



AGENDA
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
TUESDAY, MAY 6, 2008 - 6:00 P.M.

1. **CALL MEETING TO ORDER – 6:00 P.M.**
2. **ROLL CALL**
3. **INVOCATION** – Deacon Peter Batty, St. Mary’s Star of the Sea Catholic Church
4. **PLEDGE OF ALLEGIANCE TO THE FLAG**
5. **APPROVAL OF THE AGENDA**
6. **PROCLAMATIONS:** (Mayor McPherson)
 - (a) Free Lower Keys Shuttle Transportation Day
 - (b) Letter Carrier Food Drive Day
7. **PRESENTATIONS:**
 - (a) Service and Retirement Awards: (City Manager)
25 Years Service Award - Marta Cabaleiro – Building Department
Retirement Recognition - Pat Pelletier – Fire Department
Retirement Recognition - John Jones – Assistant City Manager
Ambassadors Graduation
 - (b) Truman Waterfront Access Options – Roland Flowers, City Engineer - **Postponed to 5/20/08**
 - (c) City Attorney’s Report
 - (d) City Manager’s Report
8. **CONSENT AGENDA* Unanimous Vote**
9. **APPROVAL OF MINUTES:**
 - *(a) March 4, 2008 (Regular)
 - *(b) March 18, 2008 (Regular)
 - *(c) April 1, 2008 (Regular)

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050608

11. RESOLUTIONS:

08-116

- *(a) Re-appointing Nils Muench to the Historic Architectural Review Commission (HARC). (Mayor McPherson)

08-126 - Unanimous Vote

- ⊙(b) Appointing Commissioner Dan Kolhage as liaison to the Board of Trustees of the General Employees Retirement Plan. (Mayor McPherson)

08-127 - Unanimous Vote

- ⊙(c) Extending and reconstituting the Community Housing Committee; Appointing the new membership. (Mayor McPherson)

08-117

- *(d) Re-appointing Thomas C. Milone to the Key West Port Advisory Board. (Commissioner Lopez)

08-128 - Unanimous Vote

- ⊙(e) Authorizing the Weather Station to conduct an open house on Saturday, May 24, 2008 from 1:00 P.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of United Street between White and Georgia Streets from 1:00 P.M. to 5:00 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 1:00 P.M. to 5:00 P.M. (City Manager)

08-118

- *(f) Authorizing the Rotary Club to conduct a fundraiser at McCoy Indigenous Park July 2 through July 4, 2008; Authorizing fireworks display off the White Street Pier on July 4, 2008 from 9:00 P.M. to 10:00 P.M.; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the July 4th fireworks celebration; Authorizing the sale and consumption of alcoholic beverages at McCoy Indigenous Park. (City Manager)

08-119

- *(g) Approving transfer of Mobile Vendor License (MVL) #12786 from Anthony Garcia to Mary Jo Rostein due to hardship. (City Manager)

08-120

- *(h) Authorizing the approval and execution of an agreement between AIDS Help, Inc. and the City of Key West for the implementation of the U.S. Department of Housing and Urban Development's Grant FL-H07-0008. (City Manager)

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08-129 – Vote: 6/1 – Commissioner Rossi - No

- ⊙ (i) Approving Task Order No. 65 for G.M. Selby & Associates, Inc. for a Coral Transplantation and Monitoring Plan in the amount not to exceed \$10,795.70. (City Manager)

08-121

- *(j) Exercising a one year option for Emergency Support Services with Early Alert per Request for Qualifications No. 03-007. (City Manger)

08-122

- *(k) Approving Supplemental Agreement to Local Agency Program – FPN #250548-4-3801, between the City of Key West and the Florida Department of Transportation (FDOT) for reconstruction of SR A1A (South Roosevelt Boulevard) between Bertha Street and Smathers Beach in the amount of \$96,940.33, bringing the total project amount to \$596,640.33; Ratifying the original agreement executed by the City Manager on December 12, 2004. (City Manager)

08-123

- *(l) Approving a Change Order for Engineering Services for CH2MHILL, Inc. for closeout construction services for Pump Station DA improvements and the Lift Station Generator Projects in the amount of \$19,992.00. (City Manager)

08-124

- *(m) Authorizing the acceptance and signing of the Florida Department of Transportation (FDOT) Annual Section 5311 Grant Application for public transportation funding assistance to the amount of \$391,374.00 for Fiscal Year 2007-08 (50% match). (City Manager)

08-130 – Unanimous Vote

- ⊙ (n) Amending Resolution No. 07-195, which approved pursuant to section 2-797(3) of the Code of Ordinances the purchase of two 35-foot buses from Gillig Corporation for use on the Lower Keys Shuttle Bus Service, to adjust the total amount to an amount not to exceed \$758,164.00. (City Manager)

