Plat of

Sugarloaf Shores Section F, Sugarloaf Key (approximate mile marker 16.5), having real estate number 00166976-011400, until November 20, 2020.

RESOLUTION NO. 028-2020

Said Resolution is incorporated herein by reference.

I7 Board granted approval and authorized execution of the 11th Amendment to the Contract between Monroe County and Pumpout USA, Inc., for Keys Wide Mobile Vessel Pumpout Service to revise the Contract to: 1) Clarify the program's objectives; and 2) Provide for pumpouts at marinas, at certain marine facilities, and behind residential homes through June 30, 2021.

I8 Board adopted the following Resolution by the Monroe County Board of County Commissioners confirming the administrative boundary interpretation of the Senior Director of Planning and Environmental Resources in a Land Use District (Zoning) Map and Future Land Use Map boundary determination regarding a portion of land in Sections 26, Township 62, Range 38, Tavernier, Monroe County, Florida, having parcel identification numbers 00479501-000100, 00479501-001200 and 00479501-002200.

RESOLUTION NO. 029-2020

Said Resolution is incorporated herein by reference.

COMMISSIONER'S ITEMS

K1 Board granted approval of Commissioner Cates' appointment of Ron Demes to the Monroe County Planning Commission, as replacement for Denise Werling, with a term expiring February 16, 2021.

K2 Board granted approval of Commissioner Coldiron's reappointment of Nicholas Mulick to the Shared Asset Forfeiture Fund Advisory Board, with a term expiring January 1, 2022.

K3 Board granted approval and authorized execution of a Memorandum of Understanding (MOU) with the Florida Council Against Sexual Violence, the Florida Department of Law Enforcement, the Monroe County Board of County Commissioners, the Monroe County Sheriff's Office and the State Attorney to collaborate and make application to the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program; and authorization for the County Administrator to execute the final revised MOU.

COUNTY CLERK

L1 Board granted approval of the minutes from the regular meetings of October 16, 2019 and November 20, 2019. Said minutes are incorporated herein by reference.

L2 Board granted approval of BOCC Warrants (Including Payroll) for the month of December 2019, 10062878-10064082, 50005211-50005228 (PR), 3120183-3121448 (PR

Voucher), 25302-25419 (WC), as follows: 001 General Fund, in the amount of \$2,499,570.05; 101 Fine & Forfeiture Fund, in the amount of \$13,804,012.28; 102 Road & Bridge Fund, in the amount of \$692,748.01; 115 TDC District Two Penny, in the amount of \$289,254.86; 116 TDC Admin & Promo 2 Cent, in the amount of \$862,300.39; 117 TDC District 1,3 Cent, in the amount of \$231,488.56; 118 TDC District 2,3 Cent, in the amount of \$17,374.84; 119 TDC District 3,3 Cent, in the amount of \$16,023.24; 120 TDC District 4,3 Cent, in the amount of \$15,588.63; 121 TDC District 5,3 Cent, in the amount of \$30,866.74; 125 Gov Fund Type Grants, in the amount of \$4,158,262.24; 141 Fire & Amb Dist 1 L&M Keys, in the amount of \$785,773.22; 147 Uninc Svc Dist Parks & Rec, in the amount of \$128,396.28; 148 Plan, Build, Zoning, in the amount of \$487,995.65; 149 Municipal Policing, in the amount of \$1,816,281.25; 150 E911 Enhancement Fund, in the amount of \$40,427.42; 152 Duck Key Security Dist, in the amount of \$9,795.77; 153 Local Housing Assistance, in the amount of \$145,671.01; 157 Boating Improvement Fund, in the amount of \$5,840.72; 158 Misc. Special Revenue Fund, in the amount of \$90,022.64; 160 Environmental Restoration, in the amount of \$11,001.44; 163 Court Facilities, in the amount of \$5,500.00; 164 Drug Facilities Fees, in the amount of \$8,557.34; 177 Canal #266 MSBU, in the amount of \$4,380.00; 180 Building Funds, in the amount of \$374,241.18; 207 2003 Revenue Bonds, in the amount of \$9,425,593.19; 304 1 Cent Infra Surtax, in the amount of \$491,463.30; 312 Cudjoe Regional WW Proj, in the amount of \$6,644.06; 314 Series 2014 Revenue Bonds, in the amount of \$1,523,190.76; 316 Land Acquisition, in the amount of \$995,979.14; 401 Card Sound Bridge, in the amount of \$24,981.30; 403 Marathon Airport, in the amount of \$511,659.32; 404 Key West Intl Airport, in the amount of \$978,562.27; 406 PFC & Operating Restrictions, in the amount of \$76,445.20; 414 MSD Solid Waste, in the amount of \$1,416,900.08; 501 Worker's Compensation, in the amount of \$233,657.51; 502 Group Insurance Fund, in the amount of \$1,799,680.43; 503 Risk Management Fund, in the amount of \$157,387.92; 504 Fleet Management Fund, in the amount of \$154,893.69; 610 Fire/EMA LOSAP Trust Fund, in the amount of \$3,030.00.

