

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

Regular Meeting
Board of County Commissioners
Wednesday, February 15, 2017
Key West, Florida

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

ADDITIONS, CORRECTIONS, DELETIONS

A Motion was made by Commissioner Murphy and seconded by Commissioner Carruthers granting approval of Additions, Corrections and Deletions. Motion carried unanimously.

PRESENTATION OF AWARDS

B1 Presentation of Mayor's Proclamation observing March 2017 as Leadership Monroe County Month.

B2 Presentation of years of service award for 10 years of service to Lisa Tennyson, Director of Legislative Affairs.

BULK APPROVALS

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

C2 Board granted approval and authorized execution 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.

C3 Board granted approval and authorized execution of a 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.

C4 Board granted approval and authorized execution of a five year Master Agreement for Professional Services with McFarland Johnson, Inc. for general consulting services for both Monroe County Airports.

C5 Board granted approval and authorized execution of a 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 one year renewal options.

C6 Board granted approval and authorized execution 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.

C7 Board ratified Jacobs Project Management Company amended Task Order No. 12/14-61(A), approved on December 14, 2016 (Item C14), to now include Exhibit A, which was not included. This amended Task Order adds Phase 2 & 3 Construction Support Services in the amount of \$117,300.00 for the construction of 11 Storage Hangars at the Florida Keys Marathon International Airport. Task Order No. 12/14-61(A) increased from \$135,250.00 to \$252,500.00, to be paid from FDOT Grant ARK80 (80%) and Airport Operating Fund 403 (20%).

C8 Board granted 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 current monthly and annual rates or the free short term parking locations.

C9 Board granted approval and authorized execution of a five year Master Agreement for Professional Services with Jacobs Project Management Company for general consulting services for both Monroe County Airports.

C10 Board granted approval and authorized execution of a 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 one year renewal options.

C11 Board granted approval and authorized execution 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.

C12 Board granted approval and authorized execution of an Agreement with Sheriff Richard A. Ramsay to provide 320 sf. of office space to the Monroe County Sheriff's Office at the Murray E. Nelson Government and Cultural Center in Key Largo.

C14 Board granted approval of the Issuance (renewal) of a Class B Certificate of Public Convenience and Necessity to Healthcare Ride Transportation, Inc. d/b/a Healthcare Ride for the operation of a non-emergency medical transportation service for the period of February 18, 2017 to February 17, 2019.

C15 Board granted approval and authorized execution 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, which was competitively bid.

C16 Board granted approval to use the Florida Department of Transportation Low Bid Design-Build Process to evaluate proposals and contract with a design-build contractor for construction of the Card Sound Toll all electronic tolling system.

C17 Board granted approval and authorized execution 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.

C18 Board granted approval and authorized execution of an amendment to Employee Benefit Consulting Services Agreement with Gallagher Benefit Services extending the contract through December 30, 2018, and approving a one-time fee of \$25,000.00 for additional services of Health Care Analytics to evaluate expected pharmacy benefits management proposals the County receives during 2017 after issuance of a request for proposal and acceptance of the Client Coverage Acknowledgement & Compensation Disclosure Statement.

C19 Board granted approval of the Change Orders for the month of January reviewed by the County Administrator/Assistant Administrator. Said Change Orders are incorporated herein by reference.

C20 Board granted approval of the Fiscal Year 2018 Budget Timetable. Said timetable is attached hereto.

C21 Board adopted the following Resolutions for the transfer of funds and for the receipt of unanticipated funds:

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

RESOLUTION NO. 029-2017

Said Resolution is incorporated herein by reference.

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

RESOLUTION NO. 030-2017

Said Resolution is incorporated herein by reference.

Amending Resolution No. 293-2016 (OMB Schedule Item No. 3).

RESOLUTION NO. 031-2017

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 4).

RESOLUTION NO. 032-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 5).

RESOLUTION NO. 033-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 6).

RESOLUTION NO. 034-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 7).