08-131 - Vote 4/3 – Commissioners Gibson, Rossi and Mayor McPherson - No

- (o) MAJOR DEVELOPMENT PLAN: 119 – 135 SIMONTON STREET
Approving the Major Development Plan for 119-135 Simonton Street.
(City Manager)

08-132 - Unanimous Vote

- (p) DEVELOPMENT AGREEMENT: 3820 N. ROOSEVELT BOULEVARD
Granting permission to initiate a Development Agreement for a project by the Spottswood Hotels, Inc. for the construction of a 450 room hotel, 33 timeshare units, 21 residential units with lock-outs, a 20,500 square foot conference center, 21,000 square feet of retail space, a themed restaurant and bar with 7,000 square feet of consumption space, and fifty work force housing units on a site addressed as 3820 North Roosevelt Boulevard. (City Manager)

Withdrawn to May 20, 2008

- (q) DEVELOPMENT AGREEMENT: 3400 BLOCK OF DUCK AVENUE
Granting permission to initiate a Development Agreement for a project by AIDS Help, Inc. to include construction of a fifty unit low income, rest home like supported living facility on a portion of the special needs area of Poinciana Housing in the 3400 Block of Duck Avenue. (City Manager)

Withdrawn to May 20, 2008

- (r) DEVELOPMENT AGREEMENT: 13 HILTON HAVEN DRIVE
Granting permission to initiate a Development Agreement for a project to construct a pile-supported single family home in part within the conservation – outstanding waters of the State Zoning District (a portion is also located in the MDR District); On a site addressed as 13 Hilton Haven Drive. (City Manager)

08-133 - Unanimous Vote

- (s) EASEMENT AGREEMENT: 617 GRINNELL STREET
Granting an Easement to Martin E. Higgins and Karen L. Schultz for encroachments upon City property adjacent to the property located at 617 Grinnell Street. (City Manager)

08-134 - Unanimous Vote

- (t) EASEMENT AGREEMENT: 535 FRANCES STREET
Granting an Easement to Mark Kohler for “Frances Street Bottle Inn” for encroachments upon City property adjacent to the property located at 535 Frances Street. (City Manager)

08-125

- Add On** *(u) Approving the attached agreement with Robert M. Levy & Associates to serve as a consultant with respect to issues pending between the City and the Federal Emergency Management Agency (FEMA). (City Manager)

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12. ORDINANCES – FIRST READING

Second Reading May 20, 2008 – Unanimous Vote

- (a) An Ordinance of the City of Key West, Florida, Amending Chapter 26 of the Code of Ordinances entitled “Environment” by amending section 26-191 “Definitions” to include HNC-3 within commercial zoning district and adding definition of location of compliant; By amending Section 26-194 “Citation Procedure” to further define disturbing noise; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Commissioner Lopez)

Second Reading May 20, 2008 – Vote 6/1 - Mayor McPherson – No

- (b) An Ordinance Of The City Of Key West, Florida, Amending Chapter 90 “Administration”, Sections 90-52, Sections 90-~~5596~~, 90-97 90-182, 90-391, 90-392, 90-393, 90-394, 90-395, 90-397, 90-426, 90-427, 90-487 And 90-641; Amending Chapter 102 “Historic Preservation”, Section 102-3; Amending Chapter 106 “Performance Standards”, Sections 106-51 And 106-52; Amending Chapter 108 “Planning And Development”, Sections 108-574, 108-987, And 108-1061; Amending Chapter 110 “Resource Protection”, Sections 110-260 And 110-337; Amending Chapter 114 “Signs”, Section 114-140; Amending Chapter 122, Sections 122-28, 122-30, 122-32, 122-234, 122-1440, 122-1469, And 122-1470; Providing For The Review And Determination Of Certain Variance Requests To Be Administered By The Planning Board; Providing For Severability; Providing For Repeal Of Inconsistent Provisions; Providing For An Effective Date (City Manager)

Second Reading May 20, 2008 –Vote 7/0

- (c) An Ordinance Of The City Of Key West, Florida, Amending Chapter 6 “Amusements And Entertainment”; Amending Chapter 18 “Businesses”, Sections 18-28 And 18-60; Amending Chapter 30 “Fire Prevention And Protection”, Section 30-9; Amending Chapter 54 “Planning And Development”, Sections 54-82, 54-124, And 54-160; Providing For The Review And Determination Of Certain Appeals And Variance Requests To Be Administered By ~~The Planning Board~~ City Commission; Providing For Severability; Providing For Repeal Of Inconsistent Provisions; Providing For An Effective Date. (City Manager)

14. CITIZENS COMMENTS

15. COMMENTS BY THE COMMISSION

16. ADJOURNMENT – 9:55 P.M.

☉ Removed from Consent Agenda

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