L3 Board granted approval of Tourist Development Council expenses for the month of December 2019, as follows: Advertising, in the amount of \$526,317.34; Bricks & Mortar Projects, in the amount of \$285,888.01; Events, in the amount of \$70,658.09; Office Supplies & Operating Costs, in the amount of \$29,023.00; Personnel Services, in the amount of \$267,803.92; Public Relations, in the amount of \$112,523.71; Sales & Marketing, in the amount of \$138,155.85; Telephone & Utilities, in the amount of \$29,111.78; Travel, in the amount of \$19,820.34; Visitor Information Services, in the amount of \$83,485.58.

L4 Board granted approval of FKAA invoices \$50,000.00 or over for June 2019 (to include salaries), relating to the Cudjoe Regional Wastewater System Project. Said invoices are incorporated herein by reference.

L5 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.

L6 Board granted approval to remove surplus equipment from inventory via disposal or advertise for bid. Said list is incorporated herein by reference.

COUNTY ADMINISTRATOR

M2 Board granted approval and authorized execution of the 2nd Amendment to Contract with Casa Marina Owner, LLC d/b/a Casa Marina, A Waldorf Astoria Resort, for conference hosting and implementation services for the 11th Annual Southeast Florida Regional Climate Leadership Summit held in Key West on December 3-5, 2019 for an additional amount of \$34,402.00. The summit was hosted by Monroe County on behalf of the Southeast Florida Regional Climate Change Compact, a four county partnership created for the purpose of collaborative planning and implementation of adaptation and mitigation strategies related to climate change.

M4 Board ratified the Employment Agreement and confirmed Amanda Leggett as Executive Assistant to Commissioner Craig Cates; authorization for County Administrator or his designee to sign the employment agreement.

COUNTY ATTORNEY

N2 Board accepted the semi-annual examination of Public Official Bonds for County Commissioners and Constitutional Officers pursuant to F. S. 137.05 and § 2-28 of the Monroe County Code and finding that all current bonds and/or insurance policies are adequate.

N3 Board granted approval and authorized execution of the 1st Amendment to Agreement for Legal Services with the law firm of Klein Hornig LLP to include 2020 rate increases for representation in matters related to relocation assistance requirements for Affordable Housing Projects.

N4 Board granted approval of a three year Agreement with Thomson Reuters for Government Plan West PROFLEX online legal research; authorization for the County Attorney to execute the Agreement and any additional documents pertaining to the Agreement.

N5 Board granted approval and authorized execution of a Contract with Dwayne A. Klarenbeek to purchase a less than fee interest in Lot 26, Dobie's Subdivision (PB 2-135) and adjoining lands with parcel number 00188870-000000; for a purchase price of \$99,999.00 for density reduction purposes.

N6 Board granted approval and authorized execution of a Contract with Glenn M. Merkey to purchase a less than fee interest in Block 5, Lot 18, Summerland Estates Re-Subdivision No. 2 (PB 4-2) with parcel number 00200220-000000; for a purchase price of \$19,841.00 for density reduction purposes.

N7 Board granted approval and authorized execution of a Contract with Donald J. DeMaria to purchase a less than fee interest in Block 5, Lot 8, Summerland Estates Re-Subdivision No. 2 (PB 4-2) with parcel number 00200110-000000; for a purchase price of \$22,517.00 for density reduction purposes.

N8 Board granted approval and authorized execution of a Contract with Larry J. & Drusilla A. Fox to purchase a less than fee interest in Block 2, Lot 42, Eden Pines Colony (PB 4-158)

with parcel number 00265020-000000; for a purchase price of \$18,025.00 for density reduction purposes.

N10 Board granted approval to accept bid from Bryan & Christina Lemoine and authorized the sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00379720-000000 for \$22,600.00.

N11 Board granted approval to accept bid from Philip Kircher and authorized sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00379820-000000 for \$21,000.00.

N12 Board granted approval to accept bid from Jennifer Magnussen and authorized sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00380240-000000 for \$20,000.00.

N13 Board granted approval to accept bid from Gayle H. & Eddie Maino and authorized sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00383270-000000 for \$19,550.00.

N14 Board granted approval to accept bid from Margie E. Casey and authorized sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00383390-000000 for \$20,700.00.

N15 Board granted approval to accept bid from 221 Corsair, LLC and authorized sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00383780-000000 for \$20,001.00.

