



## REVISED AGENDA

### MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Any person who wishes to be heard shall provide the Clerk with his or her name and residence and the agenda item on which he or she wishes to be heard. Such information shall be on a card provided by the County. Once public input begins, there will be no further speaker cards allowed to be submitted to the Clerk for that subject. An individual has three minutes and a person representing an organization has five minutes to address the Board (except that individuals wishing to speak during public hearings pertaining to land use issues will have five minutes). The first person representing the organization will be allowed the five minutes. Subsequently, all other speakers on behalf of that organization have three minutes to address the Board. Once an individual has addressed the Board, he or she will not be permitted to return to the podium for follow-up comments, unless the issue involved is quasi-judicial in nature. In that case, the applicant may return to the podium to conclude his or her position at the end of the public hearing.

***ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".***

**Please note that all time approximate items are listed in bold.**

**Wednesday, February 15, 2017  
The Harvey Government Center  
At Historic Truman School  
1200 Truman Avenue  
Key West, FL**

**9:00 A.M. - Regular Meeting**

**9:15 A.M. - Land Authority Governing Board**

**9:30 A.M. - Fire & Ambulance District 1  
Board of Governors**

**3:00 P.M. - Public Hearings**

#### **TIME APPROXIMATE**

#### **REGULAR MEETING**

**CALL TO ORDER  
SALUTE TO FLAG**

**A. ADDITIONS, CORRECTION, DELETIONS**

1. Approval of agenda.

**B. PRESENTATION OF AWARDS**

1. Presentation of Mayor's Proclamation observing March 2017 as Leadership Monroe County Month.
2. Presentation of Years of Service award for 10 years of service to Lisa Tennyson, Director of Legislative Affairs.

**C. BULK APPROVALS – MAYOR GEORGE NEUGENT**

1. Discussion and Direction on amending the Monroe County pet ordinance Sec. 18-27 (l)(1) to allow pets at Palm Villa Park.
2. Approval of a First Amendment to the Consultant Agreement for Professional Architectural and Engineering Services with Bermello Ajamil & Partners, Inc. dated January 21, 2015, to amend Article 9.22 and add revised public records language.
3. Approval of First Amendment to Agreement with OAC Action Construction Corp., to add grant condition compliance language to the original agreement for the Key West Airport Customs Facility Phase II project.
4. Approval of five year Master Agreement for Professional Services with McFarland Johnson, Inc. for General Consulting Services for both Monroe County Airports.
5. Approval of Master Agreement for Professional Services with Newton & Associates, Inc. for Financial Consulting Services for both Monroe County Airports for a term of three years with two (2) one -year renewal options.
6. Approval of a First Amendment to the Consultant Agreement for Professional Architectural and Engineering Services with William P. Horn Architect, P.A. dated January 21, 2015, to amend Article 9.22 and add revised public records language.
7. Ratification of Jacobs Project Management Company Amended Task Order #12/14-61(A), approved on December 14, 2016, to now include Exhibit A, which was previously not included. This amended Task Order adds Phase 2 & 3 Construction Support Services in the amount of \$117,300 for the construction of 11 Storage Hangars at the Florida Keys Marathon International Airport. Task Order #12/14-61 (A) increased from \$135,250 to \$252,550.00, to be paid from FDOT Grant ARK80 (80%) and Airport Operating Fund 403 (20%).