RESOLUTION NO. 035-2017

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 8).

RESOLUTION NO. 036-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 9).

RESOLUTION NO. 037-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 10).

RESOLUTION NO. 038-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 11).

RESOLUTION NO. 039-2017

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 12).

RESOLUTION NO. 040-2017

Said Resolution is incorporated herein by reference.

C22 Board adopted the following Resolution approving the Small County Outreach Program Agreement between Florida Department of Transportation and Monroe County for funding to construct improvements to Garrison Bight Bridge #904025 in Key West. The agreement provides \$1,412,926.00 of grant funds and requires a \$564,673.00 local match.

RESOLUTION NO. 041-2017

Said Resolution is incorporated herein by reference.

C23 Board ratified 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.

C24 Board granted approval to issue letters of interest and to 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.

C25 Board granted approval and authorized execution of Amendment 0003 to Community Care for Disabled Adults Contract KG-070 between the Florida Department of Children and Families 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.

TOURIST DEVELOPMENT COUNCIL

D1 Board granted 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.

D2 Board granted 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.

D3 Board granted approval and authorized execution of a Assignment and Assumption of Destination Event Funding Agreement and Consent to Assignment for the Southernmost Marathon & Half/Key West Running Festival in October 2017 from Ultimate Racing, LLC to MultiRace, LLC.

D5 Board granted approval to advertise a request for proposal for a European Sales Agency for Monroe County Tourist Development Council.

D6 Board granted approval and authorized execution of an amendment to extend termination date of agreement with the Dolphin Research Center, Inc. for the construction of a Welcome Center Building.

D7 Board adopted the following 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.

RESOLUTION NO. 042-2017

Said Resolution is incorporated herein by reference.

D8 Board granted approval to advertise a request for applications for Fiscal Year 2018 Destination and Turnkey Event Funding.

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

I2 Board authorized incentive pay for Unlicensed/Licensed Contractor Investigator Susan Grant for attaining a FEMA/Monroe County sponsored Floodplain Manager Certification course.

SHERIFF'S OFFICE

K1 Board granted approval and authorized execution of a Memorandum of Understanding 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.

K2 Board granted approval of the following request for expenditures from the Law Enforcement Trust Fund:

\$25,000.00 Take Stock in Children: to support "scholarships, mentors, projects and events" and to provide state-matching scholarships for low-income families and support the leadership camp experience at the Sheriff's Youth Ranch.

\$600.00 The Boys & Girls Clubs of the Keys Area, Inc.: to support the Monroe County School teams, participating in the Girls and Women's Flag Football Championship & World Challenge IX Games, by specifically assisting with the expenses associated with equipment, uniforms and registration fees.

COMMISSIONERS' ITEMS

L1 Board adopted the following 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.

RESOLUTION NO. 043-2017

Said Resolution is incorporated herein by reference.

L2 Board granted approval of Mayor Neugent’s appointment of William Grayden to the Duck Key Security District Advisory Board, with a term expiring March 19, 2020, replacing Dennis Kulig.

L3 Board granted approval of Commissioner Rice’s appointment of Ken Wiggins to the Duck Key Security District Advisory Board, with a term expiring June 15, 2019, replacing Sherry Popham.

L5 Board granted approval of Commissioner Carruthers’ appointment of Gayle Glover, B.S., M.Ed., NBCT to the Monroe County Park and Recreation Advisory Board, with a term expiring February 15, 2021, replacing Heather Smith.

L8 Board adopted the following Resolution urging the Florida Department of Corrections to keep open and operational the Big Pine Key Road Prison.

RESOLUTION NO. 044-2017

Said Resolution is incorporated herein by reference.

COUNTY CLERK

M2 Board granted approval of BOCC Warrants for the month ending December 31, 2016 (includes TDC, payroll, grants & electronic transfers). Said warrants are incorporated herein by reference.

