

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

Regular Meeting
Board of County Commissioners
Wednesday, May 17, 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 Carruthers and seconded by Commissioner Murphy granting approval of Additions, Corrections and Deletions to the agenda. Motion carried unanimously.

PRESENTATION OF AWARDS

B1 Presentation of Mayor's Proclamation observing the week of May 21-27, 2017 as Emergency Medical Services Week. This year's theme, "EMS STRONG: Always in Service".

B2 Presentation of Mayor's Proclamation recognizing the month of May 2017 as Motorcycle Safety Awareness Month.

BULK APPROVALS

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

C2 Board granted approval to advertise a Request for Proposals (RFP) for exterior painting of the Murray Nelson Government Center Building Painting. The project will be funded through Facilities Maintenance fund.

C3 Board adopted the following Resolution authorizing Judson M. Blazek to act as an authorized animal control agent, to enforce Chapter 4 of the Monroe County Code and Chapter 828 of the Florida Statutes, issue citations for fines, and/or attend court.

RESOLUTION NO. 123-2017

Said Resolution is incorporated herein by reference.

C5 Board granted approval and authorized execution of Modification #002 to Federally Funded Subgrant Weatherization Assistance Program Agreement 16WX-0G-11-54-01-039 between the State of Florida, Department of Economic Opportunity and Monroe County Board of County Commissioners/Monroe County Social Services for the period of April 1, 2016 to September 30, 2017 in the amount of \$114,398.00.

C7 Board granted approval for the Key West International Airport to purchase an Oshkosh Striker Aircraft Rescue and Firefighting vehicle and associated equipment in the amount of \$592,672.00 from Oshkosh Airport Products, LLC under GSA Contract No. GS30F010DA. This purchase is being paid 50% from FDOT Grant G0E47 (\$296,336.00) and 50% Airport Operating Fund 404 (\$296,336.00).

C8 Board granted approval to terminate the existing Lease Agreement with VMD-MT Security, LLC, for office and storage space at the Key West International Airport on June 30, 2017. VMD-MT's contract with the TSA to provide passenger and baggage screening services at the Key West International Airport will end on June 30, 2017, to be taken over by Aviation Security Management, LLC, starting on July 1, 2017.

C9 Board granted approval and authorized execution of Jacobs Project Management Co.'s Task Order No. 12/15-07 for the Marathon Airport Exfiltration Trench and Pond Modification PSO# 7 in the amount of \$130,284.00 to be funded by FDOT Grant No. AQE35 (80%), and Marathon Operating Fund 403 (20%). The proposed modification is to reduce the west pond size to free up land for aviation related development.

C10 Board granted approval to apply to the Federal Aviation Administration (FAA) for Passenger Facility Charge Application No. 17 funding for the Key West International Airport and the Florida Keys Marathon International Airport and to accept public comment on the County's application for 30 days upon the posting of the required Public Notice.

C11 Board granted approval and authorized execution of a non-exclusive five (5) year Retail Vending Machine Concession Agreement with Refreshment Service Pepsi to provide two (2) beverage vending machines at the Key West International Airport; 10% of gross revenues generated from the vending machines will be paid to the Airport on a quarterly, in arrears, basis.

C12 Board granted approval and authorized execution of a five (5) year Lease Agreement with AVIATION SECURITY MANAGEMENT, LLC (A-S Mgmt.) for office and storage space at the Key West International Airport, effective July 1, 2017. A-S Mgmt. replaces VMD-MT Security as the TSA passenger and baggage screening contractor at the Key West International Airport.

C13 Approval of Jacobs Project Management Co.'s Task Order No. 12/15-08 for construction support and resident project representative (RPR) services for the Customs and Border Protection Building Expansion project at the Key West International Airport in the amount of \$92,582.00 to be paid 50% from FDOT Grant No. AQH10 (\$46,291.00) and 50% from Passenger Facility Charges Fund 406 (\$46,291.00).

C16 Board granted approval and authorized execution of a third one year renewal and first amendment to the Agreement between Monroe County and All Power Generators for generator repair services through June 2018. The estimated annual expenditure is \$45,000.00.

C17 Board granted approval and authorized execution of Amendment 1 to the Task Order with Kisinger Campo & Associates in the amount of \$37,401.00 for engineering design and permitting services for the Sugarloaf Boulevard Bridge Replacement project to add supplemental design services to evaluate raising the profile of the roadway and bridge to accommodate an additional 12 inches of navigational clearance and to develop a detailed cost estimate for this alternative.

C18 Board granted approval and authorized execution of a design/build Contract with Halley Engineering Contractors, Inc. in the amount of \$1,788,000.00 to design and construct improvements to the Card Sound Toll Authority tolling system to upgrade to All Electronic Tolling.

C19 Board granted approval of a Utility Payment Agreement between Monroe County BOCC/Social Services and the Utility Board of the City of Key West, d/b/a Keys Energy Services for the agreement period of April 17, 2017 through April 16, 2019 in order to provide energy payments directly to the Utility on behalf of eligible Low Income Home Energy Assistance Program customers.

C22 Board granted approval for a waiver of Purchasing Policy to pay contractor, Nationwide Plumbing, for work already performed that exceeds the threshold for competitive bidding. Proposed payment to Nationwide is \$50,137.50.

C24 Board granted approval and authorized execution of Amendment 2 to Contract with Paradise Divers, Inc. for Temporary Ferry Service between the City of Marathon and Pigeon Key, extending the expiration date to June 30, 2018. Annual contract term to run July 1, 2017 to June 30, 2018 at a total contract cost of \$231,249.40; with contributions from FDOT in amount of \$125,000.00; City of Marathon in amount of \$17,343.75; and, Pigeon Key Foundation in amount of \$1,406.25.

C25 Board granted approval and authorized execution of a Task Order in the amount of \$263,690.28 with Keith & Schnars, P.A., for construction engineering and inspection services and owner's representative services for the Design/Build of Card Sound Toll Authority Tolling System Upgrade Project. The task order is being awarded under the on call contract for Professional Engineering Services.

C26 Board granted approval of a Utility Payment Agreement between Monroe County BOCC/Social Services and the Florida Keys Electric Cooperative for the agreement period of April 17, 2017 through April 17, 2022 in order to provide energy payments directly to the Utility on behalf of eligible Low Income Home Energy Assistance Program (LIHEAP) customers.