**C. BULK APPROVALS – MAYOR GEORGE NEUGENT  
(CONTINUED)**

8. Approval to increase parking fees for the public pay parking lot at the Key West International Airport, increasing the daily maximum from \$10.00 to \$15.00, the first hour to \$3.00 (free for handicapped and terminal concession customers), lost ticket minimum to daily maximum rate and the weekly maximum from \$50.00 to \$84.00. No change to the currently monthly and annual rates or the free short term parking locations.
9. Approval of five year Master Agreement for Professional Services with Jacobs Project Management Company for General Consulting Services for both Monroe County Airports.
10. Approval of Master Agreement for Professional Services with Ricondo & Associates, Inc. for Financial Consulting Services for both Monroe County Airports for a term of three years, with two (2) one-year renewal options.
11. Approval of Amendment 1 to task order with RS&H, Inc. for construction engineering and inspection services (CEI) for Lake Surprise Estates (Key Largo) Roadway and Drainage Improvements project. This amendment is due to additional CEI hours for the project as a result of contractor change order 2; and adds a maximum not to exceed amount of \$13,190.76 for a revised total contract amount of \$277,513.40.
12. Approval of Agreement with Sheriff Richard A. Ramsay to provide 320 sq. ft. of office space to the Monroe County Sheriff's Department at the Murray E. Nelson Government and Cultural Center in Key Largo, FL
13. Fishermen's Hospital Mitigation Grant Application Approval to submit an application on behalf of Fishermen's Hospital to Florida Division of Emergency Management for a Pre-Disaster Mitigation Grant in the amount of \$3,979,500. Monroe County will not provide funding for this project. The project will retrofit the Hospital by providing a code-compliant roof, impact resistant glazing, structural hardening, and installation of a redundant generator system, to help ensure operability during a severe weather or other emergency event.
14. Issuance (renewal) of a Class B Certificate of Public Convenience and Necessity (COPCN) to Healthcare Ride Transportation, Inc. d/b/a Healthcare Ride for the operation of a non-emergency medical transportation service for the period February 18, 2017 to February 17, 2019.

**C. BULK APPROVALS – MAYOR GEORGE NEUGENT  
(CONTINUED)**

15. Approval of a contract with TransCore, LP in the amount of \$834,802.50 to provide, install, test and activate an all electronic toll collection system at The Card Sound Toll. The contract utilizes the pricing structure set forth in the Transcore standard written agreement with Florida Department of Transportation (FDOT), which was competitively bid.
16. Approval to use the Florida Department of Transportation (FDOT) Low Bid Design-Build (LBDB) Process to evaluate proposals and contract with a design-build contractor for construction of the Card Sound Toll all electronic tolling system.
17. Approval of a First Amendment to the Consultant Agreement for Professional Architectural and Engineering Services with K2M Design, Inc. dated January 21, 2015, to amend Article 9.22 and add revised Public Records language, and update their local office address to its new office location.
18. Approval of Amendment to Employee Benefit Consulting Services Agreement with Gallagher Benefit Services (GBS) extending the contract through December 30, 2018 and approving a one-time fee of \$25,000 for additional services of Health Care Analytics to evaluate expected pharmacy benefits management (PBM) proposals the County receives during 2017 after issuance of a Request for Proposal (RFP) and acceptance of the Client Coverage Acknowledgment & Compensation Disclosure Statement
19. Receipt of monthly change orders for the month of January, reviewed by the County Administrator/Assistant Administrator.
20. Approval of the Fiscal Year 2018 Budget Timetable.
21. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue.
22. Approval by resolution of a Small County Outreach Program (SCOP) agreement with Florida Department of Transportation (FDOT) to fund the construction and construction engineering and inspection (CEI) phases of the Garrison Bight Bridge Repair Project. The agreement provides \$1,412,926 of grant funds and requires a \$564,673 local match.

**REVISED**

**C. BULK APPROVALS – MAYOR GEORGE NEUGENT  
(CONTINUED)**

23. Ratification of Purchase Order# 57204 issued to Air Mechanical & Service Corp in the amount of \$75,000.00 for emergency replacement of a water cooled chiller system at The Florida Keys Marathon International Airport, Main Terminal building.
24. Approval to issue letters of interest and negotiate with potential companies to provide vending machine services at the Key West and Florida Keys Marathon Airports. This is due to no respondents from the previously advertised Request For Proposals and in accordance with County Purchasing Policy.
25. Approval of Amendment #0003 to Community Care for Disabled Adults (CCDA) Contract #KG-070 between the Florida Department of Children and Families (DCF) and Monroe County Board of County Commissioners/Monroe County Social Services/In-Home Services to revise pricing terms for the contract year FY16 resulting in no financial increase to the contract.
26. Authorization to establish ten full-time employees and advertise and promote/hire personnel for the purpose of staffing and operating a second Trauma Star helicopter.

