

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

Regular Meeting  
Board of County Commissioners  
Wednesday, February 19, 2020  
Key West, Florida

A regular meeting of the Monroe County Board of County Commissioners convened at 9:00 a.m. at the Harvey 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.

**ADDITIONS, CORRECTIONS & DELETIONS**

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

**PRESENTATION OF AWARDS**

B1 Presentation of Mayor's Proclamation declaring February 19, 2020 as League of Women Voters Day in Monroe County, Florida.

B2 Presentation of Employee of the Year to James Steffen, Veterans Transportation Driver.

**BULK APPROVALS**

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

C1 Board granted approval to amend and authorized renewal of the existing Contract with Dion Fuels LLC for the third additional one-year term beginning March 15, 2020.

C2 Board granted approval to advertise a Public Hearing to consider adoption of an Ordinance amending Chapter 13 of the Monroe County Code for the provision of additional fire protection and permit requirements, as well as set forth fees for periodic fire inspections.

C3 Board granted approval to donate artifacts found on Pigeon Key Island during construction excavation for the Pigeon Key Ramp Rehabilitation Project, valued under \$5,000.00, to Pigeon Key Foundation, a Not-for-Profit 501(C)(3) Organization, for display and exhibit in the on-site Pigeon Key Museum.

C4 Board granted approval and authorized execution of an Interlocal Agreement with the City of Key West to contribute proportionate share to the design and construction cost of a new Dennis Street Pump Station that will handle stormwater from Bertha Street in the estimated amount of \$739,759.00 or 35.9% of the total cost. Upon completion, the County will pay its proportionate share (35.9%) of annual operations and maintenance costs.

C5 Board granted approval and authorized execution of the 2nd Amendment to Agreement with Stockton Maintenance Group, Inc. for Lower Keys Janitorial Services for a one-year renewal and annual CPI-U adjustment with new monthly amount of \$21,410.26. Funding is ad valorem.

C6 Board granted approval and authorized execution of the 3<sup>rd</sup> Amendment to Agreement with Ceiling to Floor Cleaning, Inc. for Upper Keys and Marathon Janitorial Services for a one-year renewal and annual CPI-U adjustment with new monthly amount of \$21,943.35. Funding is ad valorem.

C7 Board granted approval to purchase one new, New Holland Tractor with 18' boom and 90" buzzbar from Alamo Sales in the amount of \$134,534.07 by "piggybacking"/cooperatively purchasing via the competitively bid Sourcewell Contract No. 052417-AGI for the Card Sound Department.

C8 Board granted approval and authorized execution of a month to month Renewal Agreement with Cliffhanger Janitorial, Inc., for janitorial services at Key West International Airport, pending issuance of a new bid proposal, receipt of bids and award of a new contract.

C9 Board granted approval and authorized execution of Jacobs Project Management Co.'s Task Order No. 12/15-68 in the amount of \$119,424.00 to develop a Stormwater Master Plan for the Florida Keys Marathon International Airport to be funded by FDOT Grant No. G1237 (80%); and Marathon Operating Fund 403 (20%).

C10 Board granted approval to award all surplus Fleet units to the highest bidder as set forth in the attached Budget and Finance Purchasing Department tabulation sheet, authorization to award the surplus items to the next highest bidders if necessary, until items are disposed of. Said tabulation is incorporated herein by reference.

C11 Board granted approval and authorized execution of a Lease Agreement with the State of Florida Department of Health, Monroe County Health Department, to provide continued office space at the Department of Juvenile Justice Building, 5503 College Road, Stock Island, Key West, FL. The lessee will pay the County the sum of \$-0- per year for the space.

C12 Board granted approval and authorized execution of a Lease Agreement with the State of Florida Department of Health, Monroe County Health Department, to provide continued office space at the Gato Building, 1100 Simonton Street, Key West, FL. The lessee will pay the County the sum of \$-0- per year for the space.

C13 Board granted approval and authorized execution of a Lease Agreement with the State of Florida Department of Health, Monroe County Health Department, to provide continued office space at the Roth Building, 50 High Point Road, Tavernier, FL. The lessee will pay the County the sum of \$-0- per year for the space.

C14 Board granted approval and authorized execution of a Lease Agreement with the State of Florida Department of Health, Monroe County Health Department, to provide continued office space at the Ruth Ivins Center, 3333 Overseas Highway, Marathon, FL. The lessee will pay the County the sum of \$-0- per year for the space.

C16 Board granted approval of Task Order with the correct Attachment A from Cardno, Inc. for soil and groundwater assessment of Per- and Polyfluoroalkyl Substances Services for Joe London Fire Training Academy. The amount of the task order is \$79,900.00 and it is funded from infrastructure sales surtax.