N16 Board granted approval to accept bid from 221 Corsair, LLC and authorized sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00383850-000000 for \$20,001.00.

N18 Board granted approval to advertise a Request for Proposals for Property/Boiler and Machinery Coverage Insurance.

N19 Board granted approval to advertise a Solicitation for Proposals for Pollution Liability Insurance Coverage.

BUDGET & FINANCE

R1 Board granted approval to advertise a Public Hearing for a budget amendment for the MSD Solid Waste, Fund 414.

SUSTAINABILITY

R2 Board granted approval and authorized execution of the 11th Task Order with Wood Environment & Infrastructure for three Canal Planning Projects to address water quality issues,

canal management and sargassum management within canals in the keys in the amount of \$149,995.00; which is 100% funded by the United States Environmental Protection Agency Grant X7-01D00020-0; under the General Project Management Services On-Call Contract for Category A Services.

FACILITIES MAINTENANCE

R3 Board granted approval and authorized execution of a Lease Agreement commencing retroactive to January 10, 2020, for up to three months, with Wolfe Stevens PLLC for Unit B of the County's building at 2945-2975 Overseas Highway in Marathon.

Motion carried unanimously.

The Board of County Commissioners meeting adjourned for the Board of Governors, Fire & Ambulance District 1, meeting.

FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS

The Board of Governors for the Fire & Ambulance District 1 convened. Present and answering to roll call were Commissioner Cates, Commissioner Murphy, Commissioner Rice, Councilman Greg Lewis and Mayor Bruce Halle.

H1 Motion was made by Commissioner Rice and seconded by Commissioner Murphy granting approval to ratify the Fire Rescue EMS Billing Supervisor Employment Agreement with Dina Stitt. Motion carried unanimously.

H2 Motion was made by Commissioner Rice and seconded by Councilman Lewis granting approval of the ratification of the 1st Renewal and Amendment to the Bound Tree Medical, LLC Agreement. Motion carried unanimously.

The Board of Governors, Fire & Ambulance District 1, adjourned. The Board of County Commissioners meeting reconvened with all Commissioners present.

MISCELLANEOUS BULK APPROVAL

C21 Motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval to advertise a Request for Qualifications for Phase I Design of the new Roads & Bridges, Facilities Maintenance, and Fleet Departments' location on Rockland Key. Phase I Design will include initial programming and site analysis to start the process of assessing the property and determining estimated construction costs of different building options. Motion carried unanimously.

HURRICANE IRMA RECOVERY

D1 Tina Boan, Sr. Director Budget & Finance, gave a report of Hurricane Irma finance activity by the Office of Management & Budget. Bob Shillinger, County Attorney, addressed the Board. The Board took no official action.

D3 Roman Gastesi, County Administrator; and Mr. Shillinger addressed the Board concerning approval of the *Comprehensive Post Disaster Recovery Strategy and Operational Guide*. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Coldiron granting approval of the item; and to include the Duck Key Boulder Protection Barrier Project. Motion carried unanimously.

Karl Bursa, Chief of Floodplain Regulatory Operations, addressed the Board concerning the following two items (D11 & D12):

D11 Authorize Mayor to sign Subaward and Grant Funding Agreement For FEMA Flood Mitigation Assistance Grant FMA-PJ-04-FL-2016-013 for Elzbieta Krysztofiak, owner of properties at 1512/1514 Duncombe Street, in the City of Key West, FL in the amount of \$222,697.81 (83% of total project costs estimated to be \$268,774.29) for demolition of existing structure and reconstruction of structure elevated 2.8' above the base flood elevation requirement, eliminating the potential for repetitive flood insurance claims.

D12 Authorize Mayor to sign Subaward and Grant Funding Agreement For FEMA Flood Mitigation Assistance Grant FMA-PJ-04-FL-2018-020 for Ingelise Giles, owner of property at 57 Southeast Marlin Avenue, in Key Largo; 'Confidential Data' owner, and Thomas Yzenas, owner of property at 790 90th Street Ocean, in the City of Marathon, FL, in the amount of \$738,381.28 (83% of total project costs estimated to be \$889,616.00) for demolition of existing structures and reconstruction of structures elevated at least 3' above the base flood elevation requirement, eliminating the potential for repetitive flood insurance claims.

After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval of the above two items (D11 & D12). Motion carried unanimously.

STAFF REPORTS

Cathy Crane, Director of Veteran Affairs; Kimberly Matthews, Senior Director of Strategic Planning; and Sheryl Graham, Senior Director of Social Services, gave staff reports.

COUNTY ATTORNEY

N17 Mr. Shillinger addressed the Board concerning approval to accept bid from Kellie King and authorize sale of Duck Key Non-Conservation Density Reduction Lot parcel identification number 00383860-000000 for \$25,333.00. The following individuals addressed the Board: Richard Shuman, representing David Williamson; and Craig King, representing Kellie King.

