



REVISED AGENDA
CITY COMMISSION/CRA/LRA MEETINGS
OLD CITY HALL, 510 GREENE STREET
TUESDAY, AUGUST 4, 2009 - 6:00 P.M.

1. **CALL MEETING TO ORDER – 6:00 P.M.**
2. **ROLL CALL – Commissioner Barry Gibson Absent**
3. **INVOCATION – Reverend Sinclair Forbes, Bethel AME Church**
4. **PLEDGE OF ALLEGIANCE TO THE FLAG**
5. **APPROVAL OF THE AGENDA**

ADD ON: PROCLAMATION: (Mayor McPherson)

- (a) **Navy League Key West Council Day**

6. PRESENTATIONS:

- (a) Recycling Education (Commissioner Johnston)
- (b) New City Hall – Design Review (City Manager)
- ADD ON: FIRM (Mayor McPherson)**
- (c) City Attorney's Report
- (d) City Manager's Report

7. CONSENT AGENDA* - Unanimous Vote

8. RESOLUTIONS:

Withdrawn

- *(a) Appointing Steven M. Torrence to the Board of Trustees of the Police Officer's and Firefighter's Retirement Plan. (Mayor McPherson)

09-187

- *(b) Exercising the first of two one year options for Federal Government Consultant Services with Alcalde & Fay originally approved in response to Request for Proposals No. 005-06. (Mayor McPherson)

09-188

- * (c) Establishing a process for the receipt and review of properties requesting nomination by the Key West City Commission for inclusion on the Monroe County Land Authority Acquisition List. (Commissioner Johnston)

Withdrawn

- * (d) Authorizing the Key West Police Athletic League to conduct a Picnic in the Park Festival at Bayview Park on Saturday, September 5, 2009 from 9:00 A.M. to 9:00 P.M., pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances. (City Manager)

09-189

- * (e) Granting a Special Event Permit to the Key West Business Guild for a Street Fair for Womenfest to take place on Saturday, September 12, 2009 during the hours of 10:00 A.M. to 9:00 P.M., pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 700 block of Duval Street during the hours stated above; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event; Authorizing the sale and consumption of alcoholic beverages within an enclosed area. (City Manager)

09-190

- * (f) Approving and authorizing execution of the Agreement between the City of Key West and the Sunrise Rotary Club for Poker Run on September 18 & 19, 2009; Authorizing the closure of Duval Street from Southard to Front Street, on Friday, September 18, 2009 from 10:00 A.M. to 12:00 Midnight and on Saturday, September 19, 2009 from 10:00 A.M. to 12:00 Midnight; All cross streets shall remain open except Greene Street between Elizabeth to Whitehead Streets; Authorizing the consumption of alcoholic beverages within the barricaded area of the event; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event. (City Manager)

09-202 Unanimous Vote; Commissioner Pais Recused

- o (g) Authorizing AIDS Help, Inc. to conduct the Coronation of the King & Queen of Fantasy Fest on Friday, October 23, 2009 from 9:00 A.M. to 12:00 Midnight, pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 1100 block of Duval Street from 9:00 A.M. to 12:00 Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 P.M. to 10:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area. (City Manager)

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09-191

- * (h) Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Key West Business Guild for an event to take place during the hours of 6:00 P.M. to 11:00 P.M. at 1319 Duval Street for their Annual Headdress Competition & Show on Tuesday, October 27, 2009. (City Manager)

09-192

- * (i) Approving Work Order #6 under the General Services Contract with Charley Toppino & Sons for labor, materials and equipment for the installation of sewer and water infrastructure at the Garrison Bight Modular Bathrooms in an amount not to exceed \$109,067.10. (City Manager)

09-203 – Unanimous Vote

- o (j) Authorizing an after the fact change order for continued rental of a portable scale for the Key West Transfer Station from Metro Scale and Systems, Inc. in the amount of \$32,350.00, authorizing a budget transfer to accommodate the increased expense. (City Manager)

09-193

- * (k) Approving the execution of an Agreement with the State Division of Emergency Management (DEM) for a FEMA Hazard Mitigation Grant for the installation of Rip Rap at White Street Pier in the amount of \$451,420.00 and approve any necessary budget transfers. (City Manager)

09-194

- * (l) Authorizing modification number one to a sub-grant agreement with Florida Division of Emergency Management in order to reinstate and extend FEMA Grant Contract 09HM-37-11-54-02-031 (Patricia/Ashby Street Pump Station Outfall). (City Manager)

09-195

- * (m) Authorizing modification number one to a sub-grant agreement with Florida Division of Emergency Management in order to reinstate and extend FEMA Grant Contract 09HM-37-11-54-02-30 (George/First Street Pump Station Outfall). (City Manager)

09-196

- * (n) Recognizing budget income and expense for Duval/Truman Waterfront Design, Atlantic Boulevard Design and College Road Improvement Design Projects in the amounts of \$491,964.00, \$85,000.00 and \$42,500.00 respectively; Directing an amendment of the budget to reflect those amounts. (City Manager)

09-204 – Unanimous Vote; Commissioner Pais Recused

- o (o) Authorizing the naming of a proposed access roadway from the 3400 block of Duck Avenue to the contemplated affordable housing rest home being constructed by AIDS Help, Inc. as “McCarthy Lane”. (City Manager)

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09-197

- * (p) Approving Task Order 6-09-STM from CH2M Hill for the design repackaging, permitting and bid phase services for the White Street Pump Assisted Stormwater Drainage Wells in an amount not to exceed \$56,590.00. (City Manager)