**D. TOURIST DEVELOPMENT COUNCIL**

1. Approval to rescind Capital Project Funding Agreement with The Studios of Key West, Inc. for The Studios of Key West Rooftop Garden & Exhibition Space Project due to Grantee not moving forward with project and requesting rescinding of funding allocation.
2. Approval to rescind Capital Project Funding Agreement with The Studios of Key West, Inc. For The Studios of Key West Rooftop Landscape, Lighting and Elevator Extension Project due to Grantee not moving forward with project and requesting rescinding of funding allocation.
3. Approval of an assignment of a Destination Event Funding Agreement for the Southernmost Marathon & Half/Key West Running Festival in October 2017 from Ultimate Racing, LLC. to MulitRace, LLC.
4. Announcement of one vacant position on the Tourist Development Council District V Advisory Committee for one "At Large" appointment.

**D. TOURIST DEVELOPMENT COUNCIL (CONTINUED)**

5. Approval to advertise a Request for Proposal for a European Sales Agency for Monroe County Tourist Development Council.
6. Approval of an Amendment to extend termination date of agreement with the Dolphin Research Center, Inc. for the Construct Welcome Center Building.
7. Approval of a resolution to provide for additional advance registration, booth related expenses and travel related expenses for trade shows for fiscal year 2018 to be paid from TDC funds in fiscal year 2017.
8. Approval to advertise a Request for Applications for FY 2018 Destination and Turnkey Event Funding.

**E. STAFF REPORTS**

**ADJOURNMENT**

**9:15 A.M.**

**F. LAND AUTHORITY GOVERNING BOARD**

1. **Approval of the minutes for the January 18, 2017 meeting.**
2. **Approval of a contract to purchase Tier 2 property for conservation - Block 1, Lot 46, Doctors Arm, Big Pine Key.**
3. **Approval of a contract to purchase Tier 3 property for conservation - Block 5, Lots 9, 10, and 11, Cahill Pines and Palms, Big Pine Key.**
4. **Approval of a contract to purchase Tier 3 property for conservation - Block 13, Lot 9, Center Island, Duck Key.**
5. **Approval of a contract to purchase Tier 3 property for conservation - Block 9, Lots 19 and 20, Pamela Villa, Key Largo.**

**ADJOURNMENT**

**9:30 A.M.**

**G. FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS**

No items submitted.

**ADJOURNMENT**

**2:30 P.M.**

**H. PROJECT MANAGEMENT**

1. Presentation on Bernstein Park update, Marathon Library Feasibility Study, and Cudjoe Fire Station Final Program report. Project update presented by Director of Project Management, Doug Sposito.

**I. PLANNING AND ENVIRONMENTAL, BUILDING AND CODE COMPLIANCE DEPARTMENTS**

1. Discussion of issues and impacts associated with anchored and moored floating structures, and direction to staff to draft an ordinance prohibiting the anchoring and mooring of floating structures within the County waters of the Florida Keys.
2. Approval to authorize incentive pay for Unlicensed/Licensed Contractor Investigator Susan Grant for attaining a FEMA/Monroe County sponsored Floodplain Manager Certification course.

**1:30 P.M.**

**J. CLOSED SESSIONS**

**1:30 P.M.**

1. **An Attorney-Client Closed Session in the matter of Denenberg v. Marine Mammal Conservancy, Inc., et al., Circuit Court Case 14-CA-364-P.**

**1:30 P.M.**

2. **An attorney-client closed session in Florida Public Service Commission case no. 150071-SU, Application for Increase in Wastewater Rates by K W Resort Utilities Corporation.**

**2:00 P.M.**

3. **Closed session of the Board of County Commissioners and the County's bargaining team to prepare for upcoming negotiations with Teamsters Local 769.**

**2:15 P.M.**

4. **Closed session of the Board of County Commissioners and the County's bargaining team to prepare for upcoming collective bargaining negotiations with International Association of Firefighters (IAFF) Local 3909.**

