

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

Regular Meeting
Board of County Commissioners
Wednesday, April 15, 2020
Via Communication Media Technology

A regular meeting of the Monroe County Board of County Commissioners convened at 9:00 a.m. via Communication Media Technology. 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.

TEMPORARY RULES OF PROCEDURE

A1 Bob Shillinger, County Attorney, addressed the Board concerning approval of a Resolution ratifying and adopting rules of procedure for the conduct of public meetings via Communications Media Technology during the declared State of Emergency due to the COVID-19 virus. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 069-2020

Said Resolution is incorporated herein by reference.

ADDITIONS, CORRECTIONS AND DELETIONS

B1 Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron granting approval of the Additions, Corrections and Deletions to the agenda. Motion carried unanimously.

BULK APPROVALS

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

D1 Board granted approval and authorized execution of the 3rd Amendment to Lease Agreement with Roberto Sanchez, Trustee of a certain Land Trust dated October 21, 1991, and Southernmost Development, Inc., as Lessors, for the Public Defender's Office at the Professional Building, providing for the annual CPI-U adjustment. Annual cost of the lease is \$165,933.67 and is paid from ad valorem funds.

D2 Board granted approval to rescind prior BOCC approval on November 20, 2019 (Item F-5) for purchase of six Life Pak 15's and granted approval of the request to purchase four Life Pak 15's from Sole Source provider Stryker (formerly Physio Control). The cost for each Life Pak 15 is \$27,400.65. With the addition of accessories and ProCare services, the total purchase cost is \$123,092.00. After the \$20,000.00 trade-in credit, the final cost to Monroe County Fire Rescue is \$103,092.00 per the attached Purchase Quote.

D3 Board granted approval and authorized execution of the 1st Renewal Agreement, first of two optional one-year contract extensions, with Life Extension Clinics, Inc. to perform annual physical examinations of Monroe County Fire Rescue personnel in accordance with NFPA 1582.

D6 Board granted approval and authorized execution of a one-year renewal Residential Lease with a County employee for Location F, commencing June 1, 2020 through May 31, 2021. The monthly rental amount is \$550.00.

D7 Board granted approval and authorized execution of the Affiliation Agreement with The College of the Florida Keys for Emergency Medical Services practical and future potential Paramedic Training for the period commencing on July 1, 2020 and ending on June 30, 2025 with Monroe County Fire Rescue.

D8 Board granted approval and authorized execution of an Agreement between Key West PD, LLC d/b/a Island Private Care and Monroe County Social Services/In-Home Services Program for the period beginning January 1, 2020 and ending December 31, 2020.

D9 Board granted approval to rescind the 2nd Amendment to the Agreement for Continuing Professional Engineering and Surveying Services with F. R. Aleman and Associates, Inc. The 2nd Amendment renewed the Agreement for one additional year until October 21, 2020. The consultant never returned a signed 2nd Amendment.

D12 Board granted approval to reject all bids for the replacement of the windows, doors, and roof of the Historic Monroe County Jail at Jackson Square and re-advertise in a phased project approach.

D13 Board granted approval and authorized execution of an annual Agreement with the Monroe County Sheriff's Office to provide 320 square feet of office space at the Murray E. Nelson Government and Cultural Center in Key Largo, Florida.

D14 Board granted approval of and authorized execution of the 1st Amendment to State of Florida, Department of Transportation, Public Transportation Grant Agreement No. G1237 providing an additional \$1,250,000.00 for Retention Pond Modifications and Hangar Development at the Florida Keys Marathon International Airport, to be funded 80% FDOT; and 20% Airport operating funds.

D15 Board granted approval and authorized execution of State of Florida, Department of Transportation, Supplemental Joint Participation Agreement No.1 for Grant No. G0R02

providing \$1,000,000.00 in additional funding for a Storage/Maintenance Building at the Florida Keys Marathon International Airport, to be funded 80% FDOT; and 20% Marathon Airport operating fund 403.

D16 Board granted approval and authorized execution of an Agreement with Ajax Building Company, LLC to provide Construction Manager at Risk Services for the Emergency Operations Center at the Marathon Airport in the amount of \$110,000.00 through a Florida Department of Transportation Grant. This agreement is for Pre-Construction Phase Services.