09-205 – Unanimous Vote

- Ⓞ (q) Extending the Zoning in Progress Doctrine; Declaring that the City is considering amendments to its Land Development Regulations to adopt a Building Permit Allocation System; Directing Building and Planning Staff to continue the policy of deferring the acceptance and processing of development applications requiring the issuance of Building Permit Allocations; Continuing this policy until new Building Permit Allocation Regulations or Amended Land Development Regulations are adopted by the City Commission or until the passage of 180 days from the date of this Resolution, whichever occurs first; Directing Staff to continue preparations of new Building Permit Allocation Regulations. (City Manager)

09-198

- * (r) Approving a Settlement between the City of Key West and Barbara Mallory. (City Attorney)

09-199

- * (s) Authorizing Execution of a Settlement Agreement between the State of Florida, Office of Attorney General Department of Legal Affairs, Port of Palm Beach, Tampa Port Authority, Port of Miami, Miami-Dade County, and the City of Key West with Virginia Harbor Services, Inc. (City Attorney)

09-206 – Unanimous Vote

- (t) Authorizing and directing the exploration of Eminent Domain proceedings to gain access across Admirals Cut. (Commissioner Rossi)

09-207 – Vote 5/1; Commissioner Rossi - No

- (u) **MAJOR DEVELOPMENT PLAN EXTENSION: 119-135 Simonton Street**
Authorizing a one-year extension of the Major Development Plan approval for the project located at 119-135 Simonton Street. (City Manager)

ADD ON: 09-200

- * (v) **Appointing Ashish Soni to the Tree Commission. (Mayor McPherson)**

ADD ON: 09-201

- * (y) **Supporting FIRM'S continuing efforts to reduce the proposed Monroe County Windstorm Insurance Rates; Authorizing an expenditure in the amount of \$25,000.00 to contribute to a fund on behalf of FIRM's efforts; Encouraging all other Monroe County Municipalities to join in hiring legal counsel. (Mayor McPherson)**

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ADD ON: 09-208– Unanimous Vote

- (w) **Nominating property located at 817, 818, 819, 820 Washington Street for acquisition by the Monroe County Land Authority for Workforce Housing; Providing requirements. (Commissioner Johnston)**

ADD ON: 09-209 – Unanimous Vote; Commissioner Pais Recused

- (x) **Nominating property located at 1911-1913 Patterson Avenue for acquisition by the Monroe County Land Authority for Affordable Housing Rental Units; Providing requirements. (Commissioner Johnston)**

9. ORDINANCE – FIRST READING:

Second Reading September 1, 2009 – Unanimous Vote

- (a) An Ordinance of the City of Key West, Florida, amending Chapter 2, Article VI entitled “Code Enforcement” and creating Chapter 2, Article VI, Division 4, Section 2-681 through 2-682 of the Code of Ordinances entitled “Code Compliance Mitigation Procedures and Guidelines”; Providing for severability; Providing for repeal of inconsistent provision; Providing for an effective date.
(Commissioner Johnston)

Second Reading September 1, 2009 – Vote: 5/1; Commissioner Pais - No

- (b) An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled “Administration”, Article VII “Financial Matters”, Division 2 “Budget” by amending Section 2-738 “Process”, to permit for the adoption of the budget by resolution rather than ordinance consistent with Florida Statute Section 166.241; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

10. ORDINANCE – SECOND READING: (Public Hearing)

Denied – 6/0

- (a) An Ordinance of the City of Key West, Florida, providing for a referendum to determine whether the electorate support an exception to the current ordinances prohibition on nudity to allow for a clothing optional beach within the boundaries of the City of Key West; Directing the Clerk to take all necessary action to place this measure on the ballot for October 6, 2009; Providing for severability; providing for repeal of inconsistent provisions; Providing for an effective date.
(Commissioner Verge)

11. CITIZENS COMMENTS

12. COMMENTS BY THE COMMISSION

13. ADJOURNMENT – 9:34 P.M.

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14. CONVENE AS CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY (“CRA”) – 9-34 P.M.

15. ROLL CALL – Commissioner Barry Gibson Absent

16. CONSENT AGENDA*

17. APPROVAL OF MINUTES:

*(a) July 21, 2009 (Regular)

18. RESOLUTIONS:

09-210

*(a) Authorizing Joe King, LLC as an additional assignee for the leasehold interest in real property specified in Resolution 09-169 assigned to Christopher M. King and Joseph A. Garr. (City Manager)

19. ADJOURNMENT – 9:35 P.M.

22. CONVENE AS NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY (“LRA”) - 9:35 P.M.

21. ROLL CALL – Commissioners Barry Gibson and Bill Verge Absent

22. CONSENT AGENDA*

23. APPROVAL OF MINUTES:

*(a) April 7, 2009 (Regular)

*(b) May 5, 2009 (Regular)

24. RESOLUTIONS:

09-211 – Unanimous Vote; Commissioner Verge Recused

⊗(a) Approving the Lease between the LRA and the Miami-Dade Historical Maritime Museum for dockage of the USCGC Mohawk and USCGC Ingham at the East Quay Pier. (City Manager)

Postponed – Unanimous Vote

⊗(b) Approving a 99-year lease with the Bahama Conch Community Land Trust for 6.6 acres of Truman Waterfront property for affordable housing, a cultural arts center, small business retail spaces and a youth development and/or convention center. (City Manager)

25. ADJOURNMENT – 9:42 P.M.

⊗Removed from Consent Agenda

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