After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Murphy granting approval of the item. Motion carried unanimously.

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

I6 Christine Hurley, Assistant County Administrator; and Mr. Gastesi addressed the Board. Lori Lehr, CFM Consultant, gave a Power Point Presentation of the draft *Unincorporated Monroe County Repetitive Loss Area Analysis*, which is a required element for the County to achieve Class 4 in the Community Rating System (CRS) which would give a 30% discount (estimated annual savings of \$6.3 million or average annual policy holder discount of \$464.00) to all National Flood Insurance Program policy holders, instead of a 25% discount (estimated annual savings of \$5.1 million or average annual policy holder discount of \$350.00), which Monroe County currently has (CRS rating – Class 5). The Board took no official action.

I2 Motion was made by Commissioner Coldiron and seconded by Commissioner Rice to continue the approval of the 1st Amendment to the Ocean Reef Club Lease, to the Monroe County Board of County Commissioners for a satellite permitting office in Ocean Reef, to the February 19, 2020 BOCC meeting in Key West. Motion carried unanimously.

CLOSED SESSION

J1 Mr. Shillinger requested to continue the Attorney-Client Closed Session in the matter of *Sunset Garden Estate Land Trust 2/10/2014, by and through its Successor Trustee, Simtrust Group LLC, and Sunset Gardens Farm, LLC v. Monroe County, Florida, Case No. 19-CA-460-P*. Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to continue the item to the February 19, 2020 BOCC meeting in Key West. Motion carried unanimously.

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

I5 Mr. Bursa gave a Power Point Presentation update on the Federal Emergency Management Agency (FEMA) Coastal Flood Risk Analysis and Mapping Process including information regarding Consultation Coordination Officer meetings for staff and Public Open House Meetings to be held the week of January 27, 2020 with FEMA presenting: Preliminary Flood Insurance Rate Maps; areas of flood risk; flood insurance and building requirements; hazard mitigation strategies; with 1-on-1 property specific lookup support for citizens. Ms. Hurley addressed the Board. The Board took no official action.

COUNTY ADMINISTRATOR

M1 Mr. Gastesi referred the Board to the County Administrator's report for January 2020. Mr. Shillinger addressed the Board. Said report is incorporated herein by reference.

SOUNDING BOARD

P1 George Smyth addressed the Board regarding the flooding in the Stillwright Community. The following individual addressed the Board: Kim Sikora. The Board took no official action.

COUNTY ATTORNEY

N1 Mr. Shillinger referred the Board to the County Attorney's report for January 2020. Said report is incorporated herein by reference.

Mr. Shillinger requested to hold a Closed Session in the matter of *Monroe County BOCC v. Magnolia 101, LLC Case Number 13-945-P* and read the required language into the record. Motion was made by Commissioner Coldiron and seconded by Commissioner Murphy to hold the Closed Session at the February 19, 2020 BOCC meeting in Key West at 1:30 p.m. or as soon thereafter as may be heard. Motion carried unanimously.

N9 Mr. Shillinger gave a Power Point Presentation to confirm priorities for the County's Less Than Fee Program. Mr. Gastesi addressed the Board. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Rice to continue with the current process prioritizing the properties that are completely vacant. Motion carried unanimously.

PUBLIC HEARINGS/PLANNING & ENVIRONMENTAL RESOURCES

O1 A Public Hearing was held to consider adoption of an Ordinance amending Section 25-2 (a) of the Monroe County Code to remove the established speed zones for County maintained roads within the City of Key West that were inadvertently reinserted into the Monroe County Code upon adoption of Ordinance No. 008-2019, adding Cabanas Way to the list of County controlled roads at the Key West International Airport (Stickney Lane, Faraldo Circle and Nancy Cherry Way) and retaining the unplatted access driveway road through the parking lots of Higgs Beach County Park, a/k/a Atlantic Boulevard for inclusion in the Monroe County Code. There was no public input. Mr. Shillinger addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 001-2020

Said Ordinance is incorporated herein by reference.

Emily Schemper, Sr. Director Planning & Environmental Resources, gave a Power Point Presentation on the following two items (O8 & R4):

O8 A Public Hearing concerning approval of a Resolution renouncing and disclaiming any right of the County and the public in and to the right-of-way of a portion of Old State Road 4A and all of the right-of-way of Loop Road lying within Section 31, Township 66 South, Range 28 East, Government Lot 6; Section 6 Township 67 South, Range 28 East, Government Lots 3, 2, and 7; Section 7, Township 67 South, Range 28 East, Government Lots 2 and 4; Section 12, Township 67 South, Range 27 East, Government Lots 6 and 7; also a 50 foot strip known as

Loop Road, lying in Sugarloaf Key , Section 12, Township 67 South, Range 27 East, Government Lots 1, 2, 3, 5, and 7; Section 11, Township 67 South , Range 27 East, Monroe County.