D17 Board granted approval and authorized execution of McFarland Johnson Task Order No. 2020-02 in the amount of \$590,556.00 for construction services for the Customs Facility – Terminal Annex Repairs, Renovation & Equipment Project at the Key West International Airport, to be paid 50% from FDOT Grant AQH10; 50% from Passenger Facility Charge #18; and Airport Operating Fund 404.

D18 Board accepted the report of monthly Change Orders for the month of February 2020, reviewed by the County Administrator/Assistant County Administrator. Said report is incorporated herein by reference.

D19 Board accepted the report of monthly Change Orders for the month of March 2020, reviewed by the County Administrator/Assistant County Administrator. Said report is incorporated herein by reference.

D20 Board granted approval to rescind Agenda Item M-7 approved at the December 11, 2019 Board meeting; and granted approval and authorized execution of an Amendment to Contract with Innovative Interfaces (originally Polaris) to subscribe to SkyRiver, a bibliographic tool for library cataloging, at a cost of \$3,420.00 for set up/implementation and \$4,275.00 annually for a three-year subscription.

D21 Board granted approval of the amendments to the *Monroe County Purchasing Policy*, which includes revisions to update and clarify policies, procedures and forms relating to the procurement process.

D22 Board granted approval to purchase a one-year subscription to Useful Desktop Software and Hardware for public access computers at the Monroe County Libraries from Useful Corporation as shown on attached Quote No. EST11556. Total subscription renewal cost is \$18,957.25 for a one-year period beginning March 18, 2020. Said quote is incorporated herein by reference.

D23 Board granted approval and authorized execution of the 1st Amendment to State of Florida, Department of Transportation, Public Transportation Grant Agreement No. G1009 providing \$4,000,000.00 in additional funding for the Non-Aeronautical Use Building Project (Emergency Operations Center-EOC) at the Florida Keys Marathon International Airport to be funded 50% from FDOT Grant G1009; and 50% from Federal Hazard Mitigation Grant and State Emergency Management Grant.

D24 Board granted approval and authorized execution of the 5th Modification to Federally Funded Subgrant Weatherization Assistance Program (WAP) Agreement No. 17WX-0G-11-54-01-039 between the State of Florida Department of Economic Opportunity and Monroe County Board of County Commissioners/Monroe County Social Services to increase funding by \$27,133.00, bringing the total WAP allocation from \$451,791.91 to \$478,924.91 for the period of April 1, 2017 through September 30, 2020.

D25 Board adopted the following Resolutions for the Transfer of Funds and for the Receipt of Unanticipated Revenue:

Transfer of Funds (OMB Schedule Item Number 1).
RESOLUTION NO. 070-2020
Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item Number 2).
RESOLUTION NO. 071-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 292-2019 (OMB Schedule Item Number 3).
RESOLUTION NO. 072-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 293-2019 (OMB Schedule Item Number 4).
RESOLUTION NO. 073-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 294-2019 (OMB Schedule Item Number 5).
RESOLUTION NO. 074-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 295-2019 (OMB Schedule Item Number 6).
RESOLUTION NO. 075-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 296-2019 (OMB Schedule Item Number 7).
RESOLUTION NO. 076-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 300-2019 (OMB Schedule Item Number 8).
RESOLUTION NO. 077-2020
Said Resolution is incorporated herein by reference.

Amending Resolution No. 304-2019 (OMB Schedule Item Number 9).

RESOLUTION NO. 078-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 306-2019 (OMB Schedule Item Number 10).

RESOLUTION NO. 079-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 307-2019 (OMB Schedule Item Number 11).

RESOLUTION NO. 080-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 312-2019 (OMB Schedule Item Number 12).

RESOLUTION NO. 081-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 315-2019 (OMB Schedule Item Number 13).

RESOLUTION NO. 082-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 318-2019 (OMB Schedule Item Number 14).

RESOLUTION NO. 083-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 319-2019 (OMB Schedule Item Number 15).

RESOLUTION NO. 084-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 320-2019 (OMB Schedule Item Number 16).

RESOLUTION NO. 085-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 321-2019 (OMB Schedule Item Number 17).

RESOLUTION NO. 086-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No. 326-2019 (OMB Schedule Item Number 18).

RESOLUTION NO. 087-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item Number 19).

RESOLUTION NO. 088-2020

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item Number 20).

RESOLUTION NO. 089-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item Number 21).

RESOLUTION NO. 090-2020

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item Number 22).

RESOLUTION NO. 091-2020

Said Resolution is incorporated herein by reference.

