

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

Regular Meeting
Board of County Commissioners
Wednesday, July 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.

ADDITIONS, CORRECTIONS AND DELETIONS

A1 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.

PRESENTATION OF AWARDS

B1 Presentation of Years of Service Plaque, by Representative Holly Raschein, to Mr. Frank P. Toppino for his service on the Contractor's Examining Board and Construction Board of Adjustment and Appeals.

B2 Presentation of Years of Service Award for twenty-five years of service to Mary Wingate, Chief of Floodplain Regulatory Operations, Building Department.

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 for the County Administrator to send a letter and proposed Lease Amendment providing for mutual termination of the Agreement between the County and Archdiocese of Miami for use and maintenance of the athletic field at St. Peter Catholic Church on Big Pine Key; and approval for the Mayor to execute the amendment upon receipt of the executed copy from the Archdiocese.

C2 Board granted approval and authorized execution of the 1st Amendment to Agreement with Air Mechanical & Service Corp. for Chiller Maintenance and Service in Monroe County, to revise certain contract provisions and add Federal requirements. Funding is ad valorem.

C3 Board granted approval to award bid and authorized execution of a five-year Contract for \$64,800.00 annually, \$324,000.00 over five-years, with CleartrackHR, Inc. for continuation of the County's Benefits Administration System which provides electronic management of benefits eligibility, enrollment, data file feeds to carriers, compliance, reporting and other related processes; and approval to waive hard copy signature in the submitted proposal.

C4 Board granted approval and authorized execution of a three year renewal with Minnesota Life for Group Term Life/Accidental Death and Dismemberment and Supplemental Life effective October 1, 2020 to September 30, 2023 with no increase in cost and no plan design changes; and approval for the Employee Services Director to sign all necessary documents.

C5 Board granted approval and authorized execution of the Employment Agreement with Mayte Machado for Fire Rescue EMS Billing Specialist position.

C6 Board granted approval of an Agreement with the State of Florida, Division of Emergency Management, concerning an Emergency Management Preparedness and Assistance Base Grant (Agreement No. A0110) in the amount of \$105,806.00, fully grant funded with no county match; and authorization for the County Administrator to execute any required documentation in relation to the grant.

C7 Board granted approval of an Agreement with the State of Florida, Division of Emergency Management, concerning an Emergency Management Performance Grant (Agreement No. G0158) in the amount of \$67,351.00, fully grant funded and no County match; and authorization for the County Administrator to execute any required documentation in relation to the grant.

C8 Board granted approval of an Agreement with the State of Florida, Division of Emergency Management, regarding an Emergency Management Performance Grant COVID-19 Supplemental in the amount of \$10,454.52; and authorization for the County Administrator to execute any required documentation in relation to the grant.

C9 Board granted approval of a two-year Contract renewal with Delta Dental for dental benefits for eligible County employees, retirees, and dependents; and approval for the Employee Services Director to sign all necessary documents. This agreement maintains the County's existing Dental plan and includes no changes in cost or coverage.

C10 Board granted approval of the ratification, retroactively to July 1, 2020, of the Board's approval on May 20, 2020 of a five-year Contract with the Humane Animal Care Coalition for animal control services in the Upper Keys. The cited attachments and exhibits to the contract were inadvertently omitted from the agenda backup and are now included. The contract amount is \$325,000.00 a year and it is funded from ad valorem revenues.

C11 Board granted approval to advertise for one food and one non-food mobile vendor at Higgs Beach.

C12 Board granted approval to advertise a Request for Qualifications for Continuing Engineering and Surveying Services for miscellaneous projects in which construction costs do not exceed \$500,000.00; or for study activity if the fee for professional services for each individual study does not exceed \$50,000.00.

C13 Board granted approval and authorized execution of a Mutual Aid Agreement between Monroe County and Ocean Reef for the provision of firefighting assistance.

C14 Board granted approval of the 1st Amendment to the Fiscal Year 2020 Agreement under the Human Services Advisory Board Funding Program with Womankind to amend Attachment C to include funding for medical supplies and medical laboratory cost.

C15 Board granted approval of a corrected scrivener's error for a Task Order with Bender & Associates Architects, P.A. in the amount of \$170,064.00, for planning, architectural design, structural and civil engineering, landscaping services and permitting for the office build out for the Monroe County Public Defender's Office located at 316 Simonton Street, Key West, Florida 33040; correcting Task Order amount error in Section 2 of the Task Order.

C16 Board granted approval and authorized execution of the 1st Amendment to Agreement with Master Mechanical Services, Inc., for Upper Keys HVAC Maintenance & Service, to increase the annual compensation amount by \$30,000.00; and revise Maintenance of Records Provision. Funding is ad valorem.

C17 Board granted approval of invoices over \$50,000.00 relating to the declared State of Local Emergency on March 15, 2020, due to COVID-19, in accordance with Monroe County Code Section 2-347(k), Section 11-3 and Chapter 7. (B.) Emergency Purchases of the Monroe County Purchasing Policy.

C18 Board accepted the report of monthly Change Orders for the month of June 2020 reviewed by the County Administrator/Assistant County Administrator. Said report is incorporated herein by reference.

C19 Board granted approval to award bid and authorized execution of an Agreement with Sea Tech of the Florida Keys, Inc. in the amount of \$111,525.00 for the Roof Replacement at the Historic Monroe County Jail in Jackson Square. Funding is through two grants.

C20 Board granted approval and authorized execution of the 6th Amendment to the FKSPCA Lower Keys Contract for animal control services; providing for a CPI adjustment of \$12,670.40 (2.3%) funded by ad valorem revenues. The amendment also provides for reimbursing certain expenses in the month they are incurred to avoid additional fees on FKSPCA's part.