C17 Board ratified the Agreement with Wood Environmental and Infrastructure, Inc., approved as Item F18 at the November 20, 2019 meeting (Contract with Wood Environment and Infrastructure Solutions, Inc., in the amount of \$64,750.00, in response to a Request for Proposals for Consulting Services to complete the five year revision of the Monroe County Local Mitigation Strategy; and granted the authority to negotiate and enter into Contracts with the #2 or #3 vendors if necessary; and also granted authority for the County Administrator to execute any additional necessary documentation. Monroe County has been awarded a FEMA Mitigation Grant to reimburse up to 75% of this cost).

C18 Board granted approval and authorized execution of an Interlocal Agreement with the City of Key West to provide funds for engineering design, permitting, and construction inspection services in the amount of \$49,917.51 to include the County sections of Duval and Whitehead Streets in the City's Old Town Road Improvements Project Phase I.

C19 Board granted approval to rescind Avigation Easement and Property Owner Noise Insulation Agreement for Unit 224-C at Key West by the Sea approved by the BOCC on September 18, 2019; and granted approval of new Avigation Easement and new Property Owner Noise Insulation Agreement for Unit 224-C at Key West by the Sea due to new ownership. The easement and agreement are required in order to participate in the Key West International Airport Noise Insulation Program Building C Construction Project. All project costs to be funded with FAA Grant 37-59 (90%); and Passenger Facility Charge #17 (10%).

C20 Board granted approval and authorized execution of the 1<sup>st</sup> Amendment renewing the Master Agreement with Newton & Associates, Inc. for Financial Consulting Services for both Monroe County Airports for two years. Services are paid utilizing PFCs, FDOT grants and/or Airport Operating Fund 404.

C21 Board granted approval and authorized execution of the 1<sup>st</sup> Amendment with Ricondo & Associates, Inc. for Financial Consulting Services for both Monroe County Airports renewing the Master Agreement for two years and updating the hourly rates. Services are paid utilizing PFCs, FDOT grants and/or Airport Operating Fund 404.

C22 Board granted approval to advertise for bids for the Key West Noise Insulation Program Construction Project at Key West by the Sea, Building A, Part 1, consisting of 30 units. To be paid by future anticipated FAA Grant (90%); and PFC #17 (10%).

C26 Board granted approval to award bid and authorized execution of an Agreement with Scale-Rite, Inc. for scale upgrades at the three transfer stations in the amount of \$247,375.00.

C27 Board granted approval and authorized execution of an Employment Agreement with Nina Stuart to fill the Fire Rescue EMS Billing Specialist position.

C28 Board accepted the report of monthly Change Orders for the month of January 2020, reviewed by the County Administrator/Assistant Administrator. Said report is incorporated herein by reference.

C29 Board granted approval and authorized execution of the 1st Amendment to Agreement with RAS Building Commissioning and Restoration, LLC, d/b/a Solair House (RAS) to move the proposed "Tiny Home" to be built on the County owned vacant parcel at W. Indies Drive, Ramrod Key, to a vacant parcel located at 252 Sands Road, Big Pine Key, currently owned by the Monroe County Land Authority, which will be transferring the parcel to the County in companion Resolutions on the February agenda. The amendment also updates the address for RAS.

C30 Board granted approval and authorized execution of a Contract with Darcy Ferrill and Shawn Trentlage for \$50,000.00 for public art at the new Marathon Library recommended by the Art in Public Places Committee and the Florida Keys Council of the Arts.

C32 Board granted approval to waive selection committee for the Upper Keys Animal Control Shelter and Operations RFP, as only one response was received, and approval to negotiate a Contract with the sole respondent to the RFP, Humane Animal Care Coalition, Inc. Contract is funded with ad valorem funds.

C34 Board granted approval of the Fiscal Year 2021 Budget Timetable. Said timetable is attached hereto.

C35 Board adopted the following Resolutions for the Transfer of Funds and for the Receipt of Unanticipated Revenue:

Transfer of Funds (OMB Schedule Item No. 1).

**RESOLUTION NO. 033-2020**

Said Resolution is incorporated herein by reference.

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

**RESOLUTION NO. 034-2020**

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 3).  
**RESOLUTION NO. 035-2020**  
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 4).  
**RESOLUTION NO. 036-2020**  
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 5).  
**RESOLUTION NO. 037-2020**  
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 6).  
**RESOLUTION NO. 038-2020**  
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 7).  
**RESOLUTION NO. 039-2020**  
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 8).  
**RESOLUTION NO. 040-2020**  
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 9).  
**RESOLUTION NO. 041-2020**  
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 10).  
**RESOLUTION NO. 042-2020**  
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 11).  
**RESOLUTION NO. 043-2020**  
Said Resolution is incorporated herein by reference.

Rescinding Resolution No. 288-2019 (OMB Schedule Item No. 12).  
**RESOLUTION NO. 044-2020**  
Said Resolution is incorporated herein by reference.

Amending Resolution No. 289-2019 (OMB Schedule Item No. 13).  
**RESOLUTION NO. 045-2020**  
Said Resolution is incorporated herein by reference.