Amending Resolution No.344-2019 (OMB Schedule Item Number 23).

RESOLUTION NO. 092-2020

Said Resolution is incorporated herein by reference.

D26 Board granted approval and authorized execution of Public Transportation Supplemental Joint Participation Grant Agreement No. 1 to Contract No. G0U78 with the State of Florida Department of Transportation providing \$1,500,000.00 for Roof Rehabilitation at the Terminal Building at the Florida Keys Marathon International Airport to be funded 80% FDOT; with 20% match to be determined.

D27 Board granted approval to issue a Bid Solicitation for Terminal Roof Rehabilitation at the Florida Keys Marathon International Airport. The project will be funded 80% by FDOT Grant G0U78; with 20% match to be determined.

D28 Board granted approval and authorized execution of the 1st Amendment to Task Order with WSP USA, Inc. for Engineering Design and Permitting Services for the Key Largo III Roadway and Drainage Improvement Project (Burton Drive and specified roads in the Harris Ocean Subdivisions). This task order is being amended to add additional geotechnical scope on Burton Drive in the lump sum amount of \$6,960.00 for a revised total contract amount of \$356,054.71.

D30 Board ratified the approval to award bid and Contract with D.L. Porter Constructors, Inc. in the amount of \$2,931,223.00 for the Customs Facility – Terminal Annex Repairs, Renovation & Equipment Project at the Key West International Airport to be paid 50% from FDOT Grant AQH10; 50% from Passenger Facility Charge #18; and Airport Operating Fund 404.

D31 Board adopted the following Resolution to waive Section 7.01 C. of the *Personnel Policies and Procedures Manual* regarding loss of annual leave that exceeds the allowable maximum threshold amount for one year. Approval will result in the 'use it or lose it' action not being applied to annual leave balances on April 1, 2020. The policy will reinstate as of April 21, 2021. Employees will need to reduce their balances to the maximum amounts by April 21, 2021 or will lose the amount over the maximum on that date.

RESOLUTION NO. 093-2020

Said Resolution is incorporated herein by reference.

D32 Board granted approval and authorized execution of Task Order No. 3 with CDR Maguire, Inc. to perform FEMA Consulting Services for the County relating to COVID-19 effective March 16, 2020.

D33 Board granted approval to terminate a Local Agency Program Agreement with the Florida Department of Transportation in the amount of \$10,497.00 of emergency relief funds from the Federal Highway Administration (FHWA) for the design of repairs to the embankment, slope and guardrail on the No Name Key Bridge. Federal requirements and FHWA limitations on reimbursable amounts make it more cost effective for the County to complete repairs utilizing local funds.

D34 Board granted approval to terminate a Local Agency Program Agreement with the Florida Department of Transportation in the amount of \$3,577.00 in emergency relief funds from the Federal Highway Administration (FHWA) for the design of shoulder and embankment repairs to SR 4A on Little Torch Key. Federal requirements plus FHWA limitations on reimbursable amounts make it more cost effective for the County to complete the repair utilizing local funds.

D35 Board granted approval of the ratification of the Federal Aviation Administration (FAA) AIP Multi-Year Grant Agreement/Letter Amendment for Grant No. 3-12-0037-060-2019 as executed by the Director of Airports to expedite processing and FAA execution during the COVID-19 crisis. The grant provides Fiscal Year 2020 funding in the amount of \$2,800,000.00 (\$6,532,955.00 was received in Fiscal Year 2019) for the Rehabilitation of Taxiway A Pavement and Lighting Construction Project at the Key West International Airport. The project will be funded 90% by FAA; 5% FDOT; and 5% Passenger Facility Charge #18.

D36 Due to the events surrounding the COVID-19 pandemic, Board granted approval for the Mayor and/or the Director of Airports to execute Airports' Federal Aviation Administration and Florida Department of Transportation Grants as received to meet deadlines for returning the grants to the granting agency and expedite use of the grant funds. Grants will be ratified by the Board of County Commissioners at the next commission meeting.

HURRICANE IRMA RECOVERY

E2 Board granted approval and authorized execution of Task Order No. 6A for a no-cost extension to Task Order No. 6 under the On-Call Contract with Wood Environment and Infrastructure, Inc. for Category B Canal Infrastructure Engineering Services; for the design, permitting and procurement assistance for installing a replacement air curtain system at the mouth of Canal #266 located on Witters Lane in Big Pine Key to replace the air curtain destroyed by Hurricane Irma; retroactively extended from August 27, 2019 through March 31, 2020.