C21 Board granted approval to award bid and to negotiate an Agreement with Capital Rx, Inc., to provide Pharmacy Benefits Management Services for employees, retirees, and dependents beginning January 1, 2021; and also the authority to negotiate an Agreement with the second place company (EHO); or third place company (Envision) if, for any reason, staff is unable to negotiate an agreement with Capital Rx.

C23 Board granted approval and authorized execution of a three-year Contract extension with Quality Investment Properties Miami, LLC for \$101,988.00 per year; or \$305,964.00 over the three-year agreement; which provides protected (constructed to withstand Hurricane Category 5 winds) storage space for County servers, holding county data.

C24 Board granted approval and authorized execution of the 4th Amendment to the Animal Control Contract for the middle keys with FKSPCA to allow the reimbursement of non-recurring expenses like insurance premiums in the month they are incurred.

C25 Board accepted the report of Airport Change Orders for the month of June 2020 reviewed by the County Administrator/Assistant Administrator. Said report is incorporated herein by reference.

C26 Board granted approval to award bid and authorized execution of a Contract with the low bidder D.L. Porter Constructors, Inc. in the amount of \$2,375,633.00 to construct a new elevated Maintenance Storage Facility at the Key West International Airport. The elevated maintenance storage facility is needed to protect equipment while not in use and to provide a safe environment for airport staff to perform routine maintenance. The project is being funded by FDOT Grant G1008 (50%); and Airport Operating Fund 404 (50%); and anticipated Fiscal Year 2020/21 FDOT Supplement Grant Agreement No. 2, in the amount of \$500,000.00; with 50% match from Airport operating fund 404.

C27 Board granted approval and authorized execution of McFarland Johnson Task Order No. 2020-03 in the amount of \$445,132.00 for construction services for the Airport Maintenance Facility at the Key West International Airport; to be paid (50%) from FDOT Grant G1008; and (50%) from Airport Operating Fund 404.

C28 Board granted approval to rescind the 2nd Amendment to Contract with the Monroe County Sheriff's Office for Law Enforcement and Security Services at Key West International Airport, approved at the June 17th BOCC meeting; and granted approval and authorized execution of the revised 2nd Amendment reducing four positions funded under the contract from 29 to 25 as shown in Exhibit A of the Agreement. Three positions were removed at the June 17th BOCC meeting and the revised agreement reduces one additional, vacant position, for a total of four. The contract is paid by Airport Operating Fund 404.

C29 Board granted approval and authorized execution of an Agreement between Florida Power and Light Company and the Monroe County Board of County Commissioners in the amount of \$313,438.00, fully funded and no County match, concerning Radiological Emergency

Preparedness for Fiscal Year 2021 and Fiscal Year 2022, and authorization for the County Administrator to execute any required documentation in relation to the agreement process.

C31 Board granted approval and authorized execution of Coronavirus Aid, Relief, and Economic Safety ACT Contract KCA-2029 between the Alliance for Aging, Inc., and Monroe County Board of County Commissioners/Social Services In-Home and Nutrition Programs for the contract period of April 1, 2020 through September 30, 2021.

C32 Board granted approval and authorized execution of Alzheimer's Disease Initiative Program Contract KZ-2097 between the Alliance for Aging, Inc., and Monroe County Board of County Commissioners/Monroe County Social Services In-Home Services for the Contract Year 2020-2021 (July 1, 2020-June 30, 2021) in the amount of \$170,367.24.

C33 Board granted approval and authorized execution of a Lease Agreement with Charlene P. Helba Trustee, Jules I. Beckwitt Revocable Trust for approximately 1,777 square feet of unimproved land at the Florida Keys Marathon International Airport in the amount of \$ 2,612.19 per year.

C34 Board granted approval and authorized execution of the Renewal and 2nd Amendment to the Customs Service Agreement between Monroe County and the Marathon Jet Center renewing agreement for three years and adding language to the agreement that the Airport will be responsible for absorbing the cost difference increase from the flat rate salary to the new full cost recovery rate for the CBP Officer assigned to the Florida Keys Marathon International Airport.

C35 Board granted approval and authorized execution of the 2nd Amendment to Agreement with Synovia Solutions, LLC, for GPS based transportation management software services, to exercise the first renewal term retroactive to June 6, 2020, and to combine the two previous monthly compensation amounts into one monthly payment of \$10,912.00.

C36 Board granted approval of the transmittal of the County Administrator's Fiscal Year 2021 Recommended Budget. Said transmittal is incorporated herein by reference.

C37 Board adopted the following Resolutions concerning the Transfer of Funds and for the Receipt of Unanticipated Revenue:

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

RESOLUTION NO. 187-2020

Said Resolution is incorporated herein by reference.

Transfer Of Funds (OMB Schedule Item No. 2).

RESOLUTION NO. 188-2020

Said Resolution is incorporated herein by reference.

Transfer Of Funds (OMB Schedule Item No. 3).
RESOLUTION NO. 189-2020
Said Resolution is incorporated herein by reference.

Transfer Of Funds (OMB Schedule Item No. 4).
RESOLUTION NO. 190-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 5).
RESOLUTION NO. 191-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 6).
RESOLUTION NO. 192-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 7).
RESOLUTION NO. 193-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 8).
RESOLUTION NO. 194-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 9).
RESOLUTION NO. 195-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 10).
RESOLUTION NO. 196-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 11).
RESOLUTION NO. 197-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 12).
RESOLUTION NO. 198-2020
Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 13).
RESOLUTION NO. 199-2020
Said Resolution is incorporated herein by reference.

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

RESOLUTION NO. 200-2020

Said Resolution is incorporated herein by reference.