Amending Resolution No. 290-2019 (OMB Schedule Item No. 14).

**RESOLUTION NO. 046-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 291-2019 (OMB Schedule Item No. 15).

**RESOLUTION NO. 047-2020**

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 16).

**RESOLUTION NO. 048-2020**

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 17).

**RESOLUTION NO. 049-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 363-2019 (OMB Schedule Item No. 18).

**RESOLUTION NO. 050-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 364-2019 (OMB Schedule Item No. 19).

**RESOLUTION NO. 051-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 366-2019 (OMB Schedule Item No. 20).

**RESOLUTION NO. 052-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 367-2019 (OMB Schedule Item No. 21).

**RESOLUTION NO. 053-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 368-2019 (OMB Schedule Item No. 22).

**RESOLUTION NO. 054-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 370-2019 (OMB Schedule Item No. 23).

**RESOLUTION NO. 055-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 343-2019 (OMB Schedule Item No. 24).

**RESOLUTION NO. 056-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 332-2019 (OMB Schedule Item No. 25).

**RESOLUTION NO. 057-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 334-2019 (OMB Schedule Item No. 26).

**RESOLUTION NO. 058-2020**

Said Resolution is incorporated herein by reference.

Amending Resolution No. 357-2019 (OMB Schedule Item No. 27).

**RESOLUTION NO. 059-2020**

Said Resolution is incorporated herein by reference.

**HURRICANE IRMA RECOVERY**

D1 Board accepted the report of Hurricane Irma finance activity by the Office of Management and Budget. Said report is incorporated herein by reference.

D2 Board granted approval to rescind the 3<sup>rd</sup> Amendment approved at the January 2020 BOCC meeting and replace with the revised Amendment to correct a scrivener's error (missing page 2) for Amendment No. 3 to the Contract with Wood Environment & Infrastructure Solutions, Inc. for marine debris monitoring services in connection with the Natural Resources Conservation Service (NRCS) Grant NR184209XXXXC027. Amendment 3 revises the 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.

**TOURIST DEVELOPMENT COUNCIL**

E2 Board granted approval to advertise a Request for Applications for Fiscal Year 2021 Destination and Turnkey Event Funding.

E3 Board granted approval to advertise a Request for Applications for Fiscal Year 2021 Capital Project Funding.

E4 Board granted approval to advertise a Request for Proposals for a county-wide Website and Digital Services Provider for the Monroe County Tourist Development Council.

E5 Board adopted the following Resolution to provide for additional advance registration, booth related expenses and travel related expenses for trade shows for Fiscal Year 2021 to be paid from Tourist Development Council funds in Fiscal Year 2020.

**RESOLUTION NO. 060-2020**

Said Resolution is incorporated herein by reference.

E6 Announcement of one vacant position on the Tourist Development Council District V Advisory Committee for one "At Large" appointment.

E7 Board granted approval and authorized execution of an Agreement with Florida Keys History and Discovery Foundation, Inc. in an amount not to exceed \$27,000.00, DAC, IV Fiscal Year 2020 Capital Resources for the Indian Key Exhibit Expansion Remodel Improvement Project.

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

I1 Board granted approval and authorized execution of a Sole Source Contract with Coastal Systems International, Inc. to provide for conceptual permitting for the Boca Chica mooring field.

I2 Board granted approval and authorized execution of the 1<sup>st</sup> Amendment to the Ocean Reef Club Lease to the Monroe County Board of County Commissioners for a satellite Permitting Office in Ocean Reef.

I3 Board granted approval and authorized execution of the 1<sup>st</sup> Amendment to the 2015 DRC Emergency Services, LLC, Agreement for Disaster Response and Recovery Services for Marine Debris and Vessel Removal, extending the Agreement for one year and adding terms required to ensure conformity with updated state and federal funding and/or reimbursement requirements.

I4 Board granted approval to advertise a Public Hearing to consider an Ordinance amending Section 6-100 of the Monroe County Code of Ordinances for certain permit exceptions related to pruning, trimming or the removal of trees.

I5 Board adopted the following Resolution to rescind the reservation of one Affordable Housing Allocation for a proposed “Tiny Home”/Code compliant small modular unit for affordable housing at the corner of W. Indies Drive, Lot 1, Block 19, Breezeswept Beach Estates, Ramrod Key (approximate mile marker 27.5), having parcel identification number 00205890-000000.

**RESOLUTION NO. 061-2020**

Said Resolution is incorporated herein by reference.

I6 Board adopted the following Resolution to move fifteen Market Rate ROGO Exemptions from property known as Part Lot 14, Conch Key Subdivision, Conch Key, having property identification number 00385780-000400 and all of Lot 13, the Easterly 30 feet of Lot 14, the Easterly 39 feet of Lot 30 and all of Lot 31, Conch Key Subdivision, Conch Key, and having property identification number 00385780-000000, to the Administrative Relief Pool for market rate allocation(s).