C27 Board granted approval and authorized execution of a License Agreement with Friends of the Key Largo Cultural Center, Inc. for management and operation of a variety of cultural, recreational, and related programs at the Murray E. Nelson Government and Cultural Center, and approval to rescind the License Agreement approved at the Board's April 12, 2017, meeting (Agenda Item C-20, #2841), which had the incorrect version of the License Agreement attached and will be replaced by this corrected Agreement. This License Agreement shall be retroactively approved to April 12, 2017.

C28 Board granted approval of federally funded reoccurring Low Income Home Energy Assistance Program, Subgrant Agreement No. 17EA-0F-11-54-01-019 between the State of Florida, Department of Economic Opportunity and Monroe County Board of County Commissioners/Monroe County Social Services for the contract period of April 1, 2017 through March 31, 2018, in the amount of \$189,988.00.

C29 Board granted approval to reject the lowest bid as non-responsive and waive a minor irregularity and accept the second lowest bid by Marathon Electric Sign & Light, Inc. Authorize Project Management to request responses for the irregularities, and upon finding them acceptable, authorize execution of the contract by the Mayor. This project is funded by TDC and the one-cent infrastructure tax.

C30 Board granted approval of the receipt of monthly Change Orders for the month of April reviewed by the County Administrator/Assistant Administrator. Said Change Orders are incorporated herein by reference.

C31 Board granted approval and authorized execution of the Issuance (renewal) of a Class A Certificate of Public Convenience and Necessity (COPCN) to Ocean Reef Volunteer Fire Department, Inc. d/b/a Ocean Reef Public Safety Department for the operation of an ALS transport ambulance service for the period June 1, 2017 through May 31, 2019.

C32 Board adopted the following Resolution of the Board of County Commissioners of Monroe County, Florida, approving a Local Agency Program Agreement (LAP) between State of Florida, Department of Transportation and Monroe County for funding to construct a Lower Keys Scenic Viewing Area located at the Big Pine Swimming Hole. Approval of the Local Agency Program Agreement. Approval to publish an RFP for construction services. The total estimated construction costs of \$1,400,000.00 will be paid by the \$900,000.00 LAP grant and additional funds approved by the Board with the 2014 capital budget.

RESOLUTION NO. 124-2017

Said Resolution is incorporated herein by reference.

C33 Board granted approval for the five libraries to close on Wednesday, August 23, 2017, for a Library Staff Development Day. Attendance for all library staff will be mandatory.

C34 Board granted approval and authorized execution of the Sixth Amendment to the Assigned Agreement with The Florida Keys Society for Prevention of Cruelty to Animals, Inc. for operation of the Marathon Animal a Shelter for 2.1% CPI-U adjustment effective July 1, 2017. The agreement amount will increase to \$254,531.52/year or \$21,210.96/month.

C35 Board granted approval and authorized execution of the Second Amendment to the Amended and Restated Agreement with The Florida Keys Society for Prevention of Cruelty to Animals, Inc. for operation of the Key West Animal Shelter reflecting a CPI-U increase of 2.1% effective May 1, 2017. The agreement amount will increase to \$529,495.80/year or \$44,124.65/month.

C36 Board granted approval to advertise a solicitation for proposals for Medical and Prescription Drug (RX) Stop Loss Insurance.

C37 Board granted approval for staff to apply for a FEMA Hazard Mitigation Grant Program grant in the amount of \$2,925,000.00 (75%) with a requirement of a local match not to exceed \$975,000.00 (25%) for construction and construction engineering and inspection services for the Twin Lakes/Sands Subdivisions Drainage Improvement and Roadway Elevation Project.

C38 Board granted approval to advertise an RFP for a FDOT Local Agency Program project for the construction of the Big Pine Water Observation Platform and Reynolds Street Pier improvements. The project is 100% grant funded with state and federal funds. Grant amount for construction and CEI is \$1,080,000.00.

C39 Board granted approval and authorized execution of a Contract between Monroe County and S&ME in the amount of \$146,944.00 for the engineering design and permitting of Rowell's Waterfront Park. The design is funded through a FDOT grant and partially through a TDC Bricks and Mortar grant.

C41 Board granted approval and authorized execution of a Contract with Tetra Tech, Inc. for Hurricane Debris Monitoring and Disaster Related Services. This contract will be executed for a five year term.

C43 Board adopted the following Resolutions for the Transfer of Funds and resolutions for the receipt of unanticipated revenue.

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

RESOLUTION NO. 125-2017

Said Resolution is incorporated herein by reference.

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

RESOLUTION NO. 126-2017

Said Resolution is incorporated herein by reference.

Transfer of Funds (OMB Schedule Item No. 3).

RESOLUTION NO. 127-2017

Said Resolution is incorporated herein by reference.

Receipt of Unanticipated Funds (OMB Schedule Item No. 4).

RESOLUTION NO. 128-2017

Said Resolution is incorporated herein by reference.

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

RESOLUTION NO. 129-2017

Said Resolution is incorporated herein by reference.

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

RESOLUTION NO. 130-2017

Said Resolution is incorporated herein by reference.

TOURIST DEVELOPMENT COUNCIL

D1 Board granted approval and authorized execution of an Amendment to extend Agreement with Key West Art and Historical Society, Inc. for the Key West Custom House Masonry Restoration Project.

D2 Board granted approval and authorized execution of an Amendment to extend the termination date of Agreement with Dolphin Research Center, Inc. for the DRC Guest Restroom/Changing Room Project.

D3 Board granted approval and authorized execution of an Amendment to Agreement with the City of Key West for the Smathers Beach Restroom Facility Project to extend the termination of the Agreement to March 31, 3018.

D6 Board granted approval to advertise a Request for Applications for Fiscal Year 2018 Bricks and Mortar/Capital Project Funding.

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

H6 Board ratified Purchase Order Nos.57238, No.57266, No.57380, No.57436, and No.57489 issued to American Underwater Contractors for channel marker and regulatory buoy work to be performed.

H7 Board granted approval of Boating Improvement Fund Grant funding to various municipalities for boating and waterway projects to be performed in Fiscal Year 2018, including the Village of Islamorada for regulatory buoy maintenance in the amount of \$10,000.00 and the City of Marathon for boat launching facility repaving in the amount of \$30,000.00, and direction for staff to draft Inter-Local Agreements with the two municipalities.