M3 Board granted approval of Tourist Development Council expenditures for the month of December 2016, as follows: **Advertising**, in the amount of \$542,148.24; **Bricks & Mortar Projects**, in the amount of \$83,649.22; **Events**, in the amount of \$221,884.63; **Office Supplies & Operating Costs**, in the amount of \$40,302.14; **Personnel Services**, in the amount of \$209,711.32; **Public Relations**, in the amount of \$40,705.84; **Sales & Marketing**, in the amount of \$81,533.08; **Telephone & Utilities**, in the amount of \$18,819.71; **Travel**, in the amount of \$26,752.16; **Visitor Information Services**, in the amount of \$75,343.36.

M4 Board granted approval of FKAA invoices, \$50,000.00 or over, for the Fiscal Year (to include salaries), relating to the Cudjoe Regional Wastewater System Project. Said invoices are incorporated herein by reference.

M5 Board granted approval of FKAA invoices for the Fiscal Year (to include salaries) relating to the Cudjoe Regional Wastewater System Project. The invoices under \$50,000.00 are being provided for information only. Said invoices are incorporated herein by reference.

M6 Board granted approval to retire fixed assets in the 1st Quarter of Fiscal Year 2017. Said list is incorporated herein by reference.

M7 Board granted approval to advertise for bids for surplus sales. Said list is incorporated herein by reference.

COUNTY ADMINISTRATOR

N2 Board granted approval and authorized execution of, a not to exceed \$12,480.00, 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 Florida Department of Environmental Protection Water Quality Protection Program.

N3 Board granted 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.

N4 Board granted approval of Modification No. 3 to EPA Canal Grant X7-00D40915, with the United States Environmental Protection Agency, to approve an administrative amendment to correct a line item in the grant which erroneously states the state provided the \$200,000.00 match instead of the County.

N5 Board granted approval and authorized execution of an Agreement with PFM Financial Advisors LLC for financial advisory services, correcting scrivener's error, by adding Exhibit A.

COUNTY ATTORNEY

O2 Board adopted the following 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.

RESOLUTION NO. 045-2017

Said Resolution is incorporated herein by reference.

O5 Board adopted the following Resolution opposing the decertification of any Monroe County Court Judgeships.

RESOLUTION NO. 046-2017

Said Resolution is incorporated herein by reference.

Motion carried unanimously.

MISCELLANEOUS BULK APPROVALS

C1 Kevin Wilson, Assistant County Administrator, addressed the Board concerning direction on amending the Monroe County Pet Ordinance Section 18-27 (1)(1) to allow pets at Palm Villa Park. Board directed Mr. Wilson to draft the Ordinance change, to allow pets at the Palm Villa Park, with regulations as recommended by the Parks and Recreation Board.

C13 Pedro Mercado, Assistant County Attorney, addressed the Board concerning 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 \$3,979,500.00. 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. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval to submit the application. Motion carried unanimously.

C26 Board discussed 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. The following

individuals addressed the Board: Mike Allen, President of Air Methods and Life Net, Key West; and, Margaret Romero. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Carruthers granting approval of the item. Motion carried unanimously.

COMMISSIONERS' ITEMS

L7 Mayte Santamaria, Senior Director, Planning & Environmental; Christine Hurley, Assistant County Administrator; Bob Shillinger, County Attorney; and, Steve Williams, Assistant County Attorney, addressed the Board concerning 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. The following individuals addressed the Board: John Boyd, Mark Moss, representing Habitat for Humanity of Key West & the Lower Keys; Deb Curlee, Vice President of Last Stand for Mark Saunders; Simon Stafford, Mimi Stafford, Bill Hunter, Maggie Webster for Scott French, Monica Haskill for Tess Stafford, Jim Hendrick, and Bart Smith, representing the Toppinos. After discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Kolhage directing staff to bring back a Resolution that puts the brakes on (what we're going to call) lock-outs, even though they are not defined in our Code or in our LDRs, that prohibits the unintended consequence of increased density for a single ROGO without impacting affordable housing projects that are in the pipeline or that may come forward.