E4 Board granted approval and authorized execution of a revised Amendment to the Agreement with Electrical Contracting Service, Inc. for the Big Pine Community Park Pole Lighting Repairs, which will rescind the original amendment approved on September 18, 2019, eliminate the alternates, and add Federal/FEMA provisions to the agreement.

E6 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 \$500,000.00 for repairs to the West Martello Tower Citadel that was damaged during Hurricane Irma. There is no local match required for this grant.

E7 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 \$138,932.00, no match funds, for repairs to the Key West Lighthouse Giftshop & Keeper's Quarters Roofs which were damaged during Hurricane Irma.

E8 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 \$482,550.00, no match funds, for repairs to the Pigeon Key Commissary Building and Honeymoon Cottage which were both damaged during Hurricane Irma.

TOURIST DEVELOPMENT COUNCIL

F1 Board granted approval of the appointment of Valerie Barth as the one "At Large" appointment to the Tourist Development Council District V Advisory Committee.

F2 Announcement of one vacant position on the Tourist Development Council District II Advisory Committee for one "At Large" appointment.

F3 Board granted approval to rescind the Cultural Funding Agreement with Mystery Fest Writers Forum, Inc. for the Mystery Fest Key West Cultural Event at the request of the Grantee.

PLANNING & ENVIRONMENTAL RESOURCES, BUILDING & CODE COMPLIANCE DEPARTMENTS

J1 Board adopted the following Resolution of the Monroe County Board of County Commissioners waiving approximately \$57,712.00 in Building Permit Fees for a total of sixteen Affordable Employee Housing Dwelling Units comprised of six low income, five median income and five moderate income, or below, to be constructed on a parcel located at 21585 Old State Road 4A, on Cudjoe Key having real estate number 00174960-000000.

RESOLUTION NO. 094-2020

Said Resolution is incorporated herein by reference.

J2 Board adopted the following Resolution of the Monroe County Board of County Commissioners waiving approximately \$28,856.00 in Building Permit Fees for a total of eight

Affordable Employee Housing Dwelling Units comprised of three low income and five moderate income, or below, to be constructed on a parcel located at 5176 Suncrest Road on Stock Island having real estate number 00132680-000000.

RESOLUTION NO. 095-2020

Said Resolution is incorporated herein by reference.

J3 Board adopted the following Resolution by the Monroe County Board of County Commissioners ratifying FEMA's updated Form 086-0-33 (12/19) for the Elevation Certificate and Instructions, which was released and became effective February 21, 2020.

RESOLUTION NO. 096-2020

Said Resolution is incorporated herein by reference.

J5 Board adopted the following Resolution by the Monroe County Board of County Commissioners enacting a 100-day temporary emergency suspension of the acceptance and processing of applications to the Planning & Environmental Resources Department; providing for an effective date of March 15, 2020.

RESOLUTION NO. 097-2020

Said Resolution is incorporated herein by reference.

SHERIFF'S OFFICE

K1 Board granted approval of the following expenditures from the Law Enforcement Trust Fund, as follows: \$500.00 Key West High School Operation Graduation 2020 – to help cover expenses for the all night event that provides a safe, drug and alcohol free celebration to recognize the achievements of our graduating seniors.

COMMISSIONER'S ITEM

M1 Board granted approval of Commissioner Rice's appointment of Jon Porter to the Duck Key Security District Advisory Board, replacing William Grayden, with a term expiring March 18, 2023.

COUNTY ADMINISTRATOR

O1 Board granted approval of the County Administrator's monthly report for March 2020. Said report is incorporated herein by reference.

O2 Board granted approval of the County Administrator's monthly report for April 2020. Said report is incorporated herein by reference.

O3 Board adopted the following Resolution authorizing the temporary closing of the northbound lanes of US1 from mile marker 98.2 to mile marker 100 from 9:30 a.m. to 11:45 a.m. for the annual 4th of July Parade sponsored by the Key Largo Chamber of Commerce.

RESOLUTION NO. 098-2020

Said Resolution is incorporated herein by reference.

O4 Board granted approval and authorized execution an amended Letter of Agreement with Crime Stoppers of Miami-Dade County, Inc. (CS) for a three-year period; authorizing CS to apply for grants available for use in Monroe County; and cancelling the Letter of Agreement dated April 19, 2018 as of June 30, 2020.