H8 Board adopted the following Resolution prioritizing local applications for the 2017 Transportation Alternatives Program.

RESOLUTION NO. 131-2017

Said Resolution is incorporated herein by reference.

H9 Board granted approval and authorized execution of a 4-year continuing services Contract, with options for renewal on an annual basis for two additional years, with AECOM Technical Services, Inc. for Transportation Planning Services.

H10 Board granted approval and authorized execution of Work Order #001 in the amount of \$50,000.00 under the new Transportation Planning Services Contract with AECOM Technical Services, Inc. Contract funded at 87.5% (\$43,750.00) through a Joint Participation Agreement from the Florida Department of Transportation. The county's share for this work order is \$6,250.00.

H11 Board granted approval and authorized execution of Work Order #002 in the amount of \$50,000.00 under the new Transportation Planning Services contract with AECOM Technical Services, Inc., for the review of private development permit applications.

H13 Board granted approval of a waiver of approximately \$47,242.87 in building permit fees for ten deed-restricted affordable housing units to serve the 120% of median income level to be built at the corner of Emerald Drive, Sapphire Drive, and US1 on Big Coppitt Key (approximate mile marker 10.5), having real estate number 00156320-000000, by Habitat for Humanity of Key West and Lower Florida Keys.

H14 Board adopted the following Resolution reserving ten (10) affordable housing allocations (moderate income category) for a proposed project for the property legally described as Part of Tract B, Porpoise Point, Section 5 on Big Coppitt Key, Mile Marker 10.5 Bayside, at the corner of Emerald Drive, Sapphire Drive and US 1, Big Coppitt Key (approximate mile marker 10.5), having real estate number 00156320-000000.

RESOLUTION NO. 132-2017

Said Resolution is incorporated herein by reference.

SHERIFF'S OFFICE

K1 Board granted approval of the request for expenditure, in the amount of \$7,000.00, from Law Enforcement Trust Fund, to underwrite scholarships for 60 Monroe County youths to attend the Florida Sheriffs' Youth Ranch.

COMMISSIONERS' ITEMS

L1 Board adopted the following Resolution of the Board of County Commissioners of Monroe County, Florida supporting the designation of the pair of bridges, bridge numbers 900110 and 900111, over Pine Channel on US 1/S.R.5 in Monroe County, Florida as the "Irene Hooper Memorial Bridges" and requesting the Florida Department of Transportation erect the appropriate signage reflecting the designation.

RESOLUTION NO. 133-2017

Said Resolution is incorporated herein by reference.

COUNTY CLERK

M2 Board granted official approval of the Board of County Commissioners minutes from the regular meeting of March 15, 2017 (previously distributed).

M3 Board granted approval of the correction to the minutes from the special meeting of June 30, 2014.

M4 Board granted approval of Tourist Development Council expenses for the months of March and April 2017.

March expenses, as follows: **Advertising**, in the amount of \$5,926,660.00; **Bricks & Mortar Projects**, in the amount of \$98,522.50; **Events**, in the amount of \$448,825.77; **Office Supplies & Operating Costs**, in the amount of \$65,582.92; **Personnel Services**, in the amount of \$111,158.26; **Public Relations**, in the amount of \$178,904.82; **Sales & Marketing**, in the amount of \$200,142.90; **Telephone & Utilities**, in the amount of \$14,376.93; **Travel**, in the amount of \$37,496.04; **Visitor Information Services**, in the amount of \$106,642.36.

April expenses, as follows: **Advertising**, in the amount of \$3,340,507.47; **Bricks & Mortar Projects**, in the amount of \$127,226.55; **Events**, in the amount of \$179,629.16; **Office Supplies & Operating Costs**, in the amount of \$53,928.55; **Personnel Services**, in the amount of \$209,475.88; **Public Relations**, in the amount of \$102,920.41; **Sales & Marketing**, in the amount of \$76,804.09; **Telephone & Utilities**, in the amount of \$23,850.71; **Travel**, in the amount of \$31,515.59; **Visitor Information Services**, in the amount of \$83,675.36.

M5 Approval of BOCC Warrants (including payroll) for the months of March and April 2017, 10029708-10023268 (AP), 50002588-50002868 (PR), 21839-22117 (WC), as follows: **001 General Fund**, in the amount of \$8,285,070.31; **101 Fine & Forfeiture Fund**, in the amount of \$24,271,166.42; **102 Road & Bridge Fund**, in the amount of \$518,438.74; **115 TDC District Two Penny**, in the amount of \$1,397,267.92; **116 TDC Admin & Promo 2 Cent**, in the amount of \$4,334,081.80; **117 TDC District 1,3 Cent**, in the amount of \$3,168,490.66; **118 TDC District 2,3 Cent**, in the amount of \$361,441.55; **119 TDC District 3,3 Cent**, in the amount of \$696,477.42; **120 TDC District 4,3 Cent**, in the amount of \$603,947.55; **121 TDC District 5,3 Cent**, in the amount of \$794,456.73; **125 Gov Fund Type Grants**, in the amount of \$1,397,139.46; **141 Fire & Amb Dist 1 L&M Keys**, in the amount of \$1,714,204.98; **144 Fire/Ambulance**, in the amount of \$1,810.86; **147 Uninc Svc Dist Parks&Rec**, in the amount of \$225,964.74; **148 Plan, Build, Zoning**, in the amount of \$930,470.00; **149 Municipal Policing**, in the amount of \$1,108,340.68; **150 911 Enhancement Fee**, in the amount of \$117,110.10; **152 Duck Key Security Dist**, in the amount of \$16,506.82; **153 Local Housing Assistance**, in the amount of \$33,398.20; **157 Boating Improvement Fund**, in the amount of \$118,967.31; **158 Misc Special Revenue Fund**, in the amount of \$70,653.94; **160 Environmental Restoration**, in the amount of \$29,262.63; **162 Law Enforcement Trust Fund 162**, in the amount of \$28,985.08; **163 Court Facilities**, in the amount of \$14,678.31; **164 Drug Abuse Trust Fund**, in the amount of \$10,689.06; **171 Stock Island Wastewater**, in the amount of \$25,378.18; **175 Long Key Wastewater**, in the amount of \$1,695.98; **176 Duck Key MSTU**, in the amount of \$1,087.74; **180 Building Fund**, in the amount of \$752,609.77; **2003 Revenue Bonds**, in the amount of \$1,000,000.00; **304 1 Cent Infra Surtax**, in the amount of \$4,012,898.65; **310 Big Coppitt Wastewater**, in the amount of \$4,796.09; **311 Duck Key Wastewater**, in the amount of \$523.98; **312 Cudjoe Regional WW Proj**, in the amount of \$20,826.69; **314 Series 2014 Revenue Bonds**, in the amount of \$2,228,408.90; **401 Card Sound Bridge**, in the amount of \$168,671.69; **403 Marathon Airport**, in the amount of \$718,999.36; **404 Key West Intl Airport**, in the amount of \$2,088,769.13; **406 PFC & Oper Restrictions**, in the amount of \$492,618.70; **414 MSD Solis Waste**, in the amount of \$2,874,739.02; **501 Worker's Compensation**, in the amount of