Ms. Hurley addressed the Board. After further discussion, the motion was amended by the maker and accepted by second to move forward on the proposed Interim Ordinance and adding the following language:

..."three unrelated people" or "two unrelated people and any children related to either of them" of a dwelling unit excluding exclusive affordable housing projects until the BOCC can...

Roll call vote was unanimous.

PLANNING & ENVIRONMENTAL, BUILDING & CODE COMPLIANCE DEPARTMENTS

I1 Rich Jones, Senior Administrator, Marine Resources, addressed the Board concerning 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. The following individuals addressed the Board: Chuck Licis, representing Sugarloaf Shores Property Owner's Association; Bill Hunter, representing Last Stand; and, Stuart Schaffer. Captain David Dipre, representing the Florida Fish and Wildlife Conservation Commission; and, Bob Shillinger, County Attorney, addressed the Board. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy directing staff to draft an Ordinance prohibiting the anchoring or mooring of floating structures. Motion carried unanimously.

COMMISSIONERS' ITEMS

L6 John Padget gave a Power Point Presentation concerning the potential acceptance and placement of sculptures from the Art Students League in New York (ASLNY) City. Elizabeth Young, Executive

Director, Florida Keys Council of the Arts; and, Susan D'Antonio, Committee Member of the Monroe County Art in Public Places, addressed the Board. The following individuals addressed the Board: Deb Curlee and Margie Randall. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Carruthers granting approval of the idea as written in the agenda summary. Roll call vote was taken with the following results:

Commissioner Carruthers	Yes
Commissioner Kolhage	Yes
Commissioner Murphy	No
Commissioner Rice	Yes
Mayor Neugent	Yes

Motion carried.

CLOSED SESSIONS

J1 Bob Shillinger, County Attorney, announced an Attorney-Client Closed Session in the matter of Denenberg v. Marine Mammal Conservancy, Inc., et al., Circuit Court Case 14-CA-364-P and read the required language into the record pursuant to F.S. 286.011(8). Mr. Shillinger advised that the following people would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi, County Attorney Bob Shillinger, Assistant County Attorneys Peter Morris and Steve Williams and a certified court reporter.

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

J2 Mr. Shillinger announced an attorney-client closed session in Florida Public Service Commission Case No. 150071-SU, Application for Increase in Wastewater Rates by KW Resort Utilities Corporation and read the required language into the record pursuant to F.S. 286.011(8). Mr. Shillinger advised that the following people would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi, County Attorney Bob Shillinger, Assistant County Attorney Cynthia Hall and a certified court reporter.

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

J3 Mr. Shillinger announced a closed session of the Board of County Commissioners and the County's bargaining team to prepare for upcoming negotiations with Teamsters Local 769 and read the required language into the record pursuant to 447.605(1), Florida Statutes. Mr. Shillinger advised that the following people would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi, County Attorney Bob Shillinger, Assistant County Attorney Cynthia Hall, OMB Director Tina Boan, Assistant County Administrator Kevin Wilson, Project Management Department Head Doug Sposito, Engineering & Roads Department Head Judy Clarke, Fleet Management Department Head Roy Sanchez, Solid Waste Department Head Will Thompson, Veterans Affairs Director George Bretnall, Social Services Department Head Sheryl Graham, HR Administrator Pam Pumar.

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

J4 Mr. Shillinger announced a 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 and read the required language into the record pursuant to 447.605(1), Florida Statutes. Mr. Shillinger advised that the following people would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi, County Attorney Bob Shillinger, OMB Director Tina Boan, Fire Chief James Callahan, Deputy Chief Steve Hudson, and Gary Boswell, HR Administrator Pam Pumar and Assistant County Attorney Cynthia Hall.

The meeting was re-opened with all Commissioners present.