HURRICANE IRMA RECOVERY

D2 Board granted approval and authorized execution of the 1st Amendment to Task Order for Engineering Design and Permitting Services for the Boca Chica Road Restoration Project for repairs due to Hurricane Irma. The amendment adds engineering design and state and federal permitting for a 400 foot long buried retaining wall structure for a, not to exceed, cost of \$51,575.00. The wall was approved by the Federal Emergency Management Agency as a mitigation measure.

D3 Board granted approval and authorized execution of an Agreement with Sea Tech of the Florida Keys, in the amount of \$158,425.00, for repairs to the Key Largo Community Park damaged during Hurricane Irma.

D4 Board granted approval to advertise a bid solicitation to repair four T-Hangar Buildings at the Florida Keys Marathon International Airport that were damaged during Hurricane Irma. The project will be funded by FDOT and/or Airport Operating Fund 403.

TOURIST DEVELOPMENT COUNCIL

E1 Board granted approval and authorized execution of the 1st Amendment to Agreement with Key West Art and Historical Society, Inc. for the Custom House Mechanical Repairs Phase II Project to revise Exhibit A outlining scope of service for the project and to extend the expiration date of the Agreement to June 30, 2021.

E2 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the City of Key West for the Amphitheatre Improvements Project to extend the expiration date of the Agreement to December 31, 2020.

E3 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the Coral Restoration Foundation, Inc. for the CRF- Coral Restoration - Key West Project to March 31, 2021.

E4 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the Mel Fisher Maritime Heritage Society, Inc. for the Mel Fisher Masonry and Electric Project to September 30, 2021.

E5 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with Mel Fisher Maritime Heritage Society, Inc. for the Mel Fisher 2nd Round Repairs and Improvements Project to September 30, 2021.

E6 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with National Marine Sanctuary Foundation, Inc. for the Eco Discovery Center Interior Exhibits Project to September 30, 2021.

E7 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with Key West Botanical Garden Society, Inc. for the Botanical Garden Playground Installation Project to September 30, 2021.

E8 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the Coral Restoration Foundation, Inc. for the CRF - Lower Keys 2020, 2nd Round Project, to March 31, 2021.

E9 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the Coral Restoration Foundation, Inc. for the CRF- Coral Restoration Foundation - Marathon Project to March 31, 2021.

E10 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the Coral Restoration Foundation, Inc. for the CRF - Coral Restoration - Islamorada 2020, 2nd Round Project, to March 31, 2021.

E11 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with the Coral Restoration Foundation, Inc. for the CRF - Coral Restoration - Key Largo Project to March 31, 2021.

E12 Board granted approval and authorized execution of the 1st Amendment to Agreement with Stuart Newman Associates, Inc. to provide Public Relations Agency Services which promote tourism to September 30, 2022 with a five percent increase in compensation; and to revise the scope of service for the Agreement to include social media management.

E13 Board granted approval and authorized execution of the 1st Amendment to extend Agreement with Axis Travel Marketing, LTD to provide European travel services to September 30, 2022.

PLANNING & ENVIRONMENTAL RESOURCES, BUILDING & CODE COMPLIANCE DEPARTMENTS

I2 Board granted approval and authorized execution of the 3rd Amendment to Contract with Host Compliance for a one-year extension, for \$71,422.00, with an optional additional year for a code compliance software system.

I4 Board granted approval of the selection of Boating Improvement Fund(s) Reimbursement-Based Funding Request for Fiscal Year 2021 submitted by the Village of Islamorada (Village); and granted approval and authorized execution of an Interlocal Agreement between Monroe County and the Village based upon staff's selection recommendation; and

providing said funding to the Village for regulatory buoy maintenance in Fiscal Year 2021 in the amount of \$10,000.00.

SHERIFF'S OFFICE

K1 Board granted approval of the request for expenditure of Law Enforcement Trust Fund, as follows:

\$8,000.00 US K9 Academy & Police Dog Training Center: to assist the MCSO Special Investigation Division with drug, currency and vehicle investigations to train a canine handler and acquire a narcotics detention canine. The current MCSO K9, Deja, will soon retire and a new K9 is needed to maintain operational continuity.

COMMISSIONER'S ITEM

L2 Board adopted the following Resolution supporting formal comments sent in a letter from the Florida Fish and Wildlife Conservation Commission to the Florida Keys National Marine Sanctuary (FKNMS) regarding NOAA's "*Draft Environmental Impact Statement for Florida Keys National Marine Sanctuary: A Blueprint for Restoration.*"

RESOLUTION NO. 201-2020

Said Resolution is incorporated herein by reference.

COUNTY CLERK

M1 Board granted approval of the minutes from the regular meetings of February 19, 2020; April 15, 2020; and the special meeting of April 30, 2020. Said minutes are incorporated herein by reference.

M2 Board granted approval of Tourist Development Council expenses for the month of June 2020, as follows: Advertising, in the amount of \$1,855,941.75; Bricks & Mortar Projects, in the amount of \$1,064,805.25; Events, in the amount of \$200,980.94; Office Supplies & Operating Costs, in the amount of \$56,144.23; Personnel Services, in the amount of \$105,327.66; Public Relations, in the amount of \$125,567.43; Sales & Marketing, in the amount of \$140,878.36; Telephone & Utilities, in the amount of \$24,100.93; and Visitor Information Services, in the amount of \$115,710.66.

M3 Board granted approval of the independent auditor's communication to the Board on the Audit Engagement for the County's Fiscal Year 2020 Financial Statements. Said communication is incorporated herein by reference.

M4 Board granted approval to remove surplus equipment from inventory via disposal or advertise for bid. Said list is incorporated herein by reference.