**RESOLUTION NO. 062-2020**

Said Resolution is incorporated herein by reference.

## COMMISSIONER'S ITEMS

L1 Board granted approval of Mayor Carruthers' reappointment of Aleksandra Corsi Leto to the Shared Asset Forfeiture Fund Advisory Board, with a term expiring February 19, 2022.

L2 Board granted approval of Commissioner Rice's reappointment of James Bernardin as District 4 Representative to the Tourist Development Council, with a term expiring February 1, 2024.

L3 Board granted approval of Commissioner Rice's reappointment of Sandra Higgs to serve on the Sheriff's Shared Asset & Forfeiture Fund, for a two-year term through February 19, 2022.

## COUNTY CLERK

M1 Board granted approval to remove surplus equipment from inventory via disposal or advertise for bid. Said list is incorporated herein by reference.

M2 Board granted approval of the minutes from the regular meeting held on December 11, 2019. Said minutes are incorporated herein by reference.

M3 Board granted approval to dispose of records pursuant to the General Records Schedule GS1-SL for state and local government agencies.

M4 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.

M5 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.

M6 Board granted approval of BOCC Warrants (Including Payroll) for the month of January 2020, 10062878-10064082, 50005211-50005228 (PR), 3121449-3123298 (PR Voucher), 25420-25526 (WC), as follows: 001 General Fund, in the amount of \$5,943,811.54; 101 Fine & Forfeiture Fund, in the amount of \$433,076.93; 102 Road & Bridge Fund, in the amount of \$485,719.00; 104 Middle Keys Health Care MSTU, in the amount of \$8,712.69; 115 TDC District Two Penny, in the amount of \$400,013.61; 116 TDC Admin & Promo 2 Cent, in the amount of \$1,238,451.36; 117 TDC District 1,3 Cent, in the amount of \$257,164.84; 118 TDC District 2,3 Cent, in the amount of \$32,987.12; 119 TDC District 3,3 Cent, in the amount of \$214,046.12; 120 TDC District 4,3 Cent, in the amount of \$70,482.60; 121 TDC District 5,3 Cent, in the amount of \$157,155.83; 125 Gov Fund Type Grants, in the amount of \$1,873,533.02; 130 Impact Fees/Roadways, in the amount of \$5,023.52; 141 Fire & Amb Dist 1 L&M Keys, in the amount of \$1,167,459.43; 147 Uninc Svc Dist Parks & Rec, in the amount of \$180,849.34; 148 Plan, Build, Zoning, in the amount of \$712,420.44; 149 Municipal Policing, in the amount of \$20,640.54; 150 E911 Enhancement Fund, in the amount of \$38,548.27; 152 Duck Key Security Dist, in the amount of \$12,203.75; 153 Local Housing Assistance, in the amount of

\$51,603.26; 157 Boating Improvement Fund, in the amount of \$158,795.30; 158 Misc. Special Revenue Fund, in the amount of \$226,748.32; 160 Environmental Restoration, in the amount of \$32,458.20; 163 Court Facilities, in the amount of \$11,714.95; 164 Drug Facilities Fees, in the amount of \$18,805.09; 171 Stock Island Wastewater, in the amount of \$786.22; 180 Building Funds, in the amount of \$456,553.26; 304 1 Cent Infra Surtax, in the amount of \$888,875.45; 310 Big Coppitt Wastewater, in the amount of \$608.14; 312 Cudjoe Regional WW Proj, in the amount of \$10,087.95; 314 Series 2014 Revenue Bonds, in the amount of \$1,109,172.15; 316 Land Acquisition, in the amount of \$1,680,457.86; 401 Card Sound Bridge, in the amount of \$39,067.98; 403 Marathon Airport, in the amount of \$225,990.90; 404 Key West Intl Airport, in the amount of \$773,883.50; 406 PFC & Operating Restrictions, in the amount of \$1,118,971.34; 414 MSD Solid Waste, in the amount of \$1,653,361.91; 501 Worker's Compensation, in the amount of \$117,407.27; 502 Group Insurance Fund, in the amount of \$2,980,138.12; 503 Risk Management Fund, in the amount of \$82,746.66; 504 Fleet Management Fund, in the amount of \$237,229.32; 610 Fire/EMA LOSAP Trust Fund, in the amount of \$2,790.00.

M7 Board granted approval of Tourist Development Council expenses for the month of January 2020, as follows: Advertising, in the amount of \$1,350,452.81; Bricks & Mortar Projects, in the amount of \$166,253.48; Events, in the amount of \$166,253.48; Office Supplies & Operating Costs, in the amount of \$59,865.20; Public Relations, in the amount of \$176,813.68; Sales & Marketing, in the amount of \$160,357.62; Telephone & Utilities, in the amount of \$22,321.38; Travel, in the amount of \$22,321.38; Visitor Information Services, in the amount of \$108,985.58.