O6 Board granted approval and authorized execution of the 3rd Amendment, under the On-Call Contract with Wood Environment & Infrastructure Solutions, Inc. for Category B Canal Infrastructure Engineering Services, to incorporate Florida Department of Emergency Management (FDEM) provisions; such that FDEM funding may be applied to work under this Agreement.

O7 Board granted approval and authorized execution of the 1st Amendment to the Interlocal Agreement with Broward County for financial support to the Southeast Florida Regional Climate Change Compact to increase the amount from \$50,000.00 to \$75,000.00 for year three, totaling \$175,000.00 over three years; and to authorize the Office of County Attorney to make minor non-substantive edits to the subject agreement with review and approval as to form, in case minor edits or clarifications become necessary.

COUNTY ATTORNEY

P1 Board granted approval of the County Attorney's monthly report for March 2020. Said report is incorporated herein by reference.

P8 Board granted approval and authorized execution of an Agreement with Kaplan, Kirsch & Rockwell, LLP to advise and represent the County and the Airport with regard to federal legal matters concerning rates and charges and federal requirements associated with Federal Aviation Authority Grant Assistance related to the planned development of new facilities at the Key West International Airport and any other matters as directed by the County.

P13 Board granted approval to accept Marsh USA proposal and renew Property Insurance from Lloyds of London Insurance Company (Lloyds) and Landmark American Insurance Company (Landmark), Hiscox Insurance Company, Westchester Insurance Company, Great Lakes and Boiler and Machinery Insurance from Hartford Steam Boiler Insurance Company (HSB); and for the Risk Administrator to execute all necessary forms.

P14 Board granted approval to accept proposal from Marsh USA and purchase Pollution Liability Insurance through Ironshore Specialty Insurance Company at a cost of \$75,000.00 for a three-year policy; and authorize staff to sign all necessary forms.

P15 Board granted approval of the purchase of General and Professional Liability Insurance Policy with American Alternative Insurance Corporation for Bayshore Manor; and for the Risk Administrator to sign all necessary forms.

HURRICANE IRMA RECOVERY

S1 Board accepted the report of Hurricane Irma finance activity by the Office of Management & Budget. Said report is incorporated herein by reference.

PROJECT MANAGEMENT

S2 Board granted approval and authorized execution of a Task Order with M. T. Causley, Inc. to provide State required Building Inspection Services for the Plantation Key Courthouse Project. This task order is needed due to the closure of the Village of Islamorada Building Department and is for a not to exceed amount of \$50,000.00.

SUSTAINABILITY

S4 Board granted approval and authorized execution of Task Order No. 7 for a not to exceed amount of \$50,000.00 under the On-Call Contract with Wood Environment and Infrastructure, Inc. for Category B Canal Infrastructure Engineering Services for design of a culvert on canal 475 on Geiger Key located between Boca Chica Road, Sirius Lane, Star Lane and Vega Lane as a Canal Restoration Project funded by Department of Environmental Protection Grant No. SD009.

S5 Board granted approval and authorized execution of Revenue Grant Agreement No. SD009 from the Florida Department of Environmental Protection for \$50,000.00 to fund the design of a culvert for canal 475 on Geiger Key as part of the County's Canal Restoration Program.

Motion carried unanimously.

MISCELLANEOUS BULK APPROVAL

D4 Judith Clarke, Director – Engineering, Roads & Bridges, addressed the Board concerning approval of the 2nd Amendment to Contract with RS&H, Inc. for Construction Engineering and Inspection Services for the Monroe County Roadway and Drainage Improvements Program to exercise the one year renewal option to be able to issue task orders for Key Largo III and 1st and Bertha Roadway and Drainage Improvements Projects, which are currently in design and were included in the County Roadway Improvement Program that commenced in 2014. After discussion, motion was made by Commissioner Cates and seconded by Commissioner Murphy granting approval of the item. 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, and Mayor Halle. Councilman Lewis was absent from the meeting.

I1 Motion was made by Commissioner Rice and seconded by Commissioner Murphy to rescind prior BOCC approval on November 20, 2019 (Item F-5) for purchase of six Life Pak 15's and request approval to purchase four Life Pak 15's from Sole Source provider Stryker (formerly Physio Control). The cost for each Life Pak 15 is \$27,400.65. With the addition of accessories and ProCare services, the total purchase cost is \$123,092.00. After the \$20,000.00 trade-in credit, the final cost to Monroe County Fire Rescue is \$103,092.00 per the attached Purchase Quote. Motion carried unanimously.