M5 Board granted approval of BOCC Warrants 10070665-10071849, 50005301 (PR Checks), 3128281-3129720 (PR Voucher), 25992-26078 (WC) for the period June 1, 2020 through June 29, 2020, as follows: 001 General Fund, in the amount of \$2,064,984.65; 101 Fine & Forfeiture, in the amount of \$4,527,212.42; 102 Road/Bridges, in the amount of \$854,189.46; 115 Tourist Development Council-Two Penny, in the amount of \$603,008.69; 116 TDC - Admin Promo 2 Cent, in the amount of \$1,163,093.49; 117 TDC - District 1 Third Cent, in the amount of \$1,459,741.36; 118 TDC - District 2 Third Cent, in the amount of \$94,832.93; 119 TDC - District 3 Third Cent, in the amount of \$182,242.41; 120 TDC - District 4 Third Cent, in the amount of \$69,254.58; 121 TDC - District 5 Third Cent, in the amount of \$122,001.14; 125 Grant Fund, in the amount of \$2,365,213.29; 141 Fire/Ambulance, in the amount of \$820,861.35; 147 Unincorporated Service, in the amount of \$119,581.45; 148 Planning Building, in the amount of \$588,272.39; 149 Municipal Policing, in the amount of \$605,427.08; 150 E911 Enhancement Fund, in the amount of \$77,563.64; 152 Duck Key Security, in the amount of \$8,879.86; 153 Local Housing Assistance, in the amount of \$103,067.47; 157 Boating Improvement Fund, in the amount of \$24,074.00; 158 Miscellaneous Special Revenue Fund, in the amount of \$67,157.14; 160 Environmental Restoration, in the amount of \$11,831.32; 162 Law Enforcement Trust-600, in the amount of \$500.00; 163 Court Facilities, in the amount of \$8,972.32; 180 Building Fund, in the amount of \$280,715.88; 304 1 Cent Infrastructure , in the amount of \$254,083.98; 312 Cudjoe Regional WW Project, in the amount of \$6,725.35; 314 Series 2014 Revenue Bonds, in the amount of \$1,387,988.58; 401 Card Sound Bridge, in the amount of \$59,872.89; 403 Marathon Airport, in the amount of \$166,332.89; 404 Key West Int'l Airport, in the amount of \$594,467.60; 406 PFC & Operating Restrictions, in the amount of \$2,135,636.30; 414 MSD Solid Waste, in the amount of \$1,640,984.29; 501 Workers' Compensation , in the amount of \$274,296.75; 502 Group Insurance Fund, in the amount of \$1,451,381.57; 503 Risk Management Fund, in the amount of \$200,063.61; 504 Fleet Management Fund, in the amount of \$173,772.27.

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

M7 Board granted approval 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.

COUNTY ADMINISTRATOR

N3 Board granted approval to advertise a Request for Proposals for standby contracts to provide emergency feeding services for emergency responders in times of hurricane or other disasters.

COUNTY ATTORNEY

O2 Board granted authorization to initiate litigation against 154 Fairwich CT Property LLC and their property; 154 Fairwich Court, Tavernier, Florida; to seek compliance with the County Code and enforce the lien(s) arising from Code Compliance Case Number CE18040103.

O3 Board granted authorization to allow code compliance lien arising from Case Number CE17030036 against Reynol Dominguez & Ines Dominguez and their property; 31315 Avenue B, Big Pine Key, Florida; to remain against the property owner, the subject property and any other property owned by the property owner.

O4 Board granted authorization to initiate litigation against Beatris Gonzalez and her property; 111 Oleander Circle, Key Largo, Florida; to enforce the lien(s) arising from Code Compliance Case Number CE18030097 related to illegal vacation rental.

O5 Board granted authorization to initiate litigation against Jerome F. Knight & Eleanor M. Knight and their property; 1792 Sunrise Drive, Big Pine Key, Florida; to seek compliance with the County Code and enforce the lien(s) arising from Code Compliance Case Number CE18030007.

O6 Board granted authorization to initiate litigation against Carlos A. Abreu and his property; 181 2nd Court, Key Largo, Florida; to enforce the lien(s) arising from Code Compliance Case Number CE17050007.

O7 Board granted authorization to initiate litigation against Alina Lorites and her property; 325 Calusa Street, Lot 13, Key Largo, Florida; to seek compliance with the County Code and enforce the lien(s) arising from Code Compliance Case Number CE15070096.

O9 Board granted authorization to initiate litigation against Cynthia N. Sandhusen and her property; 28179 Dorothy Avenue, Little Torch Key, Florida; to seek compliance with the County Code and enforce the lien(s) arising from Code Compliance Case Number CE18050102.

O10 Board authorized staff to proceed to negotiate a Comprehensive Agreement pursuant to Section 255.065, Florida Statutes with SPGL, LLC, a Florida Limited Liability Company, in response to their unsolicited proposal, to provide thirty-four units of workforce housing for occupancy by the staff of the Monroe County Sheriff's Office and/or other County or City safety force personnel.

O11 Board granted approval and authorized execution of the 2nd Addendum to the Employment Agreement with County Attorney Robert Shillinger.

O13 Board granted approval to accept proposal for renewal of Airport Liability Insurance from ACE Property and Casualty Insurance Co., through Arthur J. Gallagher & Co., with an annual premium of \$45,423.00; and authorization for the Risk Administrator to sign all necessary forms.

R1 Board granted approval and authorized execution of an Agreement with Lewis, Longman & Walker, P.A. to provide joint legal representation with Florida Keys Aqueduct Authority in the matter of *FKAA v Florida Power & Light and Florida Department of Environmental Protection, Department of Administrative Hearing Case Number 20-002967*.

R2 Board granted approval of the appointment of Commissioner Coldiron as a substitute and Commissioner Rice as an alternate member for the Monroe County Canvassing Board for the 2020 primary and general elections.