PROJECT MANAGEMENT

H1 Doug Sposito, Director of Project Management gave a Power Point Presentation outlining the following projects: Bernstein Park update, Marathon Library Feasibility Study, Cudjoe Fire Station Final Program, and Higg's Beach Projects Report. The Board directed Mr. Sposito to look into returning grant funds back to the federal government for the Higg's Beach Road Project. Lisa Kawl, representing Monroe County Climate Change Advisory Committee addressed the Board. The Board directed Mr. Sposito to work with Ms. Kawl on the Marathon Library Project with regard to solar energy.

PUBLIC HEARINGS

P1 A Public Hearing was announced concerning 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. Motion was made by Commissioner Murphy and seconded by Commissioner Kolhage to continue the Public Hearing to the, April 12, 2017, BOCC meeting in Marathon. Motion carried unanimously.

P2 A Public Hearing was announced concerning 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. Mayte Santamaria, Senior Director, Planning & Environmental, advised the Board that the applicant requested a continuation to the March BOCC meeting. Bob Shillinger, County Attorney, addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Kolhage to continue the Public Hearing to the, April 12, 2017, BOCC meeting in Marathon. Motion carried unanimously.

P3 A Public Hearing was announced concerning 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. Mayte Santamaria, Senior Director, Planning & Environmental, gave a Power Point Presentation. The following individuals addressed the Board: Judy Martinez, Deb Curlee, representing Last Stand; Jim Hendrick, representing Ocean Reef Community Association; Dave Lewis, and Bill Hunter. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Carruthers to continue the Public Hearing to the, April 12, 2017, BOCC meeting in Marathon. Motion carried unanimously.

COMMISSIONERS' ITEMS

L9 Bob Shillinger, County Attorney; and, Pedro Mercado, Assistant County Attorney, addressed the Board concerning approval of a Memorandum of Understanding with the Florida Council Against Sexual Violence, the Florida Department of Law Enforcement, the Monroe County Sheriff's Office and the State Attorney to collaborate and make application to the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program and authorization for the County Administrator to execute the final revised MOU. After discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Rice granting approval of the item and giving the authority to the County Administrator to sign any other non-monetary grant documents. Motion carried unanimously.

TOURIST DEVELOPMENT COUNCIL

D4 Pamela Hancock, Deputy Clerk, announced one vacant position on the Tourist Development Council District V Advisory Committee for one "at large" appointment.

COUNTY ADMINISTRATOR

N1 Roman Gastesi, County Administrator, directed the Board to the County Administrator's written report for February 2017. Said report is incorporated herein by reference.

N6 Rhonda Haag, Sustainability Coordinator, addressed the Board concerning 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 \$50,000.00 is funded by a FDEP grant and the remaining \$38,780.00 is funded by budgeted infrastructure tax funds.

N7 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.

N8 Ratification of one small Contract with Mark Schlakman, Esq. In the amount of \$15,000 signed by the County Administrator.

After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Murphy granting approval of Items N6, N7, and N8. Motion carried unanimously.

Q2 Pedro Mercado, Assistant County Attorney; and, Bob Shillinger, County Attorney, addressed the Board concerning authorization to enter into a \$1.5M income grant from the Department of Environmental Regulation Protection as part of the Keys Stewardship Program for canal restoration projects. Motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval of the item. Motion carried unanimously.

COUNTY ATTORNEY

O1 Bob Shillinger, County Attorney, directed the Board to the County Attorney’s written report for February 2017. Said report is incorporated herein by reference.

O3 The following individual addressed the Board concerning consideration of a Resolution declaring zoning in progress and imposing a moratorium on the acceptance and processing of medical marijuana dispensing facilities: Judy Martinez. Bob Shillinger, County Attorney; and, Mayte Santamaria, Senior Director, Planning & Environmental, addressed the Board. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Kolhage to adopt the following Resolution declaring a zoning in progress and imposing a moratorium on the acceptance and processing of new applications for the establishment of medical marijuana dispensing facilities commencing February 15, 2017, until such time as a comprehensive plan amendment process is completed regarding medical marijuana dispensing facilities and providing for expiration within 365 days of the effective date of an interim development Ordinance or when the Comprehensive Plan amendments become effective; whichever comes first; and providing for severability. Motion carried unanimously.