\$408,554.72; **502 Group Insurance Fund**, in the amount of \$3,461,403.19; **503 Risk Management Fund**, in the amount of \$329,864.96; **504 Fleet Management Fund**, in the amount of \$342,732.96; **610 Fire/EMS LOSAP Trust Fund**, in the amount of \$7,650.00.

M6 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.

M7 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.

M8 Board granted approval to dispose of obsolete or damaged assets with a value of less than \$5,000.00. Said list is incorporated herein by reference.

M9 Board granted approval to transfer items from Card Sound Toll to Roads and Bridges. Said list is incorporated herein by reference.

COUNTY ADMINISTRATOR

N4 Board adopted the following Resolution authorizing the temporary closing of the Northbound Lanes of US1 from mile marker 98.2 to mile marker 100 from 10:00 AM to 11:30 AM for the annual 4th of July Parade sponsored by The Reporter Newspaper.

RESOLUTION NO. 134-2017

Said Resolution is incorporated herein by reference.

N5 Board granted approval of the request to close the 7-Mile Bridge on April 14, 2018, from 6:45 a.m. to 9 a.m., for the running of the 37th Annual 7-Mile Bridge Run.

COUNTY ATTORNEY

O4 Board granted approval of a settlement agreement for a code compliance lien foreclosure case styled, *Monroe County v. Robert and Neha S. Montgomery, Case Number 16-CA-818-K*, regarding real property located at 205 Shore Avenue, Key West, Florida.

O5 Board granted approval to initiate litigation against Marcel Capo, and the property located at 1492 Aqueduct Lane, Key Largo, Florida, and any other properties owned by them if necessary, to seek compliance with various county ordinances and correct the code violations and enforce the liens arising from code compliance *case number(s) CE09080061 and CE13100185*.

O6 Board granted approval to initiate litigation against Joseph D. Hudek III and the property located at Vacant Lot 5, Jamaica Lane, Ramrod Key, and upon any and all other real and/or personal property owned by Joseph D. Hudek III if necessary, to enforce the lien arising from code compliance *case number CE05050082*.

O7 Board granted approval to initiate litigation against Nikolay Kukhtov and the property located at Vacant Lot 4 and 5, South Indies Drive, Duck Key, and upon any and all other real and/or personal property owned by Nikolay Kukhtov if necessary, to enforce the lien arising from code compliance *case number CE16020140*.

O8 Board granted approval and authorized execution of the renewal and Amendment 1 to the Agreement for Misdemeanor Probation Service with Professional Probation Services.

O10 Board adopted the following Resolution of the Board of County Commissioners of Monroe County, Florida approving a County deed to donate three lots for the construction of two (2) affordable housing dwelling units to Habitat for Humanity of the Upper Keys.

RESOLUTION NO. 135-2017

Said Resolution is incorporated herein by reference.

O11 Board granted approval of renewal of Primary Windstorm Insurance Policy with a premium of \$503,449.00 from Citizens Property Insurance Corporation and for the Risk Administrator to sign all necessary forms.

O12 Board granted approval to advertise an Ordinance amending Monroe County Code Chapter 26 (“Waterways”) to add Article VI (“Floating Signs”), to prohibit off-premises marine signage.

O13 Board granted approval and authorized execution of a Contract for purchase of a lot from Joseph E. Gleason located at Block 1, Lot 2, Tropical Bay Second Addition (PB 5-73) with parcel number 00313190-000000 for density reduction purposes.

O14 Board granted approval authorized execution of a Contract for purchase of a lot from John Parker located at Block 9, Lot 2, Tropical Bay Third Addition (PB 5-81) with parcel number 00313960-000000 for density reduction purposes.

O15 Board granted approval and authorized execution of a Contract for purchase of a lot from Bryan L. & Lisa K. Arndt located at Block 10, Lot 8, Tropical Bay Third Addition (PB 5-81) with parcel number 00314120-000000 for density reduction purposes.

O18 Board granted approval of the Fire Marshal's Fireworks Permit Application Forms.

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

Q2 Board granted approval and authorized execution of Supplemental No. 5 to the Joint Participation Agreement AQN-53 with the Florida Department of Transportation for the county's transportation planning program.

PROJECT MANAGEMENT

Q3 Board adopted the following Resolution supporting application to the Hazard Mitigation Grant Program (HMGP) and affirming the County’s ability to provide local match funding in this program designed to help communities implement measures to reduce or eliminate long-term risk to people and property from natural hazards and their effects. HMGP grants provide 75% funding with Monroe County providing 25% matching funds.

RESOLUTION NO. 136-2017

Said Resolution is incorporated herein by reference.

Q6 Board granted approval and authorized execution of a Contract with Pedro Falcon Electrical Contractors, Inc. (low bid) for the demolition of old and installation of new transfer station offices in the amount of \$1,105,410.00. The remaining two bids were \$1,152,057.00 (Sea Tech) and \$1,406,157.00 (D.L. Porter). Project is paid for out of the Solid Waste Fund.

COUNTY ATTORNEY

Q7 Board granted approval to rescind BOCC's approval of Marsh USA's proposal for purchase of Pollution Liability Insurance from Allied World Assurance Company, and approval to accept Marsh's proposal for purchase of equivalent insurance from Ironshore Specialty Insurance Company.

Motion carried unanimously.