### **COUNTY ATTORNEY**

O3 Board adopted the following Resolution amending Resolution 175-2018, as previously amended by Resolution 438-2018, regarding the Less than Fee Program for purchasing development rights of vacant lots to add an additional prioritization of parcels that contain no accessory use or structure.

### **RESOLUTION NO. 063-2020**

Said Resolution is incorporated herein by reference.

O4 Board granted approval and authorized execution of a Contract with Troy (a/k/a Troy A.) & Monique Luen to purchase a less than fee interest in Lot 13, Doctors Arm Third Addition Section A (PB 6-39) with parcel identification number 00312571-001400; and a purchase price of \$72,000.00 for density reduction purposes.

O5 Board granted approval and authorized execution of a Contract with Jason & Rona O'Brien Revocable Trust, dated September 23, 2019 to purchase a less than fee interest in Block 3, Lot 12, Eden Pines Colony (PB 4-158) with parcel identification number 00265160-000000; and a purchase price of \$28,750.00 for density reduction purposes.

O6 Board granted approval and authorized execution of a Contract with Gale Raban to purchase a less than fee interest in Block 9, Lots 1, 2, 15, and 16, Pirates Cove (PB 3-18) with

parcel number 00494080-000000; and a purchase price of \$74,752.00 for density reduction purposes.

O7 Board granted approval and authorized execution of a Contract with Sheldon Williams, as holder of an Enhanced Life Estate Interest, to purchase a less than fee interest in Block 3, Lot 15, Eden Pines Colony (PB 4-158) with parcel identification number 00265210-000000; and a purchase price of \$28,750.00 for density reduction purposes.

O8 Board granted approval and authorized execution of a Contract with Bryan L. & Whitney M. Wilson to purchase a less than fee interest in Block 7, Lot 24, Pine Channel Estates Section Two (PB 6-2) with parcel identification number 00250030-000000 and a purchase price of \$99,999.00 for density reduction purposes.

O9 Board granted approval and authorized execution of a Contract with Michael & Sandra Dolowy to purchase a less than fee interest in Lot 11, Tropical Bay (PB 4-106) with parcel identification number 00312700-000100; and a purchase price of \$60,834.00 for density reduction purposes.

O10 Board adopted the following Resolution accepting the transfer of Monroe County Comprehensive Plan Land Authority's real property located at 252 Sands Road, Big Pine Key, parcel identification number 00300580-000000; and granted approval and authorized execution of the Land Use Restriction Agreement for Affordable Housing.

**RESOLUTION NO. 064-2020**

Said Resolution is incorporated herein by reference.

S1 Board granted approval to terminate the lease with DAV and take all actions necessary, including initiation of litigation if necessary, to reclaim possession of the property.

**BUILDING DEPARTMENT**

S2 Board granted approval to rescind the January 22, 2020 approval of Grant Agreement for the FMA-PJ-FL-2018-020 (Agenda Item D12) for \$738,381.28; and granted approval for the Mayor to sign Subaward and Grant Funding Agreement for FEMA Flood Mitigation Assistance (FMA) Grant FMA-PJ-04-FL-2018-020 for Ingelise Giles, owner of property at 57 Southeast Marlin Avenue, in Key Largo, FL; 'Confidential Data,' owner, and Thomas Yzenas, owner of property at 790 90th Street Ocean, in Marathon, FL, in the correct amount of \$457,685 (51.4% of the total project cost 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.

Motion carried unanimously.

## **MISCELLANEOUS BULK APPROVALS**

C15 Kevin Wilson, Assistant County Administrator, addressed the Board concerning approval to purchase one new Ford F550 crew cab with a 12' aluminum dump body from Palmetto Ford Truck Sales Inc., in the amount of \$57,950.00 by "Piggybacking"/cooperatively purchasing via the Florida Sheriff's Association competitively bid Contract FSA19-VEH17.0 Item #33 for the Parks and Beaches Department. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy granting approval of the item. Motion carried unanimously.

C24 Motion was made by Commissioner Coldiron and seconded by Commissioner Murphy granting approval of an Agreement with Guidance/Care Center for a Capital Improvement Project for Security and Facility Upgrades to the Baker Act Receiving Facility in an amount not to exceed \$200,000.00. Roll call vote carried unanimously, with Commissioner Rice abstaining due to a conflict.

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

I8 Emily Schemper, Sr. Director Planning & Environmental Resources, gave an update on the Area of Critical State Concern proposed amendments to Rule 28-20, F.A.C., to establish a Canal Restoration Work Program. Roman Gastesi, County Administrator, addressed the Board.

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, and Councilman Lewis. Mayor Halle was absent from the meeting.