R4 A Resolution by the Monroe County Board of County Commissioners authorizing the conveyance by quit claim deed to the Board of Trustees of the Internal Improvement Trust Fund of Florida a Portion of the Right-Of-Way of Old State Road 4a and all of the Right-Of-Way of Loop Road; lying within Section 31, Township 66 South, Range 28 East, Government Lot 6; Section 6, Township 67 South, Range 28 East, Government Lots 3, 2, and 7; Section 7, Township 67 South, Range 28 East, Government Lots 2 and 4; Section 12, Township 67 South, Range 27 East, Government Lots 6 and 7; also a 50 Foot Strip known as Loop Road, Lying in Sugarloaf Key, Section 12, Township 67 South, Range 27 East, Government Lots 1, 2, 3, 5, and 7; Section 11, Township 67 South, Range 27 East; Monroe County, Florida.

Mr. Shillinger addressed the Board concerning the above two items (O8 & R4). The following individual addressed the Board: Stuart Schaffer, representing the Sugarloaf Shores Property Owner’s Association.

R4 After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Murphy to adopt the following Resolution authorizing the conveyance by Quit Claim Deed to the Board of Trustees of the Internal Improvement Trust Fund of Florida, with the added language: (public non-vehicular) and non-motorized vehicle (access). Roll call vote was taken with the following results:

Commissioner Cates	No
Commissioner Coldiron	Yes
Commissioner Murphy	Yes
Commissioner Rice	Yes
Mayor Carruthers	Yes

Motion carried.

RESOLUTION NO. 030-2020

Said Resolution is incorporated herein by reference.

O8 Motion was made by Commissioner Rice and seconded by Commissioner Coldiron moving to deny the item as it is moot. Roll call vote carried unanimously.

Ms. Schemper gave a Power Point Presentation on the following eight items (O2 to O7 & I1):

O2 A Public Hearing regarding an Ordinance by the Monroe County Board of County Commissioners amending the Monroe County Land Use District (Zoning) Map from Urban Residential Mobile Home (URM) to Urban Residential (UR) for property located at 6325 First Street and 6125 Second Street, Stock Island, approximately mile marker 5, as proposed Smith/Hawks PL on behalf of Wreckers Cay Apartments, LLC (File 2018-121).

O3 A Public Hearing to consider approval of a Resolution renouncing and disclaiming any right of the County and the public in and to the right-of-way of a portion of Laurel Avenue in Maloney's Subdivision of Stock Island, according to the Plat thereof as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, bounded on the North by all of block 23; bounded on the West by Second Street; bounded on the South by all of block 32; and bounded on the East by adjacent bay bottom and a parcel of land adjacent to Government Lot 2, Section 35, Township 67 South, Range 25 East, Stock Island, Monroe County.

O4 A Public Hearing to consider approval of a Resolution renouncing and disclaiming any right of the County and the public in and to the right-of-way of a portion of MacDonald Avenue and First Street, Stock Island, Monroe County, Florida, as shown on the plat of Maloney's Subdivision of Stock Island, Plat Book 1, Page 55, bounded on the North by all of Block 32; bounded on the West by Second Street and all of Block 34; bounded on the South by all of Block 34, and by First Street adjacent to Block 34 Lot 11 and Block 33 Lot 20; and bounded on the East by Block 33 Lot 1 and the platted shoreline.

O5 A Public Hearing to consider adoption of an Ordinance by the Monroe County Board of County Commissioners amending the Monroe County Comprehensive Plan amending Policy 101.5.25 to allow for a density bonus for site-specific policies, creating Goal 111 and Objective 111.1 to incentivize affordable housing on Stock Island, creating Policy 111.1.1 Stock Island Workforce Subarea 1; establishing the boundary of the Stock Island Workforce Subarea 1; limiting the permitted uses of the subarea to deed restricted affordable housing dwelling units; establishing the maximum net density for affordable housing, height and off-street parking requirements in the subarea; and eliminating allocated density and floor area ratio for properties located at 6325 First Street, 6125 Second Street and 5700 Laurel Avenue on Stock Island as proposed by Wreckers Cay Apartments at Stock Island, LLC (File #2018-120).

O6 A Public Hearing to consider an Ordinance by the Monroe County Board of County Commissioners amending Monroe County Land Development Code Section 130-157 to allow for a density increase above the maximum net density for a property subject to a site-specific subarea policy established under proposed Goal 111 of the Monroe County Comprehensive Plan as proposed by Smith/Hawks PL on behalf of Wreckers Cay Apartments at Stock Island, LLC (File #2019-063).