R3 Board granted approval and authorized execution of pre-suit Settlement Agreement with Daniel Rubio and Vivian Kramer-Rubio waiving fines and costs, in CE16100059 and CE18060016, in consideration of contemporaneous donation of Tract PT, Pine Key Acres, Big Pine Key (real estate number 00111074-040000 29760 Chickasaw Street, Big Pine Key) to the Monroe County Land Authority for conservation purposes.

TAX COLLECTOR

R4 Board granted approval to extend the 2020 Tax Roll and mail the bills prior to completion of the Value Adjustment Board Hearings.

BUDGET & FINANCE

R5 Board granted approval of the ratification of Federally Funded Sub-Award and Grant Agreement between Monroe County and Florida Division of Emergency Management for CARES Act Funding.

R6 Board granted approval of the ratification of Federally Funded Sub-Award and Grant Agreement between Monroe County and Florida Division of Emergency Management for public assistance funding under COVID-19 pandemic declarations; and authorization for the Sr. Director of Budget & Finance to execute the forms attached to the agreement; and granted approval for the County Administrator to sign related documents; including changes and modifications to the agreement.

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.

H1 Motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval and authorizing execution of the Employment Agreement with Mayte Machado for Fire Rescue EMS Billing Specialist position. 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

C22 Motion was made by Commissioner Coldiron and seconded by Commissioner Cates granting approval and authorizing execution of the 2nd Amendment to Agreement with Guidance/Care Center to extend the project period to December 31, 2020 (six-months) for the Residential Substance Abuse Treatment Program. Roll call vote carried unanimously, with Commissioner Rice abstaining due to a conflict.

C30 Motion was made by Commissioner Rice and seconded by Commissioner Cates granting approval and authorizing execution of an Agreement with Charley Toppino & Sons, Inc. for the demolition of the Senior Nutrition Center Building in the amount of \$56,100.00 to be paid from Fund 304. Motion carried unanimously.

HURRICANE IRMA RECOVERY

D1 Tina Boan, Sr. Director of Budget & Finance, gave a report of Hurricane Irma finance activity by the Office of Management & Budget. Bob Shillinger, County Attorney, addressed the Board.

PLANNING & ENVIRONMENTAL RESOURCES, BUILDING & CODE COMPLIANCE DEPARTMENTS

I1 Emily Schemper, Sr. Director of Planning & Environmental Resources, addressed the Board. Vivek Reddy, representing AECOM, gave a Power Point Presentation on the *2019 US1 Arterial Travel Time and Delay (ATTD) Study* and the preparation of the *Biennial Assessment of Public Facilities Capacity Report* as well as the level of service and concurrency reviews for development proposals. Ms. Schemper gave a Power Point Presentation. The following individuals addressed the Board: Dotti Moses, representing Island of Key Largo Federation of Homeowner's Association; Stuart Schaffer and Annalise Mannix. After discussion, motion was made by Commissioner Cates and seconded by Mayor Carruthers approving Option 2 (complete Public Facilities Report with 2019 ATTD – re-engage US 1 Level of Service Task Force to Evaluate AECOM provided considerations to updating the methodology – applicants to identify mitigation with County & FDOT). Roll call vote was taken with the following results:

Commissioner Cates	Yes
Commissioner Coldiron	No
Commissioner Murphy	No

Commissioner Rice	No
Mayor Carruthers	Yes

Motion failed.

After further discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron approving Option 3 (complete Public Facilities Report with 2017 ATTD – re-engage US 1 Level of Service Task Force to evaluate AECOM provided considerations to updating the methodology – applicants to identify mitigation for segments with County & FDOT). 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.

CLOSED SESSIONS

Mr. Shillinger addressed the Board concerning the following five items (J1 through J5):

J1 An Attorney-Client Closed Session in the matter of *Monroe County BOCC v. Magnolia 101, LLC, et al., Case No. 13-945-P* (Fla. 16th Jud. Cir.).

J2 An Attorney-Client Closed Session in the matter of *Disaster Solutions v. Monroe County, 16th Judicial Circuit Case No. 2019-CA-32-K*.

J3 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*.

J4 An Attorney-Client Closed Session in the matter of *BOCC vs. Summerland Key Marina, LLC and George Secchiaroli, Case No. 2018-CA-1205-K*.

J5 An Attorney-Client Closed Session in the matter of *Sugarloaf Wi-Fi, Inc., etc., a Florida Business Corp., vs. Board of County Commissioners of Monroe County, etc., et al., Case Nos. 3D19-0434 & 3D19-0224, Third District Court of Appeal, State of Florida, Lower Tribunal No. 17-0631-K*.

After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to continue the Closed Sessions to the August 19, 2020 BOCC meeting. Motion carried unanimously.

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

I6 Christine Hurley, Assistant County Administrator, addressed the Board concerning approval of an Interlocal Agreement with the City of Key West for Sewage Pump Out Services to vessels at anchorages in/near Wisteria Island, Fleming Key, Cow Key Channel, and Boca Chica Basin for six months, while the County issues a request for proposals for a vendor to service pump outs of anchored vessels. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron granting approval of the item. Roll call vote carried unanimously.

COUNTY ADMINISTRATOR

N1 Roman Gastesi, County Administrator, addressed the Board concerning the County Administrator’s monthly report for July 2020. Said report is incorporated herein by reference.

COMMISSIONER’S ITEM

L3 Jon Rizzo, Warning Coordination Meteorologist with the National Weather Service, gave a Power Point Presentation on current hurricane prediction science and accuracy.