H1 Chief James Callahan addressed the Board concerning approval of BOG Employment Agreement with Nina Stuart to fill the Fire Rescue EMS Billing Specialist position. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval of the item. Roll call vote 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**

C23 Richard Strickland, Director of Airports, gave a Power Point Presentation of the Key West International Airport Economic Impact Study.

## **TOURIST DEVELOPMENT COUNCIL**

E1 Bob Shillinger, County Attorney, addressed the Board concerning approval of an Agreement with the City of Key West for City of Key West Beach Maintenance Multi Year Grant in an amount not to exceed \$790,500,000 per year DAC I Capital Resources for a five-year period. This Agreement will terminate and replace all previous agreements for beach maintenance with the City of Key West. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron granting approval of the item with the corrected not to exceed amount of \$790,500.00. Motion carried unanimously.

### **COUNTY ATTORNEY**

O1 Mr. Shillinger referred the Board to the County Attorney report for February 2020. Said report is incorporated herein by reference.

### **COUNTY ADMINISTRATOR**

N1 Mr. Gastesi referred the Board to the County Administrator's report for February 2020. Said report is incorporated herein by reference. Sheriff Richard Ramsay, Mr. Shillinger, and Christine Hurley, Assistant County Administrator, addressed the Board. The following individual addressed the Board: Stuart Schaffer, representing the Sugarloaf Shores Property Owner's Association.

### **MISCELLANEOUS BULK APPROVAL**

C25 The following individuals addressed the Board concerning approval of an Agreement with The College of the Florida Keys for a capital improvement project for the Upper Keys Center in an amount not to exceed \$500,000.00; \$250,000.00 in Fiscal Year 2020; and \$250,000.00 in Fiscal Year 2021: Jonathan Gueverra, representing the College of the Florida Keys (CFK); Dotti Moses, Sheriff Ramsay, and Stephanie Scuderi, Chair, Board of Trustees for CFK. Mr. Gastesi addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron granting approval of the item. Roll call vote carried unanimously.

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

I9 Ms. Hurley addressed the Board concerning approval of a Resolution to adopt the 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 under the CRS Rating Class 5. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Coldiron to adopt the following Resolution. Roll call vote carried unanimously.

## **RESOLUTION NO. 065-2020**

Said Resolution is incorporated herein by reference.

I10 Ms. Hurley addressed the Board concerning a revision to the Land Development Code to eliminate the ability for a manufactured/mobile home to be placed at an elevation below base flood elevation (BFE), on 36” piers, within the Urban Residential Mobile Home Limited District (URM-L) to meet CRS Class 4 criteria. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Cates for staff to start the Land Development Code amendment to eliminate the manufactured mobile home to be placed at a 36” pier. Roll call vote carried unanimously.

### **SOUNDING BOARD**

Q1 Suanne Kitchar addressed the Board regarding the current lease at Salute. Mr. Shillinger addressed the Board. The Board took no official action.

### **COUNTY ATTORNEY**

O2 Mr. Shillinger discussed with the Board direction regarding the Duck Key Non-Conservation Density Reduction Lots that were not purchased by bid and other similarly situated lots owned by the County. The Board took no official action.

### **COUNTY ADMINISTRATOR**

N2 Rhonda Haag, Director of Sustainability and Projects, addressed the Board concerning the Presentation under the partnership agreement with the U.S. Army Corps of Engineers (USACE) for investigating coastal storm risk vulnerability for the Florida Keys, to present and discuss the list of alternatives under the details of the recommendation for the Tentatively Selected Plan for Monroe County as developed by the USACE. Susan Layton, Chief of Planning for the Norfolk District of the USACE, gave a Power Point Presentation titled *Florida Keys Coastal Storm Risk Management Feasibility Study*. Mr. Gastesi and Mr. Shillinger addressed the Board. The following individual addressed the Board: D.A. Aldridge. The Board took no official action.

### **PUBLIC HEARINGS**

P1 The second of two required Public Hearings was held to consider adoption of 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. Ms. Schemper addressed the Board. The following individual addressed the Board: Richard Goldstein, representing Quarry Big Coppitt LTD & Quarry Big Coppitt II LTD. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Coldiron to adopt the following Resolution. Roll call vote was taken with the following results:

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

Motion carried.

**RESOLUTION NO. 066-2020**

Said Resolution is incorporated herein by reference.

P2 The second of two required Public Hearings was held to consider adoption of 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, Mr. Shillinger, Charles Pattison, Director of Land Authority; and Mr. Wilson addressed the Board. The following individual addressed the Board: Dotti Moses. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice to adopt the following Ordinance, adding the following language:

**Sec. 130-76. – Conservation District (CD).**

(b) (2) c. No viable alternative exist, as indicated by the governmental agency providing the public services.

Motion carried unanimously.

**ORDINANCE NO. 010-2020**

Said Ordinance is incorporated herein by reference.