O7 A Public Hearing to consider approval of a Development Agreement between Monroe County, Florida and Wreckers Cay Apartments at Stock Island, LLC. The requested agreement relates to the proposed redevelopment of mobile home parks to Two Hundred Eighty (280) deed-restricted for 99 years - affordable dwelling units (70 are proposed to be low income; 70 are proposed to be median income; and 140 are proposed to be moderate income), at a maximum net density of 40 units per buildable acre, with no structures being higher than 38 feet from grade, since the finished floors are elevated at least 3' above minimum base flood elevation with architectural features and parapet walls permitted to be up to 44' to hide mechanical equipment, and such structures may contain three (3) habitable floors. The subject property is described as three parcels of land in Section 35, Township 67, Range 25, Stock Island, Monroe County,

Florida, having parcel identification numbers 00124540-000000, 00124550-000000 and 00124560-000000 (File #2018-147).

II Approval of a Resolution reserving two hundred-eighty (280) affordable housing ROGO allocations consisting of seventy (70) low income, seventy (70) median and one hundred-forty (140) moderate income Affordable housing allocations pursuant to Monroe County Code Section 138-24(b)4 for a 280-unit affordable housing development located on Lots 1-10 and 16-20, Block 34, Maloney Subdivision, Stock Island having real estate number 00124560-000000; Lots 1-2 and 18-20, Block 33, Maloney Subdivision, Stock Island having real estate number 00124550-000000; Lots 1-7 and 11-21, Block 32, Maloney Subdivision, Stock Island having real estate number 00124540-000000 (approximate mile marker 5) until January 22, 2025.

Ms. Hurley, Mr. Shillinger, Peter Morris, Assistant County Attorney; and Greg Veliz, City of Key West Manager, addressed the Board. The following individuals addressed the Board: Jonathan Gueverra, representing The College of the Florida Keys; Mike Morawski, representing 907 Whitehead Street Corp.; Bill Lay, representing On Pointe Restaurant Group; David Clay, representing Lower Keys Medical Center; Van Fischer, Esquire, representing Roy's Trailer Park d/b/a Island Life Village; David Turner, representing Lower Keys Chamber of Commerce; and Bart Smith, representing the applicant.

O5 Motion was made by Commissioner Coldiron and seconded by Commissioner Cates to approve the subarea policy, as amended, as follows:

Page 6/line 25

Policy 111.1.1 Stock Island Workforce Subarea 1

1. Notwithstanding the density standards set forth in Policy 101.5.25, the Maximum Net Density of the Stock Island Workforce Subarea 1 shall be 280 affordable dwelling units at a density of 40 dwelling units per buildable acre for property within the UR zoning district and shall not require transferable development rights. The income categories for the 280 units shall consist of ~~140~~ 112 moderate income units, ~~70~~ 98 median income units, and 70 low income units. If fewer than 280 units are built, the distribution of income categories for units built shall be ~~50%~~ 40% moderate income, ~~25%~~ 35% median income, and 25% low income.

Page 8/line 29

10. A development agreement shall be required for any proposed development of an affordable housing project within the Stock Island Workforce Subarea 1 ~~to define the income category distribution for the proposed development.~~

Page 8/line 16

12. The boundary for the Stock Island Workforce Subarea 1 is legally described as: ~~<provide full legal description of the subarea>~~

1. The boundary for the Stock Island Workforce Subarea 1 is legally described as:

A parcel of land in Maloney's Subdivision of Stock Island, according to the plat thereof, as recorded in Plat Book 1, Page 55 of the Public Records of Monroe County, Florida and being bounded and described as follows:

Begin at the intersection of the centerline of Laurel Avenue and the east right-of-way line of Second Street, thence East along the centerline of Laurel Avenue and its Easterly projection for a distance of 1486 feet, more or less, to a point on the apparent shoreline of said Boca Chica Channel, thence meander said shoreline for the following eight courses:

- (1) thence Southwesterly for a distance of 8 feet;
- (2) thence Westerly for a distance of 934 feet;
- (3) thence Southeasterly for a distance of 548 feet;
- (4) thence Northeasterly for a distance of 152 feet;
- (5) thence Southeasterly and Southwesterly for a distance of 150 feet;
- (6) thence Northeasterly for a distance of 150 feet;
- (7) thence Southwesterly for a distance of 389 feet;
- (8) thence Southeasterly for a distance of 58 feet, more or less, to a point on the North right-of-way line of First Avenue; thence bear S14°51'45"E for a distance of 26.10 feet to a point on the centerline of First Avenue; thence West along the centerline of First Avenue for a distance of 235.00 feet; thence North at right angles for a distance of 30.00 feet to a point on the north right-of-way line of First Avenue; thence West at right angles along the said North right-of-way line a distance of 24 feet to the Southwest corner of Block 33 of said Plat, thence North at right angles on the West line of Block 33 a distance of 125 feet, thence West at right angles a distance of 300 feet, thence South at right angles along the East boundary line of Lot 16, Block 34, of said Plat a distance of 125 feet to a point on the North right-of-way line of First Avenue, thence West along the North right-of-way line of First Avenue to a point of intersection with Northeasterly right-of-way line of Maloney Avenue Per FDOT R/W map Section 90550-2608, thence bear N47°17'00"W along the said right-of-way line to a point of curvature, said curve having for its elements a radius of 985.37 feet and a chord bearing N52°21'51"W a chord distance of 174.53, thence along said curve for an arc length of 174.76 feet to the point of intersection with the east right-of-way line of Second Street, thence North along the East right-of-way line of Second Street for a distance of 435.31 feet to the centerline of Laurel Avenue and the Point of Beginning. Containing 9.1 acres, more or less.



Roll call vote carried unanimously.

ORDINANCE NO. 002-2020

Said Ordinance is incorporated herein by reference.

O6 Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Ordinance. Roll call vote carried unanimously.

ORDINANCE NO. 003-2020

Said Ordinance is incorporated herein by reference.

O2 Motion was made by Commissioner Coldiron and seconded by Commissioner Rice to adopt the following Ordinance. Roll call vote carried unanimously.

ORDINANCE NO. 004-2020

Said Ordinance is incorporated herein by reference.

I1 Motion was made by Commissioner Coldiron and seconded by Commissioner Rice to adopt the following Resolution, with the amended language to the allocations, as follows:

The Monroe County Planning Department shall reserve two hundred-eighty (280) affordable ROGO allocations, consisting of seventy (70) low income, ~~seventy (70)~~ ninety-eight (98) median and ~~one hundred forty (140)~~ one hundred twelve (112) moderate income category allocations, for the Monroe County project on Lots 1-10 and 16-20, Block 34, Maloney Subdivision, Stock Island having real estate number 00124560-000000; Lots 1-2 and 18-20, Block 33, Maloney Subdivision, Stock Island having real estate number 00124550-000000; and Lots 1-7 and 11-21, Block 32, Maloney Subdivision, Stock Island having real estate number 00124540-000000 until January 22, 2025.

Roll call vote carried unanimously.

RESOLUTION NO. 031-2020

Said Resolution is incorporated herein by reference.

O7 Motion was made by Commissioner Coldiron and seconded by Commissioner Cates to adopt the following Resolution and approving the Development Agreement, with amended language, as follows:

Page 6, line 39:

C. Duration of Agreement. This agreement shall remain in effect for ~~ten (10)~~ five (5) years from the “Effective Date” as defined herein, and may be extended by mutual consent of the Parties and approval at a public hearing, in accordance with Section 163.3229, Florida Statutes.

Page 7, line 30:

...floors; (3) parking requirements are one parking space per efficiency, studio, or one bedroom unit.

Page 10, line 14

H. Deed Restrictions for Affordable Housing. The Wrecker’s Cay Property shall have a single deed-restriction for two hundred eighty (280) affordable housing units deed restricted to employee housing and shall be recorded on all land described in Exhibits 2, 6, 10, and 14. The income categories for the 280 units shall consist of ~~one hundred forty (140)~~ one hundred twelve (112) moderate income units, ~~seventy median (70)~~ ninety-eight (98) median income units, and seventy (70) low income units. If fewer than 280 units are built, the distribution of income categories for units built shall be ~~50%~~ 40% moderate income, ~~25%~~ 35% median income, and 25% low income.

Page 14, line 1

1. By a corresponding resolution, the Board of County Commissioners ~~shall~~ has reserved ~~one hundred forty (140)~~ one hundred twelve (112) moderate income affordable ROGO allocations, ~~seventy median (70)~~ ninety-eight (98) median income affordable ROGO allocations, and seventy (70) low income affordable ROGO allocations for award to the Wrecker’s Cay Property which reservation shall be in effect for five (5) years from the effective date.

Page 19, line 34

IV. Effective Date. The “Effective Date” of this Agreement ~~is~~ shall be upon the abandonment of Laurel Avenue, McDonald Avenue and First Avenue and subsequently forty-five (45) days after the duly signed and recorded Agreement is received by the Florida Department of

Economic Opportunity pursuant to Chapter 380, Florida Statutes, and if appealed, until the appeal is resolved.

RESOLUTION NO. 031A-2020

Said Resolution is incorporated herein by reference.

Roll call vote carried unanimously.