I2 Motion was made by Commissioner Rice and seconded by Commissioner Cates granting approval for the 1st Renewal Agreement, first of two optional one-year contract extensions, with Life Extension Clinics, Inc. to perform annual physical examinations of Monroe County Fire Rescue personnel in accordance with NFPA 1582. 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 APPROVALS

D11 Ms. Clarke addressed the Board concerning approval of an Agreement with Pavement Technology, Inc. in the not to exceed amount of \$616,866.35 for application of Reclamite Asphalt Rejuvenation Agent on recently resurfaced streets from Lower Sugarloaf Key to Little Torch Key to extend the life of the asphalt. This contract is being procured utilizing competitively bid pricing under a joint cooperative bid for City of Margate, Florida. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy granting approval of the item. Motion carried unanimously.

D37 Sheryl Graham, Social Services Director, addressed the Board concerning approval of an amendment of the State Housing Initiatives Partnership Program's Local Housing Assistance Plan to modify the existing Homeowner Disaster Mitigation Strategy (C) and change it to Homeowner Disaster Relief (C); to modify the existing Affordable Rental Units - Disaster Mitigation (F) and change it to Affordable Rental Units - Rehabilitation Disaster Relief (F); to modify the Annual Report Code of Homebuyer Assistance (A) from 2 to 1. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Murphy granting approval of the item. Motion carried unanimously.

HURRICANE IRMA RECOVERY

Kevin Wilson, Assistant County Administrator; and Mr. Shillinger addressed the Board concerning the following two items (E1 & E2):

E1 Approval to award bid and execute Contract with Triple M Roofing Corp. in the amount of \$803,600.00 for the replacement of the Gato Building roof which was damaged during Hurricane Irma.

E3 Approval to award bid and execute Agreement with Coral Construction Company for the Big Coppitt Fire Station #9 Building Irma Repairs in the amount of \$95,320.00.

After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy granting approval of the two items. Roll call vote carried unanimously.

STAFF REPORT

G Richard Strickland, Director of Airports, Mr. Shillinger and Chief James Callahan addressed the Board.

PLANNING & ENVIRONMENTAL RESOURCES, BUILDING & CODE COMPLIANCE DEPARTMENTS

J4 Emily Schemper, Sr. Director Planning & Environmental Resources, addressed the Board concerning approval of a Resolution to reserve thirty-one Moderate Income Affordable Housing ROGO Allocations pursuant to Monroe County Code Section 138-24(b)(2) for Gorman & Company as authorized by owner DD MMR, LLC, for property located at 102200 Overseas Highway, Key Largo, having property identification number 00086740-000000, until March 18, 2021. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Rice to adopt the following Resolution as amended, as follows:

Page 1, Line 40:

WHEREAS, Gorman & Company is applying to the State of Florida Housing Finance Corporation (“FHFC”) per Request for Application (“RFA”) ~~2020-208~~ 2020-104 for SAIL and Housing Credit Funding for the construction of workforce housing; and

Page 2, Line 21:

Section 2. The Monroe County Planning Department shall reserve thirty-one (31) moderate income category affordable ROGO allocations, for the aforesaid project at 102200 Overseas Highway, Key Largo, currently bearing Property Identification Number 00086740-000000, until March 18, 2021. At least 25 of the affordable dwelling units constructed on the site using the reserved allocations shall be deed restricted at or below the low-income category (80% of median).

Motion carried unanimously.

RESOLUTION NO. 099-2020

Said Resolution is incorporated herein by reference.

LEGISLATIVE AFFAIRS

S6 Lisa Tennyson, Legislative Affairs & Grants Acquisition Director, gave a Power Point Presentation summary and overview of federal relief/stimulus legislation related to the COVID-19 crisis, and a breakdown of all of the various programs, benefits and assistance available to workers, businesses, not-for-profits, individuals and families. Roman Gastesi, County Administrator; and Kevin Madok, Clerk of Court, addressed the Board.

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

J6 Ms. Schemper addressed the Board concerning approval of a Resolution by the Monroe County Board of County Commissioners enacting a temporary suspension of the expiration of ROGO and NROGO allocation awards, issuance of allocation award letters, deferring administrative relief application deadlines, and deferring the processing of new and existing ROGO and NROGO applications and Planning Commission review for Quarter 3 of the ROGO/NROGO Year 28 (January 14, 2020-April 13, 2020). After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Rice to adopt the following Resolution. Roll call vote carried unanimously.