P3 A Public Hearing was held to consider adoption of an Ordinance by the Monroe County Board of County Commissioners updating the Five-Year Schedule of Capital Improvements Table for Fiscal Years 2020-2024, located within the Capital Improvements Element of the Monroe County Year 2030 Comprehensive Plan, pursuant to Section 163.3177(3), F.S. There was no public input. Ms. Schemper and Mr. Gastesi addressed the Board. Motion was made by Commissioner Rice and seconded by Commissioner Murphy to adopt the following Ordinance. Motion carried unanimously.

**ORDINANCE NO. 011-2020**

Said Ordinance is incorporated herein by reference.

P4 A Public Hearing was held to consider adoption of an Ordinance by the Monroe County Board of County Commissioners amending the Monroe County Land Development Code, Chapter 142, Signs, to address development regulation related to signs, particularly in light of the United States Supreme Court case of *Reed v. Town of Gilbert*, 576 U.S. (2015). Mr. Shillinger, Nancy Stroud, PA, outside counsel; Steve Williams, Assistant County Attorney; and Ms. Schemper addressed the Board. The following individual addressed the Board: Dotti Moses. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Murphy to continue the item for two months. Motion carried unanimously.

P5 A Public Hearing was held to consider approval of a Resolution for a Budget Amendment of Fiscal Year 2020 MSD Solid Waste Fund 414. There was no public input. Motion was made by Commissioner Rice and seconded by Commissioner Murphy to adopt the following Resolution. Motion carried unanimously.

**RESOLUTION NO. 067-2020**

Said Resolution is incorporated herein by reference.

P6 A Public Hearing was held to consider adoption of 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 the Monroe County School Board for a parcel of land legally described as Part of Lot 1 and Part of Lot 2 Section 36, Township 66 South, Range 27 East, Sugarloaf Key, and which currently bears property identification number 00118050-000000. There was no public input. Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Ordinance. Motion carried unanimously.

**ORDINANCE NO. 012-2020**

Said Ordinance is incorporated herein by reference.

**CLOSED SESSIONS**

K1 Closed session of the Monroe County Board of County Commissioners to discuss collective bargaining with the Teamsters Local 769.

K2 Closed session of the Monroe County Board of County Commissioners to discuss collective bargaining with International Association of Firefighters Local 3909.

Mayor Carruthers declared the open session of the meeting closed. After the closed sessions, the meeting was re-opened.

**COUNTY ADMINISTRATOR**

S3 Mr. Gastesi addressed the Board concerning the confirmation of the County Administrator's appointment of Shannon Weiner to the position of Department Head, Emergency Management; and authorization for staff to inform the Florida Department of Emergency Management of the appointment. Ms. Weiner addressed the Board. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner

Murphy confirming the appointment with a three-month transition period. Roll call vote carried unanimously.

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

I7 Ms. Schemper gave a Power Point Presentation on the discussion and direction on whether to direct staff to process a Comprehensive Plan and Land Development Code amendment to: 1) move a portion of the 378 remaining market rate Rate of Growth Ordinance units through 2026 to the Affordable Housing Allocation Pool; and/or, 2) accept the 300 workforce housing units offered by the Department of Economic Opportunity required to evacuate in phase 1 of the hurricane evacuation model. Mr. Shillinger, Lisa Tennyson, Legislative Affairs & Grants Acquisition Director; and Ms. Hurley addressed the Board. The following individuals addressed the Board: D.A. Aldridge, representing Last Stand; Jan Edelstein, representing Cudjoe Gardens Property Owner’s Association; Stuart Schaffer, representing Sugarloaf Shores Property Owner’s Association; and Dotti Moses. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Cates to start the process to accept the 300 workforce housing units. Roll call vote was taken with the following results:

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

Motion carried.

Mayor Carruthers excused herself from the meeting.

**CLOSED SESSIONS**

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 Rice and seconded by Commissioner Coldiron to continue the item to next month’s meeting in Key Largo. Motion carried unanimously.

Mayor Carruthers returned to the meeting and took her seat.

J2 Mr. Shillinger announced an Attorney-Client Closed Session in the matter of *Monroe County BOCC v. Magnolia 101, LLC, et al., Case No. 13-945-P* and read the required language into the record pursuant to F.S. 286-011(8). Mr. Shillinger advised that the following persons would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi; County Attorney Bob Shillinger, Assistant County Attorneys Peter Morris, Steve Williams, Cynthia Hall; and a certified court reporter.

Mayor Carruthers declared the open session of the meeting closed. After the closed session, the meeting was re-opened.

### **COUNTY ATTORNEY**

S4 Mr. Shillinger addressed the Board. Motion was made by Commissioner Rice and seconded by Commissioner Coldiron to open the agenda to add on the approval of a Resolution of the Board of County Commissioners of Monroe County, Florida, approving an emergency County road restriction upon the end of Laurel Avenue, Stock Island, Monroe County, Florida. Motion carried unanimously.