Motion was made by Commissioner Rice and seconded by Commissioner Murphy to continue Items O3 and O4 to the April 15, 2020 meeting. Motion carried unanimously.

O9 Second of two required Public Hearings to adopt a Resolution to designate an area located at 10 Betty Rose Drive, Big Coppitt Key, locally known as the Quarry, as a Green Reuse Area pursuant to the Brownfields Redevelopment Act, Florida Statutes 376.80. There was no public input. Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to continue the item to the February 19, 2020 BOCC meeting. Motion carried unanimously.

O10 A Public Hearing was held to consider an Ordinance by the Monroe County Board of County Commissioners amending Monroe County Comprehensive Plan Policy 101.3.2 to extend the time period of the Rate of Growth Ordinance through 2026; 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 Comprehensive Plan; providing for an effective date. There was no public input. Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Ordinance. Roll call vote carried unanimously.

ORDINANCE NO. 005-2020

Said Ordinance is incorporated herein by reference.

O11 A Public Hearing was held to consider an Ordinance by the Monroe County Board of County Commissioners amending Monroe County Land Development Code Section 138-24(a) to extend the time period of the Rate of Growth Ordinance through 2026. Ms. Schemper and Mr. Shillinger addressed the Board. There was no public input. Motion was made by Commissioner Murphy and seconded by Commissioner Rice to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 006-2020

Said Ordinance is incorporated herein by reference.

O12 A Public Hearing was held to consider approval of a Resolution transmitting to the State Land Planning Agency an Ordinance by the Monroe County Board of County Commissioners amending the Monroe County 2030 Comprehensive Plan, adopting the 10-Year Water Supply Plan Update to be consistent with the South Florida Water Management District Lower East Coast Water Supply Plan Update of 2018. (Legislative Proceeding). There was no public input.

Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 032-2020

Said Resolution is incorporated herein by reference.

O13 A Public Hearing was held to consider an Ordinance by Monroe County Board of County Commissioners adopting amendments to the Monroe County Land Development Code to amend Section 138-22(b) and Section 139-2(b) to revise the receiver site criteria for the transfer of market rate exemptions to another location, incorporating the BOCC direction within Interim Development Ordinances adopted via Ordinance 011-2017, Ordinance 020-2018, Ordinance 026-2019, and clarified via Resolution 203-2018 which includes allowing the market rate exemptions to be transferred to legally platted lots in Improved Subdivision (IS) or Urban Residential Mobile Home (URM) Land Use Districts (zoning), within the same subarea (except units may be transferred from Big Pine/No Name Key to the Lower Keys subarea) and the receiver site may not be recreational and/or commercial working waterfront. Ms. Schemper and Mr. Shillinger addressed the Board. The following individual addressed the Board: Bart Smith, representing Banyan Grove. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy to adopt the following Ordinance. Roll call vote carried unanimously.

ORDINANCE NO. 007-2020

Said Ordinance is incorporated herein by reference.

O14 A Public Hearing was held to consider an Ordinance by Monroe County Board of County Commissioners adopting amendments to the Monroe County Land Development Code to amend Section 101-1 to create a definition for medical marijuana treatment center dispensing facility and specifically note that a medical marijuana treatment center dispensing facility is a commercial retail or an institutional use; 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 amendment to and incorporation in the Monroe County Land Development Code; providing for an effective date. Mr. Shillinger and Ms. Schemper addressed the Board. There was no public input. Motion was made by Commissioner Rice and seconded by Commissioner Coldiron to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 008-2020

Said Ordinance is incorporated herein by reference.

O15 The first of two required Public Hearings was held to consider an Ordinance by Monroe County Board of County Commissioners adopting amendments to the Monroe County Land Development Code to amend Section 101-1 to create a definition for public infrastructure and utilities; to amend the definition of public buildings and uses; and to amend the list of permitted and conditional uses within Sections 130-74 through 130-103 to include public infrastructure and utilities as an authorized use; 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 amendment to and incorporation in the Monroe County Land Development

Code; providing for an effective date. Ms. Schemper and Mr. Shillinger addressed the Board. There was no public input. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice to hold the second Public Hearing on February 19, 2020 at 1:30 p.m. Motion carried unanimously.

O16 A Public Hearing was held to consider an Ordinance by the Monroe County Board of County Commissioners amending the Monroe County Tier Overlay District Map From Tier III-A To Tier III as requested by Daniel Iarrobino for two parcels of vacant land legally described as Block 8 Lots 17 & 18 Cutthroat Harbor Estates, Cudjoe Key, Plat Book 4, Page 165, having Real Estate Nos. 00178450-000000 and 00178460-000000. There was no public input. Motion was made by Commissioner Murphy and seconded by Commissioner Rice to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 009-2020

Said Ordinance is incorporated herein by reference.

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.