Q1 Bob Shillinger, County Attorney, addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval and authorizing execution of a contract for purchase of a lot from Richard J. & Joann C. Johnson located at Block 11, Lot 10 and a lot located at Block 12, Lot 1, Tropical Bay Third Addition (PB 5-81) with parcel numbers 00314220-000000 and 00314250-000000 for density reduction purposes. Motion carried unanimously.

MISCELLANEOUS BULK APPROVALS

C1 Kevin Wilson, Assistant County Administrator, addressed the Board concerning direction from the Board regarding the recommendations made by the Parks and Recreation Advisory Board on the actual and proposed usages of Bernstein Park once completed. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Murphy granting approval of the recommendations made by the Parks & Recreation Board. Motion carried unanimously.

After further discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Murphy approving staff recommendation to create an RFP for a park operator that includes a requirement that they give us concrete suggestions of what programs they will operate, and what parts of the community they will serve, in addition to managing the schedules of the facilities at the park. Motion carried unanimously.

C21 Commissioner Rice announced that, due to a conflict, he would have to abstain from voting on the approval of the Monroe County Designated Receiving System Plan, as presented by the designated Managing Entity for Monroe County and Miami/Dade County, South Florida Behavioral Health Network (SFBHN), for a centralized receiving system for Monroe County as required by Senate Bill 12 (Chapter 2016-241), for implementation July 1, 2017. Motion was made by Commissioner Murphy and seconded by Commissioner Carruthers granting approval of the item. Roll call vote carried unanimously, with Commissioner Rice abstaining.

COMMISSIONERS' ITEMS

L2 The following individual addressed the Board concerning the discussion and direction regarding a request from 6 homeowners on Big Torch Key who have asked that they be included in the Cudjoe Regional Wastewater System's collection system: Jean Mauk. Kevin Wilson, Assistant County Administrator, addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval of the item. Motion carried unanimously.

STAFF REPORTS

E Celia Hitchens, Marine Biologist, presented a video that was produced by Cammy Clark, Public Information Officer, of the recent project that was led by Monroe County Marine Resource's Office to remove derelict vessels within the Marquesas Keys. Ms. Hitchens advised that they worked extensively with FWC Law Enforcement, Florida Keys National Marine Sanctuary, Key West National Wildlife Refuge, Coast Guard, Marine and other partners to address the problem and found innovated solutions to remove the vessels. Coffin Marine Services was hired to complete the removal effort. Lisa Tennyson, Director Legislative Affairs; and, Mayte Santamaria, Sr. Director Planning & Environmental Resources, addressed the Board.

COUNTY ADMINISTRATOR

N1 Roman Gastesi, County Administrator, addressed the Board concerning the placement of donated artwork, by the Art Students League of New York, at the Key West International Airport. The following individual addressed the Board: John Padgett. Elizabeth Young, Executive Director Florida Keys Arts Council of the Arts, made a power point presentation to the Board. Don DeGraw, Director of Airports, addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval of the, no cost, placement of the artwork at the airport. Motion carried unanimously.

N2 Rhonda Haag, Sustainability Coordinator, addressed the Board. Mike Flood, National Resiliency Lead; and, Erin Deady, P.A., representing WSP (f/k/a Parsons Brinkerhoff, Inc.) made a Power Point Presentation on the vulnerability assessment of Bayshore Manor Assisted Living Facility, as a means of developing a standardized method to quantify potential losses exacerbated by sea level rise, as provided by a grant from the state Department of Environmental Protection. The Board took no official action.

MISCELLANEOUS BULK APPROVALS

C4 Christine Hurley, Assistant County Administrator, addressed the Board concerning authorization for County staff to continue to implement acceptance of credit cards by County Departments at a cost of \$28,750.00 for the purchase of devices and a service fee will be charged to the user for the convenience of using this payment method, which will offset any processing expense to the County. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval of the item. Motion carried unanimously.

SOLID WASTE

J1 Bob Shillinger, County Attorney; Christine Limbert-Barrows, Assistant County Attorney; and, Kevin Wilson, Assistant County Administrator, addressed the Board concerning direction on status of Yard Waste Processing Services. Motion was made by Commissioner Kolhage and seconded by Commissioner Murphy to move forward with terminating the contract with E-3 and allow staff to extend that date to resolve any issues that the County may have with the vendor and to attempt to structure a walk away. Roll call vote carried unanimously.

After further discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Murphy directing staff to go out for bids for yard waste processing services. Roll call vote carried unanimously.

COUNTY ADMINISTRATOR

N3 Lisa Tennyson, Director Legislative Affairs, addressed the Board concerning approval of the Monroe County 2017 Federal Legislative Agenda. Gregory Burns, Vice-President; Lauren Cowles, Director of Government Relations; and, Mary Scott Hardwick, representing Van Scoyoc Associates made a Power Point Presentation. Bob Shillinger, County Attorney; and, Christine Hurley, Assistant County Administrator, addressed the Board. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval of the document that has been presented with the modifications that the County Attorney has asked for, as follows: In addition, Monroe County is home to over a dozen species that are listed by the federal government as either being threatened or endangered under the Endangered Species Act. This led to decade's long litigation by environmental groups who challenged the issuance of flood insurance in the Keys on the basis that this insurance encourages and subsidizes development which ultimately jeopardizes the listed species. That litigation led to an injunction against the issuance of flood insurance on up to 50,000 parcels of property in the county which lasted for seven years. Amending the NFIA to prohibit the issuance of flood insurance for new development on known or suitable habitat for listed species would protect those species, conserve the expenditure of federal resources, and help the County reduce its exposure to property rights claims brought due to federal, state, and local regulations that have been developed to preserve this same habitat. Roll call vote carried unanimously.

PLANNING & ENVIRONMENTAL, BUILDING & CODE COMPLIANCE DEPARTMENTS

H12 Mike Roberts, Sr. Administrator, Environmental Resources, made a Power Point Presentation of the 11th Annual Monitoring Report 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 Carruthers and seconded by Commissioner Murphy to accept the 11th Annual Monitoring Report and authorized staff to submit the report to the U.S. Fish & Wildlife Service. Motion carried unanimously.

MISCELLANEOUS BULK APPROVALS

C6 Christine Hurley, Assistant County Administrator, addressed the Board concerning approval of an Agreement with Evergreen Solutions, LLC in the amount of \$123,000.00 plus attendance at in-person meetings for an additional \$2,000.00 per meeting up to seven (7) meetings to conduct a Compensation and Classification Study; cost for County implementation with variable options; and publication of analysis. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval of the item. Motion carried unanimously.