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

I5 Mayte Santamaria, Sr. Planning Policy Advisor, gave a Power Point Presentation on whether to direct staff to process a Comprehensive Plan and Land Development Code amendment to move a portion of the 294 remaining Market Rate - Rate of Growth Ordinance (ROGO) units through 2026 to the affordable housing allocation pool. Mr. Shillinger, Ms. Schemper and Ms. Hurley addressed the Board. The following individuals addressed the Board: Dotti Moses, representing Island of Key Largo Federation of Homeowner’s Association; Stuart Schaffer, representing Sugarloaf Shores Homeowner’s Association; Ann Olson, representing Friends of the Lower Keys; Annalise Mannix, Diane Beruldson, D. A. Aldridge, representing Last Stand; Robby Majeska and Christine Russell. After discussion, motion was made by Commissioner Murphy and seconded by Mayor Carruthers that we do not accept the 300 ROGOs. Roll call vote was taken with the following results:

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

Motion failed.

PUBLIC HEARINGS

Commissioner Cates and Mayor Carruthers recused themselves from the discussion and vote (on Item P1) to address the appearance of a conflict of interest. Mayor Carruthers moved the chair over to Mayor Pro Tem Coldiron.

P1 A Public Hearing was held 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. Ms. Schemper gave a Power Point Presentation. Mr. Shillinger, Peter Morris, Assistant County Attorney; and Ms. Hurley addressed the Board. The following individuals addressed the Board: Barton Smith, representing the applicant; Connie Tarpley, Steve Breines, Jocelyn Webber, Naja Girard, Jeremy Oldham, Diane Beruldsen, representing Stock Island Association; Annalise Mannix, George Brodzinski, Nancy Hillman, Tom Milone, Aramis (inaudible), Van Fischer, representing Last Stand and Roy’s Trailer Park; and Christine Russell. After discussion, motion was made by Commissioner Rice and seconded by Mayor Pro Tem Coldiron granting approval of abandoning the right of way. Roll call vote was taken with the following results:

Commissioner Murphy	No
Commissioner Rice	Yes
Mayor Pro Tem Coldiron	Yes

Motion carried.

RESOLUTION NO. 202-2020

Said Resolution is incorporated herein by reference.

P2 A Public Hearing was held 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. Ms. Schemper gave a Power Point Presentation. The following individuals addressed the Board: Van Fischer, representing Last Stand and Roy’s Trailer Park; Naja Girard, Annalise Mannix and Diane Beruldsen. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Rice to approve the abandonment. 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.

RESOLUTION NO. 203-2020

Said Resolution is incorporated herein by reference.

P3 A Public Hearing was held to consider 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. 155* (2015). Mr. Shillinger and Ms. Schemper addressed the Board. Devin Rains, Planning & Development Permit Services Manager, gave a Power Point Presentation. There was no public input. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 018-2020

Said Ordinance is incorporated herein by reference.

P4 A Public Hearing was held to consider an application for issuance of a Class A Certificate of Public Convenience and Necessity to MCT Express, Inc. for the operation of an ALS Transport Service in Monroe County, Florida for the period June 17, 2020 through June 16, 2022 for responding to requests for inter-facility transports. Chief James Callahan, Fire/Rescue, addressed the Board. The following individual addressed the Board: Chief John Johnson, City of Marathon Fire/Rescue. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron granting approval of the item. Motion carried unanimously.

P5 A Public Hearing was held to consider adoption of an Ordinance establishing Section 11-5 of the Monroe County Code codifying the Hurricane Re-Entry Sticker Program by providing penalties for those who forge and present forged stickers. Mr. Shillinger addressed the Board. There was no public input. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 019-2020

Said Ordinance is incorporated herein by reference.

P6 A Public Hearing was held to consider adoption of an Ordinance to amend Monroe County Code Section 8-28(c), Enforcement Procedure, to clarify the procedures for those violations alleged to be irreparable and irreversible in nature. Mr. Shillinger addressed the Board. There was no public input. After discussion, motion was made by Commissioner Rice

and seconded by Commissioner Coldiron to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 020-2020

Said Ordinance is incorporated herein by reference.

P7 The second of two required Public Hearings was held to consider an Ordinance by the Monroe County Board of County Commissioners adopting amendments to the Monroe County Land Development Code to amend Section 122-4(b)(4) to eliminate the ability for a manufactured/mobile home to be placed at an elevation below base flood elevation and Section 130-53 to amend the purpose of the Urban Residential Mobile Home—Limited District (URM-L) to eliminate provision that provides for a manufactured/mobile home to be placed at an elevation below base flood elevation and Section 130-100 to add detached dwellings as an as-of-right use within the Urban Residential Mobile Home—Limited District (URM-L); 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. Santamaria addressed the Board. There was no public input. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Murphy to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 021-2020

Said Ordinance is incorporated herein by reference.

P8 A Public Hearing was held to consider a Resolution approving a 3rd Amendment to the Development Agreement between Monroe County, Florida and Key Largo Ocean Resort Condominium, Inc., providing a 10-year time extension, and allowing units to be built to a height of up to 38 feet (new construction) or 40 feet (existing building retrofit) in accordance with the flood protection height exceptions provided in Land Development Code Section 131-2(b), for previously approved development of 285 dwelling units and accessory uses at property located at 94825 Overseas Highway, Key Largo, approximate mile marker 95, having parcel identification numbers 00483401-000000 through 00483401-028500 and 00483402-000000. 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. 204-2020

Said Resolution is incorporated herein by reference.

P9 A Public Hearing was held to consider a Resolution regarding a request for Administrative Relief for Keith P. Radenhausen on Lot 6, Block 37, Port Pine Heights 2nd Addition, Big Pine, real estate number 00293150.000000. Ms. Schemper and Mr. Shillinger addressed the Board. The following individual addressed the Board: Keith P. Radenhausen. After discussion, motion was made by Commissioner Cates and seconded by Commissioner Murphy granting approval of staff recommendation to make a purchase offer. Motion carried unanimously.

RESOLUTION NO. 205A-2020

Said Resolution is incorporated herein by reference.