**K. SHERIFF'S OFFICE**

1. Approval of a Memorandum of Understanding (MOU) between the Monroe County Sheriff's Office and Monroe County Board of County Commissioners to apply for reimbursement of funds from the UASI FY 2015 Grant / Homeland Security Office of Domestic Preparedness with the City of Miami. The \$48,462.50 from the grant will be used to purchase law enforcement equipment approved by the granting agency.
2. Request for expenditure from the Law Enforcement Trust Fund

**L. COMMISSIONERS' ITEMS**

1. **MAYOR NEUGENT:** Approval of a Resolution of the Board of County Commissioners of Monroe County, Florida supporting efforts to seek a commitment from Florida Power and Light to discontinue the use of the cooling canal system at the Turkey Point Nuclear Power Plant as soon as possible, and providing for an effective date.
2. **MAYOR PRO TEM RICE:** Approval to appoint William Grayden to the Duck Key Security District Advisory Board.
3. **MAYOR PRO TEM RICE:** Approval to appoint Ken Wiggins to the Duck Key Security District Advisory Board.

**DELETED**

4. ~~COMMISSIONER KOLHAGE: Discussion of a request from Keys Energy Services to waive or have the County pay permit fees for those county residents who will be required to relocate their electrical service due to the elimination of certain easements.~~
5. **COMMISSIONER CARRUTHERS:** Approval to appoint Gayle Glover, B.S., M.Ed, NBCT to the Monroe County Park and Recreation Advisory Board.

**11:00 A.M.**

6. **COMMISSIONER CARRUTHERS: Presentation by John Padget and BOCC discussion and direction on potential acceptance and placement of sculpture from the Art Students League in New York (ASLNY) City.**

**10:00 A.M.**

7. **COMMISSIONER CARRUTHERS: Discussion and direction to staff to propose an Interim Development Ordinance to not process private applications for comprehensive plan or land development code amendments, development agreements (including 380 development agreements), and minor and major conditional use permits, with proposed occupancy by "three unrelated people" or "two unrelated people and any children related to either of them" of a dwelling unit until the BOCC can review and possibly amend the comprehensive plan and land development code regarding the definitions of dwelling unit; household; and family and the undefined term "lock-out" of a dwelling unit.**
8. **COMMISSIONER MURPHY:** Approval of Resolution urging Florida Department of Corrections to keep open and operational the Big Pine Key Road Prison



**M. COUNTY CLERK**

1. Clerk's Report.
2. Approval of BOCC Warrants (including payroll) for the month of December 2016.
3. Approval of Tourist Development Council expenses for the month of December 2016.
4. Approval of FKAA invoices \$50,000.00 or over for the Fiscal Year (to include salaries), relating to the Cudjoe Regional Wastewater System Project.
5. 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.
6. Fixed assets retired in the 1st Quarter of Fiscal Year 2017.
7. Approval to advertise for bids for surplus sales.

**N. COUNTY ADMINISTRATOR**

1. County Administrator's Monthly Report
2. Approval to enter into a not to exceed \$12,480 Task Order No. 3 to the on call contract with Amec Foster Wheeler, Inc., for Category A canal program planning services, to provide assistance in preparing the grant applications for RESTORE, the Gulf Consortium and FDEP WQPP.
3. Approval to negotiate \$0 on-call contracts with Amec Foster Wheeler Environment Infrastructure, Inc., Jones Edmunds & Associates, Inc., and WSP/Parsons Brinckerhoff, Inc., the three highest ranked respondents, for environmental engineering services.
4. Approval to enter into Amendment No. 3 to EPA Canal Grant X7-00D40915 to approve an administrative amendment to correct a line item in the grant which erroneously states the State provided the \$200,000 match instead of the County.
5. Approval of an agreement with PFM Financial Advisors LLC for financial advisory services; correcting scrivener's error by adding Exhibit A.