C14 Don DeGraw, Director of Airports, addressed the Board concerning approval to waive bid irregularities, to award bid and execute contract with Integrated Fire & Security Solutions (IFSS) for the Emergency Alert System project at the Key West International Airport in the amount of \$175,000.00 to be funded by Passenger Facility Charge #16 (100%). After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Carruthers granting approval of the item. Motion carried unanimously.

C15 Don DeGraw, Director of Airports; and, Bob Shillinger, County Attorney, addressed the Board concerning approval of an amended Ground Transportation Resolution (GTR) for the Key West International Airport. After discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Kolhage to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 141-2017

Said Resolution is incorporated herein by reference.

C20 Alicia Betancourt, Director of Extension Services; Kevin Wilson, Assistant County Administrator; and Eric Deady, P.A., addressed the Board concerning approval of a Resolution by the Monroe County Board of County Commissioners to conduct a Solar Energy Feasibility Study for the Cudjoe Key Fire Station Design. The Board took no official action.

COUNTY ATTORNEY

O16 Bob Shillinger, County Attorney, addressed the Board regarding direction on the Big Pine Road Prison property. Board authorized county staff to explore options for use of the Big Pine Road Prison property and to explore the advantages and disadvantages of acquiring the property.

COUNTY ADMINISTRATOR

N6 Rhonda Haag, Sustainability Coordinator, addressed the Board concerning direction regarding potential relocation of the existing air curtain on Canal #287 in Big Pine Key to Canal #83 in Key Largo. The following individual addressed the Board: Charles Chappel. After discussion, motion was made by Mayor Neugent and seconded by Commissioner Kolhage to leave the air curtain in place. Roll call vote carried unanimously.

CLOSED SESSIONS

I2 Bob Shillinger, County Attorney, requested that the Attorney-Client Closed Session, in the matter of *Monroe County v. Alfredo Menendez, Case No. 16-CA-651-P*, be continued to the June 21, 2017 meeting. Motion was made by Commissioner Carruthers and seconded by Commissioner Murphy to continue the item. Motion carried unanimously.

I1 Bob Shillinger, County Attorney, announced the Attorney-Client Closed Session in the matter of *Jose Santiago v. Monroe County, Case No. 2013-CA-1113-K* and read the required language into the record pursuant to F.S. 286-011(8). Mr. Shillinger advised that the following persons would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi, County Attorney Bob Shillinger, Assistant County Attorney Chris Ambrosio and a certified court reporter.

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

COUNTY ADMINISTRATOR

N7 Rhonda Haag, Sustainability Coordinator, addressed the Board concerning approval to enter into a \$99,596.10 Task Order #3 for procurement and permitting services for the 4 canals for augmented aeration, under the on-call contract with Amec Foster Wheeler, Inc. for Category B canal infrastructure engineering services, which extends services authorized under Amendment No. 8 under a previous AMEC contract. Remaining funds are carried over from Amendment No. 8 and no new funds are required. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Carruthers 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.

Q5 Lisa Tennyson, Director Legislative Affairs, addressed the Board concerning approval of the "Management Plan" as required by the State of Florida Stan Mayfield Working Waterfront Grant to acquire the commercial fishing property on Stock Island formerly known as "Gulf Seafood" to preserve working waterfront access for the commercial fishing industry. Ms. Tennyson made a Power Point Presentation titled *Stan Mayfield Working Waterfront Grant Program Project Update and Management Plan, dated May 17, 2017*. The following individuals address the Board: Benjamin McPherson, Simon Stafford, George Niles, Daniel Padron, Deb Curlee, Colleen Quirk, Eric Dickstein, Mimi Stafford, John Buckheim, Peter Bacle, and Ricky Arnold, Jr. Roman Gastesi, County Administrator; and, Bob Shillinger, County Attorney, addressed the Board. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Murphy granting approval of the management plan. Roll call vote carried unanimously.

PUBLIC HEARINGS

P1 A Public Hearing was held to consider adoption of an Ordinance amending Sections 21-46, 21-71, 21-72 and 21-75 of the Monroe County Code providing definitions; providing for rules, regulations and licensing requirements and fees for specialty haulers and transfer stations pursuant to the solid waste specialty hauler program. Will Thompson, Director Solid Waste; Bob Shillinger, County Attorney; and, Christine Limbert-Barrows, Assistant County Attorney, addressed the Board. There was no public input. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 003-2017

Said Ordinance is incorporated herein by reference.

P2 A Public Hearing was held to consider adoption of the South Stock Island Wastewater Assessment Program Phase 2 Final Assessment Resolution describing the method of assessment for the South Stock Island Wastewater parcels as provided by KW Resort Utilities Corp. The following individual addressed the Board: Andy Birrell. Kevin Wilson, Assistant County Administrator; Christine Hurley, Assistant County Administrator; and, Cynthia Hall, Assistant County Attorney, addressed the Board. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Rice to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 137-2017

Said Resolution is incorporated herein by reference.

P3 A Public Hearing was held to consider adoption of 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 the Monroe County Future Land Use Map from Residential High (RH) to Mixed Use/Commercial (MC), for property located at 5713 First Avenue, South Stock Island, mile marker 5, legally described as Block 34, Lots 11, 12, 13, 14, and 15, McDonald's Plat of Stock Island (Plat Book 1, Page 55), Stock Island, Monroe County, Florida, having Real Estate #00124700.000000, as proposed by Standard Marine Supply Corp; providing for inclusion in the Monroe County Comprehensive Plan. The following individual addressed the Board: Owen Trepanier. After

discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Carruthers to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 138-2017

Said Resolution is incorporated herein by reference.

P4 A Public Hearing was held to consider adoption of an Ordinance by the Monroe County Board of County Commissioners amending Monroe County Year 2030 Comprehensive Plan Policy 101.5.25, providing a maximum net density of one dwelling unit per platted lot with the transfer of one TDR for the development of one tier 3 platted lot with a Residential Low (RL) Future Land Use Map designation and within a Suburban Residential (SR) Zoning District; 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, Sr. Director Planning & Environmental Resources, addressed the Board. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Kolhage to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 004-2017

Said Ordinance is incorporated herein by reference.