RESOLUTION NO. 100-2020

Said Resolution is incorporated herein by reference.

J7 Christine Hurley, Assistant County Administrator, addressed the Board concerning approval of a Resolution requesting that FEMA extend flood remapping review process for eighteen months. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Cates to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 101-2020

Said Resolution is incorporated herein by reference.

COUNTY ADMINISTRATOR

O5 Rhonda Haag, Chief Resilience Officer, gave a Power Point Presentation on approval to accept the updated Unified Regional Sea Level Rise Projections (2020) of the Southeast Florida Regional Climate Change Compact; and direct staff to utilize the updated projections as the basis for sea level rise adaptation planning activities. Mr. Gastesi addressed the Board. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Cates granting approval of the item. Roll call vote carried unanimously.

COUNTY ATTORNEY

P2 Mr. Shillinger advised the Board that there was no written report for April 2020.

Mr. Shillinger requested to hold a Closed Session in the matter of *Roy's Trailer Park, Inc. d/b/a Island Life Village v. Eric Noel and Marie Noel and Monroe County v. John Doe and Jane Doe, unknown tenants in possession of Lots 1-108 of Roy's Trailer Park, Inc. d/b/a Island Life Village, Case No. 19-CA-175-K* and read the required language into the record. Motion was made by Commissioner Rice and seconded by Commissioner Coldiron to hold the Closed Session at the regularly scheduled meeting on May 20, 2020 in Key West at 1:30 p.m. or as soon thereafter as may be heard. Motion carried unanimously.

P3 Mr. Shillinger requested to hold an 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* and read the required language into the record. Motion was made by Commissioner Murphy and seconded by Commissioner Rice to hold the Closed Session at the May 20, 2020 BOCC meeting in Key West, Florida, at 1:30 p.m. or as soon thereafter as the matter may be heard. Motion carried unanimously.

P4 Mr. Shillinger requested to hold an Attorney-Client Closed Session in the matter of *AshBritt, Inc. v. Monroe County, FL and Florida Department of Transportation, Case No. CA-K-17-802* and read the required language into the record. Motion was made by Commissioner Rice and seconded by Commissioner Coldiron to hold the Closed Session at the May 20, 2020 BOCC meeting in Key West, Florida, at 1:30 p.m. or as soon thereafter as the matter may be heard. Motion carried unanimously.

P5 Mr. Shillinger requested to hold an Attorney-Client Closed Session in the matter of *Donald Davis v. Monroe County, CA-M-04-379* and read the required language into the record. Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to hold the Closed Session at the May 20, 2020 BOCC meeting in Key West, FL at 1:30 p.m. or as soon thereafter as may be heard. Motion carried unanimously.

P6 Mr. Shillinger requested to hold 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. Motion was made by Commissioner Coldiron and seconded by Commissioner Rice to hold the Closed Session at the May 20, 2020 BOCC meeting in Key West, FL at 1:30 p.m. or as soon thereafter as may be heard. Motion carried unanimously.

P7 Mr. Shillinger requested to hold an Attorney-Client Closed Session in the matter of *Disaster Solutions v. Monroe County, 16th Judicial Circuit Case No. 2019-CA-32-K* and read the required language into the record. Motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to hold the Closed Session at the May 20, 2020 BOCC meeting in Key West, FL at 1:30 p.m. or as soon thereafter as may be heard. Motion carried unanimously.

P9 Motion was made by Commissioner Coldiron and seconded by Commissioner Rice to adopt the following Resolution amending Resolution No. 378-2019 authorizing the sale of up to eleven vacant County owned lots on Duck Key to reflect the correct fund designation for monies collected. Motion carried unanimously.

RESOLUTION NO. 102-2020

Said Resolution is incorporated herein by reference.

Mr. Shillinger addressed the Board concerning the following three items (P10, P11 & P12):

P10 Approval of a Contract with Adam Wintermyer to purchase a less than fee interest in Block 9, Lots 4 and 5, Palm Villa (PB 1-89) with parcel number 00279000-000000; and a purchase price of \$37,500.00 for density reduction purposes.

P11 Approval of a Contract with Tomas Hajdik to purchase a less than fee interest in Block 12, Lots 3, 4, 5, and 6, Pirates Cove (PB 3-18) with parcel number 00494490-000000; and a purchase price of \$99,999.00 for density reduction purposes.