RESOLUTION NO. 047-2017

Said Resolution is incorporated herein by reference.

O4 Bob Shillinger, County Attorney; Roman Gastesi, County Administrator; and, Mayte Santamaria, Senior Director, Planning & Environmental, addressed the Board concerning direction with regard to the Big Pine Road Prison property where two buildings on adjacent County property appear to be encroaching on the prison property. The Board directed Mr. Shillinger to enter into a conversation with the state, about potentially acquiring the property, should they decide to close the prison.

O6 Bob Shillinger, County Attorney; and, Christine Hurley, Assistant County Administrator, addressed the Board concerning approval to advertise for a public hearing to consider an Ordinance amending Section 2-347 to add investigative services to the class of services currently eligible for exemption from competitive bidding and amending Section 2-346 to provide a definition of "investigative services". After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval of the item. Roll call vote was taken with the following results:

Commissioner Carruthers	Yes
Commissioner Kolhage	No
Commissioner Murphy	Yes
Commissioner Rice	Yes
Mayor Neugent	Yes

Motion carried.

SOLID WASTE

Q1 Kevin Wilson, Assistant County Administrator; and, Bob Shillinger, County Attorney, addressed the Board concerning 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. The following individuals addressed the Board: Greg Sullivan, representing Waste Management; Joseph Anderson and Fred DeLuca representing Energy3. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Carruthers to approve the item. Roll call vote was taken with the following results:

Commissioner Carruthers	Yes
Commissioner Kolhage	No
Commissioner Murphy	Yes
Commissioner Rice	No
Mayor Neugent	No

Motion failed.

PLANNING & ENVIRONMENTAL, BUILDING & CODE COMPLIANCE DEPARTMENTS

Q3 Christine Hurley, Assistant County Administrator; Bob Shillinger, County Attorney, addressed the Board concerning direction related to the 2012 Hurricane Evacuation Clearance Time Memorandum of Understanding (MOU) which outlined the number of dwelling unit allocations each local government would receive in the Florida Keys through the year 2023 (County 197; Marathon 30; Islamorada 28; Key West 90; Key Colony Beach 6; Layton 3) and indicated agreement amongst the County and Cities (and the Department of Economic Opportunity and the Department of Emergency Management) that the City of Key West would transfer annually any remaining or unused allocations to the other local governments based upon the Local Governments' ratio of vacant land. The following individual addressed the Board: Bill Hunter. The Board directed Mr. Shillinger to advise the Governor and the cabinet, at the March 14, 2017 cabinet meeting, that the county supports the City of Key West's comp plan amendment that would allow for the transfer of workforce allocations to projects in the unincorporated portion of the lower keys.

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

Kevin Madok, CPA, Clerk
And ex-officio Clerk to the
Board of County Commissioners
Monroe County, Florida

Pamela G. Hancock, D.C.