P5 A Public Hearing was held to consider adoption of an Ordinance by the Monroe County Board of County Commissioners amending Monroe County Land Development Code Section 130-157, Maximum Residential Density and District Open Space, providing a maximum net density of one dwelling unit per platted lot with the transfer of one TDR for the development of one tier 3 platted lot within a Suburban Residential (SR) Zoning District; 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 Land Development Code; Providing for an Effective Date. There was no public input. Motion was made by Commissioner Murphy and seconded by Commissioner Carruthers to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 005-2017

Said Ordinance is incorporated herein by reference.

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

H1 Christine Hurley, Assistant County Administrator; and, Bob Shillinger, County Attorney, addressed the Board concerning direction to staff to begin filing complaints with the Florida Department of Business and Professional Regulation (DBPR) against property owners who been found to be illegally renting their homes as vacation rentals and against real estate agents who unlawfully advertised vacation rentals. After discussion, motion was made by Commissioner Rice and seconded by Commissioner Murphy to refer appropriate cases to DBPR after successful code prosecution. Roll call vote carried unanimously.

The following individuals address the Board concerning the next two items (H2 & H3): Deb Curlee, representing Last Stand; and, Bill Hunter.

H2 Approval of a Contract with Host Compliance (an investigative services company) in the amount of \$97,238.00 for one year of services, for a software system that provides data and evidence needed for prosecution of code compliance cases for illegal vacation rentals being advertised by internet companies. Christine Hurley, Assistant County Administrator, addressed the Board. After discussion, motion was

made by Commissioner Rice and seconded by Commissioner Murphy granting approval and authorizing execution 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.

H3 Christine Hurley, Assistant County Administrator, addressed the Board concerning approval of two fulltime Vacation Rental Coordinators (FTEs) to increase illegal vacation rentals enforcement using Host Compliance Software at an estimated cost of \$140,000.00 annually, loaded. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Carruthers granting approval of the item. Roll call vote was taken with the following results:

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

Motion carried.

H4 Motion was made by Commissioner Murphy and seconded by Commissioner Carruthers to table the approval of a full time (FTE) Collection Facilitator to assist in collections of unpaid liens resulting from code compliance cases to the budget meeting. Motion carried unanimously.

H5 Bob Shillinger, County Attorney, addressed the Board concerning the correction of a scrivener's error to add the legal description as Exhibit A of an Interlocal Agreement (ILA), approved by the BOCC on December 14, 2016, between Monroe County and City of Marathon transferring 52 low income and 3 very low income (55 total) Affordable Housing ROGO Allocations from Monroe County to the City of Marathon. This ILA is proposed by Keys Affordable Development III, LLC, for a project that proposes developing 55 new affordable housing units and is applying for state low income housing tax credits (LIHTC). Mr. Shillinger requested that the item be continued to the July 19, 2017 meeting. Motion was made by Commissioner Kolhage and seconded by Commissioner Carruthers to continue the item. Motion carried unanimously.

H15 Bob Shillinger, County Attorney, addressed the Board concerning direction on evaluating expiring affordable housing deed restrictions and the potential of buying back expiring deed restrictions in order to preserve affordable housing. The item was continued to the June 21, 2017 meeting.

MISCELLANEOUS BULK APPROVALS

C23 Motion was made by Commissioner Kolhage and seconded by Commissioner Murphy granting approval and authorizing execution of the AT&T Support Contract for a dedicated onsite technician for 12 months beginning March 15, 2017 to March 14, 2018 in the amount of \$163,706.23 and approval to rescind the AT&T support contract approved at the Board's March 15th, 2017 meeting (Agenda item C.12), which was incomplete and will be replaced by this corrected contract. This contract shall be retroactively approved to March 15, 2017. Motion carried unanimously.

PROJECT MANAGEMENT

Q4 Kevin Wilson, Assistant County Administrator addressed the Board concerning approval to advertise Request For Qualifications for the Lower Keys Scenic Viewing area (Big Pine Swimming Hole) for Construction Engineering and Inspection contractor. This is an FDOT requirement of the Local Agency Program Agreement. Motion was made by Commissioner Murphy and seconded by Commissioner Kolhage granting approval of the item. Motion carried unanimously.

MISCELLANEOUS BULK APPROVALS

C40 Kevin Wilson, Assistant County Administrator; and, Tina Boan, Sr. Director Budget & Finance, addressed the Board concerning approval of a Third Amendment to the Agreement for Professional Services with Currie Sowards Aguila Architects, Inc. for the design through construction administration of the Plantation Key Judicial Courthouse and Detention Facility, in the amount of \$295,790.00. This is funded by the one-cent infrastructure tax. After discussion, motion was made by Commissioner Kolhage and seconded by Commissioner Rice granting approval of the item. Motion carried unanimously.

C42 Kevin Wilson, Assistant County Administrator; and, Bob Shillinger, County Attorney, addressed the Board concerning approval of a Resolution by the Monroe County Board of County Commissioners requesting the Florida Department of Transportation to conduct a comprehensive study to identify the distinct transportation user groups, including the proposed destinations, utilizing U.S. 1 in Monroe County and evaluate potential solutions to alleviate their differing needs to continue to enhance the quality of life and ensure the safety of county residents and visitors. After discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Kolhage to adopt the following Resolution, including the revised, underlined, wording above. Roll call vote carried unanimously.

RESOLUTION NO. 139-2017

Said Resolution is incorporated herein by reference.

TOURIST DEVELOPMENT COUNCIL

D4 Commissioner Rice announced that, due to a conflict, he would have to abstain from voting on the approval of an Amendment to Agreement with Historic Florida Foundation Keys, Inc. for the Oldest House Roofing, Structural Repair and Plumbing Upgrade project to extend the completion date of project and to amend Exhibit A of Agreement outlining Scope of Services. Motion was made by Commissioner Murphy and seconded by Commissioner Carruthers granting approval of the item. Roll call vote carried unanimously, with Commissioner Rice abstaining.

D5 Motion was made by Commissioner Kolhage and seconded by Commissioner Rice to appoint Charlotte Palmer to the "At Large" appointment to the Tourist Development Council District II Advisory Committee. Motion carried unanimously.