Motion was made by Commissioner Coldiron and seconded by Commissioner Murphy to adopt the following Resolution approving an emergency County road restriction upon the end of Laurel Avenue, Stock Island, Monroe County, Florida. Roll call vote carried unanimously.

### **RESOLUTION NO. 068-2020**

Said Resolution 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.*

**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS  
BUDGET CALENDAR, FISCAL YEAR 2021**

Proposed Timetable

Date 2020,	Day	RESPONSIBLE PARTY	REQUIRED ACTIVITY	REQUIREMENT REFERENCE
February 19,	Wednesday	Board of County Commissioners	Approval of the FY21 Budget Timetable. <b>Regular</b> BOCC meeting Key West	
March 23,	Monday	County Administrator, Senior Management Team	Budget instructions to departments.	Section 129.025 Florida Statutes
April 24,	Friday	Senior Management Team, TDC Executive Director	OMB deadline for submission- <u>budget</u> requests for all Internal Service Funds, Capital and departments including TDC, GAL and Medical Examiner.	
May 6-8,	Wednesday-Friday	County Administrator, Senior Management Team, OMB	County Administrator's internal budget review with Departments and OMB. Capital Planning will be scheduled with Project Management. Deadline for County Administrator change.	
May 15,	Friday	TDC Executive Director, State Attorney, Housing Authority, Judicial, and Health Department	Deadline for other agencies budgets to OMB.	
May 17-22,	Sunday-Friday		Governor's Hurricane Conference <a href="http://www.flghc.org">www.flghc.org</a>	
May 21,	Thursday	Human Service Advisory Board	This is the last date to receive input from the Human Service Advisory Board.	
On or before June 1,	Saturday	Constitutional Officers	Submission of budget requests to the County Administrator.	Section 129.03(2) Florida Statutes
June 9-June 12,	Tuesday-Friday		FAC 2020 Annual Conference & Exposition	
July 1,	Wednesday	Property Appraiser	The Property Appraiser certifies, to each taxing authority, the taxable value within the jurisdiction of the taxing authority on Form DR-420.	Section 129.03(1) Florida Statutes
On or before July 7,	Tuesday	Board of County Commissioners	Tentative budget to be delivered to BOCC. No Meeting Required	Section 129.03(3) Florida Statutes
July 17-20,	Friday-Monday		National Association of Counties (Naco) Annual Conference <a href="http://www.naco.org">www.naco.org</a>	
July 27,	Monday	Board of County Commissioners	Special Meeting for discussion of Budget and Capital Improvement Plan. Announcement of Proposed Millage Rates and selection of dates, times and places for public hearings. Approval to advise the Property Appraiser of proposed millage rates. 10 A.M. Key West	Sections 129.03(3)(a) and 200.065(2)(b) Florida Statutes
August 4,	Tuesday	Office of Management and Budget	Last day to advise the Property Appraiser of the Proposed Millage Rates, current year rolled-back rate and the date, times and place of the Tentative Budget Hearing.	Section 200.065(2)(b) Florida Statutes
No later than August 24,	Monday	Property Appraiser	Property Appraiser mails out the Notice of Proposed Property Taxes to each taxpayer listed on the current year assessment roll. (TRIM Notices)	Sections 200.065(2)(b) and 200.069 Florida Statutes
September 3,	Thursday	Board of County Commissioners	First Public Hearing Adoption of Tentative Budget and Millage Rate 5:05 P.M. Key West	Sections 129.03(3)(c), 200.065(2c) and 200.065(2)(e), Florida Statutes
September 8,	Tuesday	Board of County Commissioners	Special Budget Meeting 5:05 P.M. Marathon	Not Required- Done as a public service.
September 14,	Monday	Office of Management and Budget	Budget Ad to be published in newspaper for final budget hearing.	Section 200.065(2)(d), Florida Statutes
September 16,	Wednesday	Board of County Commissioners	Final Public Hearing Adoption of Final Budget and Millage Rate 5:05 P.M. Key Largo	Sections 129.03(3)(c), 200.065(2)(d) and 200.065(2)(e), Florida Statutes
Following final budget adoption		Board of County Commissioners	Notify the Sheriff, in writing, of the specific action taken on the proposed fiscal year 2020-2021 budget appropriations of the Sheriff.	Section 30.49(4), Florida Statutes
September 19,	Saturday	Office of Management and Budget	Within 3 days of Final Hearing, the Resolution adopting final millage and budget to Property Appraiser, Tax Collector and the Dept. of Revenue.	FL Administrative Code 12D-17.003(f)
October 16,	Friday	Office of Management and Budget	Within 30 days of adoption of final millage and budget, submit TRIM package (DR-487) to Dept. of Revenue. Certify final millage to Property Appraiser via DR-422 and DR-422DEBT (if any debt). Post summary budget on website.	Section 129.03(3) Florida Statutes FL Administrative Code 12D-17.003(h)