**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
BUDGET CALENDAR, FISCAL YEAR 2018**

Proposed Timetable

Date 2017,	Day	RESPONSIBLE PARTY	REQUIRED ACTIVITY	REQUIREMENT REFERENCE
February 15,	Wednesday	Board of County Commissioners	Approval of the FY18 Budget Timetable. Regular BOCC meeting Key West	
February 15,	Wednesday	County Administrator, Senior Management Team	Budget instructions to departments.	Section 129.025 Florida Statutes
March 17,	Friday	Senior Management Team, TDC Executive Director	OMB deadline for submission- <u>budget</u> requests for all Internal Service Funds, Capital and departments including TDC, GAL and Medical Examiner.	
April 5,	Wednesday		Legislative Day - Florida Association of Counties	
April 24-April 26,	Monday-Wednesday	County Administrator, Senior Management Team, OMB	County Administrator's internal budget review with Departments and OMB. Capital Planning will be scheduled with Project Management.	
April 28,	Friday	Senior Management Team, TDC Executive Director, State Attorney, Housing Authority, Judicial, and Health Department	Deadline for <u>County Administrator changes</u> , of budgets to OMB from departments following internal budget review.	
May 10,	Wednesday	Board of County Commissioners	Special Budget Meeting 10am-4pm Marathon	
May 14-19,	Sunday-Friday		Governor's Hurricane Conference www.flghc.org	
On or before June 1,	Thursday	Constitutional Officers	Submission of budget requests to the County Administrator.	Section 129.03(2) Florida Statutes
June,	TBD	Human Service Advisory Board	This is the last date to receive input from the Human Service Advisory Board.	
June 27-June 30,	Tuesday-Friday		FAC 2017 Annual Conference & Exposition	
July 1,	Saturday	Property Appraiser	The Property Appraiser certifies, to each taxing authority, the taxable value within the jurisdiction of the taxing authority on Form DR-420.	Section 129.03(1) Florida Statutes
On or before July 11,	Tuesday	Board of County Commissioners	Tentative budget to be delivered to BOCC. No Meeting Required	Section 129.03(3) Florida Statutes
July 21-24,	Friday-Monday		National Association of Counties (Naco) Annual Conference www.naco.org	
July 25,	Tuesday	Board of County Commissioners	Special Meeting for discussion of Budget and Capital Improvement Plan. Announcement of Proposed Millage Rates and selection of dates, times and places for public hearings. Approval to advise the Property Appraiser of proposed millage rates. 10 A.M. Key West	Sections 129.03(3)(a) and 200.065(2)(b) Florida Statutes
August 4,	Friday	Office of Management and Budget	Last day to advise the Property Appraiser of the Proposed Millage Rates, current year rolled-back rate and the date, times and place of the Tentative Budget Hearing.	Section 200.065(2)(b), Florida Statutes
No later than August 24,	Thursday	Property Appraiser	Property Appraiser mails out the Notice of Proposed Property Taxes to each taxpayer listed on the current year assessment roll. (TRIM Notices)	Sections 200.065(2)(b) and 200.069 Florida Statutes
September 5,	Tuesday	Board of County Commissioners	First Public Hearing Adoption of Tentative Budget and Millage Rate. 5:05 P.M. Key Largo	Sections 129.03(3)(c), 200.065(2)(c) and 200.065(2)(e), Florida Statutes
September 7,	Thursday	Office of Management and Budget	Budget Ad to be published in newspaper for final budget hearing.	Section 200.065(2)(d), Florida Statutes
September 7,	Thursday	Board of County Commissioners	Special Budget Meeting. 5:05 P.M. Marathon	Not Required- Done as a public service.
September 11,	Monday	Board of County Commissioners	Final Public hearing Adoption of Final Budget and Millage Rate 5:05 P.M. Key West	Sections 129.03(3)(c), 200.065(2)(d) and 200.065(2)(e), Florida Statutes
Following final budget adoption		Board of County Commissioners	Notify the Sheriff, in writing, of the specific action taken on the proposed fiscal year 2016-2017 budget appropriations of the Sheriff.	Section 30.49(4), Florida Statutes
September 14,	Thursday	Office of Management and Budget	Within 3 days of Final Hearing, the Resolution adopting final millage and budget to Property Appraiser, Tax Collector and the Dept. of Revenue	FL Administrative Code 12D-17.003(f)
October 11,	Wednesday	Office of Management and Budget	Within 30 days of adoption of final millage and budget, submit TRIM package (DR-487) to Dept. of Revenue. Certify final millages to Property Appraiser via DR-422 and DR-422DEBT (if any debt). Post summary budget on website.	Section 129.03(3) Florida Statutes FL Administrative Code 12D-17.003 (h)