STAFF REPORT

E Christine Hurley, Assistant County Administrator, requested that the Board set the special meeting on the health insurance for June 20, 2017, at 1:30 p.m., in Marathon. Motion was made by Commissioner Rice and seconded by Commissioner Kolhage granting approval of the meeting. Motion carried unanimously.

Ms. Hurley advised the Board that the permitting offices will be closed May 30, May 31, and June 1 for a large software upgrade.

SHERIFF'S OFFICE

K2 Commissioner Rice announced that, due to a conflict, he would have to abstain from voting on the approval of the Fiscal Year 2017 Monroe County Shared Asset Forfeiture Fund (SAFF) Advisory Board's recommendations. After discussion, motion was made by Commissioner Carruthers and seconded by Commissioner Kolhage granting approval of the following SAFF recommendations: Literacy Volunteers, in the amount of \$7,388.83; MARC House, in the amount of \$8,444.17; Easter Seals, in the amount of \$4,769.29; A Positive Step, in the amount of \$5,079.97; Keys to be the Change, in the amount of \$5,065.68; Autism Society of the Keys, in the amount of \$3,238.92; Kreative Kids Christian Academy, in the amount of \$4,310.34; Grace Jones Community Center, in the amount of \$5,647.78; Samuel's House, in the amount of \$8,188.83; The Educational Coalition for Monroe County, in the amount of \$2,810.34; Kids Come First, in the amount of \$7,004.93; Florida Keys Area Health Education, in the amount of \$6,774.63; Star of the Sea, in the amount of \$8,331.69; Florida Keys Outreach Coalition for the Homeless, in the amount of \$7,128.24; Dolphins to Stop Domestic Violence, in the amount of \$2,697.87; Guidance Care Center, in the amount of \$6,310.34; Florida Keys Healthy Start Coalition, in the amount of \$5,094.25; Boys and Girls Club, in the amount of \$7,387.03; Key West Botanical Garden Society, in the amount of \$1,951.56; Florida Keys Children's Shelter, in the amount of \$7,494.25; Island Dolphin Care, in the amount of \$3,660.10; Independence Cay, in the amount of \$4,597.87; Keys Area Interdenominational Resources (KAIR), in the amount of \$4,953.20; Last Resort Ministry, in the amount of \$4,117.41; Metropolitan Community Church, in the amount of \$5,515.60; Voices for Florida Keys Children, in the amount of \$6,719.21; Wesley House, in the amount of \$7,137.11; Heart of the Keys Recreation, in the amount of \$4,695.98; Cancer Foundation of the Florida Keys, in the amount of \$5,581.77; Womankind, in the amount of \$7,453.20; and Anchors Aweigh, in the amount of \$5449.59. Roll call vote carried unanimously, with Commissioner Rice abstaining.

COUNTY ATTORNEY

O1 Bob Shillinger, County Attorney, reminded the Board that the ethics training is scheduled for Tuesday, May 30, 2017 at 9:30 a.m. at the Marathon Government Center and that it will be recorded. Mr. Shillinger advised that Virlindia Doss, Executive Director of the Ethics Commission; and Patricia Gleason, Attorney General's expert on Sunshine and public records will be present at the training.

O2 Bob Shillinger, County Attorney, requested to hold an Attorney-Client Closed Session in the matter of *Allan Kennish v. Monroe County, Case No. 2016-CA-182-K* at the regularly scheduled BOCC meeting on June 21, 2017 in Key Largo, FL at 1:30 p.m. or as soon thereafter as may be heard and read the required language into the record. Motion was made by Commissioner Kolhage and seconded by Commissioner Carruthers to hold the Closed Session. Motion carried unanimously.

O3 Bob Shillinger, County Attorney, requested to hold an Attorney-Client Closed Session in the matter of *Paul Rice v. Construct Group Corp, Monroe County, and Highway Striping, Inc. Case No. 2016-CA-0460-P* at the regularly scheduled BOCC meeting on June 21, 2017 in Key Largo, FL at 1:30 p.m. or as soon thereafter as may be heard and read the required language into the record. Motion was made by Commissioner Murphy and seconded by Commissioner Kolhage to hold the Closed Session. Motion carried unanimously.

O9 Bob Shillinger, County Attorney, addressed the Board concerning approval of a Resolution establishing a policy prohibiting advisory board members who are engaged in a romantic relationship

from serving on certain advisory boards or committees together. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Carruthers to adopt the following Resolution. Motion carried unanimously.

RESOLUTION NO. 140-2017

Said Resolution is incorporated herein by reference.

O17 Bob Shillinger, County Attorney, addressed the Board regarding direction for revisions to the Use of Fireworks Ordinance and approval to advertise Public Hearing. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Carruthers directing staff (1) to prepare revisions to the Use of Fireworks Ordinance and (2) approval to advertise and schedule a Public Hearing for the June 21, 2017 meeting in Key Largo. Motion carried unanimously.

Q8 Motion was made by Commissioner Murphy and seconded by Commissioner Rice granting approval and authorizing execution of amendment to Contract with Medical Examiner Thomas Beaver, M.D., to cover the one month (June 2017) between the expiration of his current contract (May 31, 2017) and the end of his gubernatorial appointment (June 30, 2017). Motion carried unanimously. Bob Shillinger, County Attorney; and, Cynthia Hall, Assistant County Attorney, advised the Board that changes were made to the contract, because of overnight negotiations, with Dr. Beaver's attorney. Ms. Hall advised the Board of the revisions to the contract: hiring Dr. Beaver for an additional month; instead of being paid monthly he will receive the same base amount (\$57,171.25) but will be paid week by week, in arrears; and, he will receive, with approval, an additional \$10,000.00 to complete autopsy reports for autopsies that he conducted in June, but for which completion of the reports are delayed. Motion was made by Commissioner Kolhage and seconded by Commissioner Rice to approve the contract distributed the day of the meeting, with the changes to the contract in the previously provided backup, as outlined by Ms. Hall. Motion carried unanimously.

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

Mayte Santamaria, Sr. Director Planning & Environmental Resources, advised the Board that she received a copy of the Key West Comp. Plan amendment related to the transfer of allocations from the City of Key West towards the Toppino Project. She advised that the Planning Board meeting is scheduled for tomorrow (May 18, 2017) at 6:00 p.m. Bob Shillinger, County Attorney, addressed the Board. Board authorized Ms. Santamaria to continue to communicate with the Planning Board and to attend the meeting if necessary.

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.