P11 A Public Meeting was held for citizens and municipalities to provide input on an application for grant funds to develop a Regional Resilience Plan in the amount of \$2,652,825.00 (Key West: \$841,735.00; Marathon: \$471,132.00; Islamorada: \$546,771.00; Unincorporated Monroe: \$450,000.00; Key Colony Beach: \$53,781.00; Layton: \$16,080.00 and a 5% administrative fee) utilizing Community Development Block Grant - Mitigation, General Planning Support funding from the Florida Department of Economic Opportunity (DEO) funded through the Federal Housing and Urban Development Agency, after a duly noticed 14 day public comment period; after a 5 day public notice and approval to submit Grant Application to DEO. Rhonda Haag, Sustainability Program Manager, gave a Power Point Presentation. The following individual addressed the Board: Robby Majeska. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Rice granting approval to submit the Grant Application to DEO. Motion carried unanimously.

P10 A Public Hearing was held to consider adoption of an Ordinance to amend Ordinance No. 014-2020 adopted June 17, 2020 setting standards for when facial coverings must be worn in response to the COVID-19 pandemic. Mr. Shillinger, Bob Eadie, JD, Administrator & Health Officer for the Monroe County Health Department; Mr. Gastesi, Shannon Weiner, Director of Emergency Management; and Steve Williams, Assistant County Attorney, addressed the Board. The following individuals addressed the Board: Harrison Simmons, Bill Lay, Sue Heim, and Robby Majeska. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Coldiron to approve the amended Ordinance as recommended by staff, as follows:

SECTION 2. Definitions.

(2) **Business establishment.** A “business establishment” means a location ~~with a roof overhead under which~~ where any business is conducted, goods are made or stored or processed or where services are rendered. The term “business establishment” also includes locations where non-profit, governmental, and quasi-governmental entities facilitate public interactions and conduct business. The term shall include the entire premises of the business establishment, whether owned or leased, regardless of whether indoors or outdoors. The term does not include schools servicing students under the age of 18 educational institutions operating within Monroe County, which have adopted their own protocols.

(4) **Operator.** An “operator” shall mean any individual or entity that owns a business or controls the operation of the business, even if only for a period of time, regardless of the formal title or role health by that individual.

(5) **Social Distancing.** “Social distancing” shall mean keeping space between yourself and other persons by staying a minimum of six (6) feet away from another person.

SECTION 3. Recommended standards of conduct.

~~(1) Every person over the age of six (6) who is away from his or her residence shall wear a face covering when closer than 6 feet to another person with whom he or she does not reside.~~

~~(2) Every person over the age of six (6) who is away from his or her residence shall carry a face covering capable of immediate use.~~

~~(3) Each owner or manager should establish rules for that business establishment that encourages social distancing, hand washing, and other protective measures for customers and employees based upon guidelines provided by the Centers of Disease Control and the State Department of Health.~~

(1 4) Vulnerable Populations. Individuals older than 65 years of age and individuals with a serious underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immune-compromised status, cancer, diabetes, severe obesity, renal failure, liver disease) should continue to stay at home. When leaving home, these individuals should follow social distancing and other general mitigation guidance. Those living with vulnerable individuals should be aware of the exposure risk that they could carry the virus back home after returning to work or other environments where distancing is not practiced. Vulnerable populations should affirmatively inform their employer that they are a member of a vulnerable population so that their employer can plan accordingly.

SECTION 4. Mandatory requirements.

(1) Every person over the age of six (6) who is away from his or her residence shall wear a face covering when closer than 6 feet to another person with whom he or she does not reside.

(2) Every person over the age of six (6) who is away from his or her residence shall carry a face covering capable of immediate use.

(3) Each operator ~~owner or manager should~~ shall establish rules for that business establishment that encourages social distancing, hand washing, and other protective measures for customers and employees based upon guidelines provided by the Centers of Disease Control and the State Department of Health.

(4) Each operator of a business establishment must close that establishment to the public for at least 3 days if the operator or an employee of the establishment tests positive for COVID-19. Before reopening, the operator must disinfect the premises of the business establishment according to guidelines provided by the Centers for Disease Control and the Department of Health. Any operator or employee exposed to the positive employee must quarantine and/or isolate for 14 days from the date of last contact with the infected employee or until a valid negative test for COVID-19. The closure provision does not apply to essential businesses as defined by Executive Order 20-91, as amended.

(5 4) An operator ~~owner~~, manager, employee, customer or patron of a business establishment must wear a face covering while in that business establishment when unable to engage in social distancing.

(6 2) The requirements of this section do not apply to:

a. Restaurant customers or patrons while dining and/or consuming beverages while seated at a table

- b. A gym patron engaged in a workout or class where at least 6 feet of distancing exists with the next closest patron.
- c. Barbershop or beauty salon customers or patrons when wearing a face covering would reasonably interfere with receiving services.
- d. Business ~~operators owners, managers~~ and employees who are in an area of a business establishment that is not open to customers, patrons, or the public, provided that 6 feet of distance exists between employees. When an operator or employee is in their place of employment but not within 6 feet of another person, that operator or employee does not need to wear a facial covering. *This exception does not apply to operators and employees who are present in the kitchen or other food and beverage preparation area of a restaurant or food establishment.* When an owner, manager, or employee is in their place of employment but not within six feet of another person, that owner, manager, or employee does not need to wear a mask.
- e. Bar patrons while consuming beverages and/or food.
- f. A lodging establishment guest when inside of the lodging unit including but not limited to a hotel room, motel room, vacation rental unit, timeshare unit, or similar unit.
- g. Participants in public meetings held pursuant to F.S. 286.011, provided that the participant without a face covering is engaged in social distancing.