**N. COUNTY ADMINISTRATOR (CONTINUED)**

6. Approval to enter into a contract with Earth Tech Enterprises, Inc. to install a new air curtain system in Canal #290 located on Avenue I on Big Pine Key and demolishing portions of an ineffective weed barrier in place, in the amount of \$88,780.00, of which \$50,000 is funded by a FDEP grant and the remaining \$38,780 is funded by budgeted infrastructure tax funds.
7. Approval to advertise a Request for Proposals for Augmented Aeration Water Quality Improvement Projects for Canals #48, #59, #79, and #80 in Key Largo and approval of a request to waive the requirement for resident financial contributions towards the construction costs.
8. Ratification of one small contract with Mark Schlakman, Esq. in the amount of \$15,000 signed by the County Administrator.

**O. COUNTY ATTORNEY**

**REVISED**

1. [County Attorney Report for February 2017.](#)
2. Approval of a resolution authorizing the Mayor to execute a quit claim deed in favor of The State of Florida Department of Transportation for a portion of the South Roosevelt Boulevard and Bertha Street right-of-way in order to complete the South Roosevelt Improvement Project.
3. Consideration of a Resolution declaring zoning in progress and imposing a moratorium on the acceptance and processing of medical marijuana dispensing facilities.
4. Discussion and direction regarding the Big Pine Road Prison property where two buildings on adjacent County property appear to be encroaching on the prison property.

**REVISED**

5. [Approval of a resolution opposing the decertification of any Monroe County Court Judgeships.](#)
6. Approval to advertise for a public hearing to consider an ordinance amending Sec. 2-347 to add investigative services to the class of services currently eligible for exemption from competitive bidding and amending Sec. 2-346 to provide a definition of "investigative services".

3:00 P.M.

**P. PUBLIC HEARINGS**

- 1. An ordinance by the Monroe County Board of County Commissioners amending the Monroe County Land Use District (Zoning) Map from Suburban Commercial (SC) to Mixed Use (MU), for property located at 28500 & 28540 Overseas Highway, Little Torch Key, Mile Marker 28.5 oceanside, legally described as parcels of land in a part of U.S. Government Lot 6, Section 28, Township 66 South, Range 29 East, Little Torch Key, Monroe County, Florida, having real estate numbers 00113570-000000, 00113570-000100, 00113570-000200, 00113590-000000 and 00113620-000000, as proposed by Patrick R. And Diane Colee, Dolphin Marina Associates LTD and Torch Key Properties LTD. REQUEST TO CONTINUE TO JULY 19, 2017 BOCC MEETING.**
  
- 2. A resolution by the Monroe County Board of County Commissioners transmitting to the State Land Planning Agency an ordinance by the Monroe County Board of County Commissioners amending Monroe County Year 2030 Comprehensive Plan Policy 01.5.29, to allow lawfully established transient units to be entitled to a density of one transient unit per lawfully established transient unit and not be considered nonconforming as to density, and to allow the density of lawfully established transient units to be replaced with up to the same density of permanent employee housing dwelling units notwithstanding density limitations of the future land use map categories and subject to the award of Affordable ROGO Allocations, a development agreement, and a major conditional use permit; Providing for Severability; Providing for Repeal of Conflicting Provisions; Providing for Transmittal to the State Land Planning Agency and the Secretary Of State; Providing for inclusion in the Monroe County Comprehensive Plan; Providing for an Effective Date.**

3:00 P.M.

**P. PUBLIC HEARINGS (CONTINUED)**

3. **A Resolution by the Monroe County Board of County Commissioners transmitting to the State Land Planning Agency an ordinance by the Monroe County Board of County Commissioners amending Monroe County Comprehensive Plan Policy 101.5.30 to include the definition of height; creating Policy 101.5.31 to address height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and creating Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs by establishing standards when a structure can elevate above FEMA base flood elevation and including a maximum height limit; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the State Land Planning Agency and the Secretary of State; providing for inclusion in the Monroe County 2030 Comprehensive Plan; providing for an effective date.**

**Q. ADD ONS**

1. **SOLID WASTE:** Approval of Amendment 1 to the Waste Supply Agreement with Energy3, LLC to allow for the term "RODECs" to be replaced with "gasification" and for a \$2.00 reduction in the gasification processing rate from \$67.20 to \$65.20.
2. **SUSTAINABILITY:** Authorize entering into a \$1.5M income grant from the Department of Environmental Regulation as part of the Keys Stewardship program for canal restoration projects.