P12 Approval of a Contract with Kevin Freestone and Lisa Thompson to purchase a less than fee interest in Block 4, Lot 10, Cahill Pines and Palms (PB 3-94) with parcel number 00244190-000000; and a purchase price of \$97,500.00 for density reduction purposes.

After discussion, motion was made by Commissioner Rice and seconded by Commissioner Coldiron granting approval of the above three items and to establish a policy of not pursuing the purchase of additional lots under this program until after the crisis (COVID-19) is past. Motion carried unanimously.

PUBLIC HEARINGS

Q1 A Public Hearing was held to consider approval of a Resolution authorizing the renaming of Nautilus Street to Nautilus Street in the Subdivision of Duck Key - Section 3 - Part 1 Plat Book 5 Page 82 in Duck Key, directing staff to erect signage, and provide this Resolution to the County's GIS database to reflect the renaming of the road to Nautilus Street. Mr. Shillinger and Ms. Clarke addressed the Board. There was no public input. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 103-2020

Said Resolution is incorporated herein by reference.

Q2 A Public Hearing was held 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; and approval of a Resolution approving the

attached Exhibit A Monroe County Fire Prevention Inspection Fee Schedule. Chief Callahan and Mr. Shillinger addressed the Board. The following individual addressed the Board: Sue Heim. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Cates to adopt the following Ordinance and Resolution with the following amendment to the Resolution:

Section 2. Effective date. This resolution shall become effective ~~immediately upon adoption~~ October 1, 2021.

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.

ORDINANCE NO. 013-2020

Said Ordinance is incorporated herein by reference.

RESOLUTION NO. 104-2020

Said Resolution is incorporated herein by reference.

HEALTH DEPARTMENT

L1 Robert “Bob” Eadie, JD, Monroe County Health Department Administrator, gave a presentation on the Novel Coronavirus 2019 (COVID-19). Bryan Cook, Director of Employee Services, addressed the Board. The Board took no official action.

EMPLOYEE SERVICES

S3 Mr. Gastesi addressed the Board concerning ratification of a Resolution effective April 12, 2020 to set pay policies and practices for the COVID-19 emergency, which is different than the County's typical emergency response pay Resolution 146-2013 for this unique event, requiring county staff to classify time worked as no work on furlough, those having partial work being partially furloughed, those having regular work being paid regular rate, and those working hours away from home to be paid 1.5 times their hourly rate. The resolution includes provisions related to Families First Coronavirus Response Act (FFCRA) Compliance and provides for continuation of health insurance and other benefits for employees on full or partial furlough. Tina Boan, Sr. Director of Budget & Finance; Mr. Shillinger, Mr. Cook and Ms. Hurley addressed the Board. The following individual addressed the Board: Sue Heim. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Coldiron to adopt the following Resolution, as amended:

4th Whereas:

WHEREAS, the Board of County Commissioners now wishes to set such policies and practices and implement them retroactively to April 12, 2020, the start of the current pay period.

6. ~~Working from Home~~ - Employees working at their residence (whether performing regular duties or emergency response work) shall be paid according to the County's normal pay practices, as described in Section 5 of the Personnel Policies and Procedures Manual regarding Hours and Work.

~~7. Working away from Home - Employees who must leave their primary residence to perform either regular work or emergency work, shall be paid at time and one half of their regular rate of pay for the duration they are required to be working away from their residence.~~

8. ~~7.~~ The provisions contained in this Resolution shall take effect retroactive to April 12, 2020, the start date for the current pay period. This resolution shall remain in effect until repealed by the Board of County Commissioners.

9. ~~8.~~ This resolution supersedes Resolution No. 146-2013 to the extent the two are inconsistent, for the purpose of the COVID-19 event, only. In all other respects the terms and conditions of Resolution No. 146-2013 shall remain in full force and effect.

9. The policies and practices described herein are not intended to, nor shall they, supersede or conflict with any state or federal laws regarding compensation.

10. Severability. If Court of competent jurisdiction determines that any portion of this resolution is unenforceable, the remainder of the resolution shall remain in full force and effect.

Roll call vote was taken with the following results:

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

Motion carried.

RESOLUTION NO. 105-2020

Said Resolution is incorporated herein by reference.

Mr. Gastesi addressed the Board.

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.