~~(73)~~ The owner An operator, manager and/or employee of a business or lodging establishment shall ensure that every individual in that establishment complies with this section.

~~(84)~~ When a customer of a business establishment asserts that he or she has a disability that prevents the individual from wearing a mask or facial covering, the ~~owner, manager~~ operator or employee of the business establishment may exclude the individual, even if they have a disability, as they pose a direct threat to the health and safety of employees and other customers when not wearing a facial covering, even if asymptomatic, and shall accommodate the disabled individual in a manner that does not fundamentally alter the operations of the business establishment nor jeopardize the health of that business's employees and other customers, such as providing curb service or delivery or other reasonable accommodation.

SECTION 5. Penalties and Enforcement.

(1) Quasi-Criminal Offense.

a. Any state, county, or municipal law enforcement officer may arrest or issue a notice to appear for any knowing and intentional violations committed in his or her presence or through procurement of an arrest warrant. Violations shall be prosecuted by the State Attorney of the 16th Judicial Circuit.

b. A person found in violation may be punished by up to 60 days in the County jail and/or a fine of up to \$500. Each day a violation of this ordinance occurs is considered a separate offense.

(2) Civil Citation.

a. A county or municipal code compliance or county, municipal, or state law enforcement officer may, upon observation of a violation by a person who does not immediately put on a face covering after receiving a warning, issue a notice to appear or civil citation to appear in County Court.

(3) Administrative Notice of Violation.

- (4 3) **Injunctive relief.**
- (5 4) **Private Right of Action.**
- (6 5) **Defenses.**

Roll call vote carried unanimously.

ORINANCE NO. 022-2020

Said Ordinance is incorporated herein by reference.

P12 A Public Hearing was held to consider adoption of an emergency, temporary Ordinance mandating that all bars and restaurants close from 11:00 p.m. to 5:00 a.m. effective July 26, 2020 through August 9, 2020. Mr. Shillinger and Kimberly Matthews, Sr. Director of Strategic Planning; Dr. Eadie and Mr. Gastesi addressed the Board. The following individuals addressed the Board: Debra Wilson, Bill Lay and David Natho.

After discussion, motion was made by Commissioner Cates and seconded by Commissioner Rice that all bars and restaurants close from 11:00 p.m. to 5:00 a.m. Roll call vote carried unanimously.

Motion was made by Commissioner Rice and seconded by Commissioner Murphy to make the effective date July 24, 2020. Roll call vote carried unanimously.

Motion was made by Commissioner Rice and seconded by Commissioner Murphy to make the sunset date August 19, 2020. Roll call vote carried unanimously.

Motion was made by Mayor Carruthers and seconded by Commissioner Murphy to eliminate alcoholic beverage sales between the hours of 11:00 p.m. and 7:00 a.m. from July 24, 2020 to August 19, 2020. 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.

Motion was made by Commissioner Murphy and seconded by Commissioner Rice approving the Ordinance, as amended. Roll call vote carried unanimously.

ORDINANCE NO. 023-2020

Said Ordinance is incorporated herein by reference.

COMMISSIONER'S ITEM

L4 Board discussed the July 15, 2020 expiration of the Tourist Development Council's hiatus from advertising during the COVID pandemic. The following individuals addressed the Board: Bill Lay, Sue Heim, David Natho and Debra Wilson. The Board took no official action.

COUNTY ADMINISTRATOR

N2 Mr. Shillinger addressed the Board. Ms. Weiner gave a COVID-19 update for July 2020.

CODE COMPLIANCE

R8 Mr. Shillinger addressed the Board concerning approval of a Resolution authorizing Code Compliance Officers to issue citations for disposition in County Court. 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. 205-2020

Said Resolution is incorporated herein by reference.

STAFF REPORT

F1 Sheryl Graham, Sr. Director of Social Services; Manual Castillo, representing the Monroe County Housing Authority, and Mr. Gastesi addressed the Board.

PLANNING & ENVIRONMENTAL RESOURCES, BUILDING & CODE COMPLIANCE DEPARTMENTS

I3 Michael Roberts, Assistant Director of Environmental Resources, addressed the Board. Cynthia Guerra, Principal Biologist, gave a Power Point Presentation update to the Board on the *14th Annual Monitoring Report* that has been submitted to the U.S. Fish & Wildlife Service on the implementation of the Incidental Take Permit and associated Habitat Conservation Plan for Florida Key deer and other protected species on Big Pine Key and No Name Key. After discussion, motion was made by Commissioner Coldiron and seconded by Commissioner Rice granting approval of the item. Motion carried unanimously.

COMMISSIONER'S ITEM

L1 The discussion and update on the feasibility of a toll in Monroe County was postponed to the August 19, 2020 meeting.

COUNTY ATTORNEY

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

O8 Motion was made by Commissioner Murphy and seconded by Commissioner Rice granting authorization to initiate litigation against Bob and Duck LLC and their property; D26 11th Avenue, Stock Island, Florida; to seek compliance with the County Code and enforce the lien(s) arising from Code Compliance Case Number CE18060058. Roll call vote carried unanimously, with Mayor Carruthers abstaining due to a conflict.

O12 Mr. Shillinger requested to hold an Attorney-Client Closed Session in the matter of *Board of County Commissioners of Monroe County, Florida v. Jerome Pfahning, Case No. 15-CA-214-K* at the regularly scheduled BOCC meeting on August 19, 2020 in Key West, FL at 1:30 p.m. or as soon thereafter as may be heard. Motion was made by Commissioner Coldiron and seconded by Mayor Carruthers granting approval to hold the Attorney-Client Closed Session. Motion carried unanimously.

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

Kevin Madok, CPA, Clerk
and ex-officio Clerk to the
Board of County Commissioners
Monroe County, Florida
Pamela G. Hancock, D.C.