



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail City Commission

Tuesday, April 3, 2012

6:00 PM

Old City Hall

Revised

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

ROLL CALL

INVOCATION - Pastor Ozzie Vater, Fifth Street Baptist Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

1 Key West High School Outstanding Achievement/Unsung Hero Awards:

Sponsors: Mayor Cates

Attachments: [Kennedy Brester](#)
[Natalie Castaldo](#)
[Griffin Saunders](#)

2 Key West High School Excellence in the Visual, Performing and Vocational Arts Awards:

Sponsors: Mayor Cates

Attachments: [Belle Jampol](#)
[Kelly Rosch](#)

3 Key West High School Academic Excellence Awards:

Sponsors: Mayor Cates
Attachments: [Tabitha Cervantes](#)
[Shelbi Swanson](#)

PROCLAMATIONS

4 Boys and Girls Club Week of the Keys

Sponsors: Mayor Cates
Attachments: [Proclamation](#)

5 Fair Housing and Community Development Month

Sponsors: Mayor Cates
Attachments: [Proclamation](#)

PRESENTATIONS

City Attorney's Report

City Manager's Report

CONSENT AGENDA*

*Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member or citizen, in which event the item will be removed from the order and considered in its normal sequence on the agenda. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.

MINUTES

6 *February 22, 2012 (Regular)

Attachments: [Minutes](#)

7 *March 6, 2012 (Regular)

Attachments: [Minutes](#)

RESOLUTIONS

8 *Opposing the introductions of genetically-altered mosquitoes until further research is provided and approved.

Sponsors: Commissioner Weekley
Attachments: [Resolution](#)

- 9 *Naming Kirby Congdon as the first Poet Laureate of the City of Key West.
- Sponsors:** Commissioner Weekley
- Attachments:** [Resolution](#)
[Poem - Key West Cemetery](#)
[Key West Poetry Guild Recommendation](#)
[Keys Council of the Arts Recommendation](#)
[Onett Johnson - Sippin' Coffeehouse Recommendation](#)
[Kirby Congdon Bio](#)
[Bibliography](#)
- 10 *Approving and Authorizing the City Manager to execute the attached agreement between the City of Key West, Florida and the Conch Republic Independence Celebration, AIDS Help, Inc. The Key West Cultural Preservation Society, Bourbon Street Pub, Petronia St. Neighborhood Association & Xena Fund for the 2012 Conch Republic Independence Celebration from April 20 through April 29, 2012. Granting an exemption from the noise control Ordinances pursuant to Section 6-86 of the Code of Ordinances during the celebration; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Agreement](#)
[Advertisement](#)
[World's Longest Parade](#)
[*Large File* Cultural Preservation Society Street Fair](#)
[*Large File* Drag Races](#)
[*Large File* Bed Races](#)
[*Large File* Pet Stroll](#)
- 11 *Granting a Special Event permit pursuant to Section 6-86 of the Code of Ordinances to the Key West Performing Arts Company for a Island Roots Festival during the Conch Republic Independence Celebration at 804 Whitehead Street from the hours of 10:00 a.m. to 10:00 p.m. on Friday, April 20, 2012 and Saturday, April 21, 2012.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Application](#)
[Advertisement](#)
- 12 *Granting a Special Event permit pursuant to Section 6-86 of the Code of Ordinances to the Turtle Kraals Restaurant at 231 Margaret Street for

a Howard Livingston Band concert during the hours of 5:00 p.m. to 10:00 p.m. on Saturday, April 21, 2012.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Advertisement](#)

13

*Authorizing La Te Da Redux, Inc. to conduct the Queen Mother Pageant on Monday, May 14, 2012 from 6:00 p.m. to 11:00 p.m.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 1100 block of Duval Street from 12:00 Noon to 12:00 Midnight; Granting a Special Event permit pursuant to Section 6-86 of the Code of Ordinances from 7:00 p.m. to 10:30 p.m. (Sound Check at 4:00 p.m. to 4:30 p.m.); Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Advertisement](#)

14

*Approving the City Clerks Performance Evaluation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Evaluation Form](#)
[Commissioner Johnston's Evaluation](#)
[Commissioner Lopez's Evaluation](#)
[Commissioner Wardlow's Evaluation](#)
[Commissioner Weekley's Evaluation](#)
[Commissioner Yaniz's Evaluation](#)
[Mayor Cates's Evaluation](#)
[Performance Evaluation calculation worksheet](#)

15

*Adjusting rates for liveaboard, commercial and recreational leases at the City Marina at Garrison Bight.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Capital Improvement Needs 2012](#)

Legislative History

3/6/12 City Commission Postponed

16

*Approving the attached form of "Key West City Marina at Garrison Bight Charterboat Dockage Agreement" (five-year term).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Charterboat Agreement](#)

Legislative History

3/6/12 City Commission Postponed

- 17 *Approving the form of the attached "City Marina at Garrison Bight Commercial Dockage Agreement" (one-year term).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Garrison Bight Commercial Dockage Agreement](#)

Legislative History

3/6/12 City Commission Postponed

- 18 *Approving the attached "Agreement to Furnish Professional Services for Monitoring of Debris Removal and Related Services to the City of Key West" between the City and Science Applications International Corporation (SAIC), in response to the ranked responses to RFP #011-08.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Science Applications International Corp. proposal Agreement](#)

- 19 *Extending the contract for Sidewalk Enhancements Phase IV - Virginia Street Sidewalks and Appelrouth Lane Sidewalks with Charley Toppino and Sons, Inc. until April 20, 2012.

Attachments: [Resolution](#)
[Executive Summary](#)

- 20 *Extending the contract for Sidewalk Enhancements Phase V - Eisenhower Drive Sidewalks, Telegraph Lane Sidewalks and Petronia Street/Whitehead Ramps with Charley Toppino and Sons, Inc. until April 20, 2012.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)

- 21 *Extending the contract for Sidewalk Enhancements Phase VI - Duck Avenue Sidewalks project with Charley Toppino and Sons, Inc. until

April 20, 2012.

Attachments: [Resolution](#)
[Executive Summary](#)

- 22 *Extending the contract for Sidewalk Enhancements Phase VII - Leon Street Sidewalks project with Charley Toppino and Sons, Inc. until April 20, 2012.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)

- 23 *Approving a month-to-month extension to the contract for utility bill printing with Local Enterprises, Inc. (formally known as Barrett and Company, Inc. and Barrett Printing and Promotions) to a total not to exceed \$45,000.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 11-127](#)
[Resolution 05-361](#)

- 24 *Extending the contract for College Road enhancements project number GN0711 with Charley Toppino & Sons, Inc. to April 30, 2012.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 11-185](#)
[Substantial Completion College](#)

- 25 *Extending the contract for Atlantic Boulevard enhancements project No. GN 0710 with Charley Toppino and Sons, Inc. until April 30, 2012.

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 10-338](#)
[Atlantic Blvd Enhancements Substantial Completion](#)

- 26 *Accepting the Bid of Douglas N. Higgins, Inc., for the construction of the Glynn Archer/14th Street Roadway reconstruction (Project #420042-1) in the amount of \$2,686,659.78.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[City Clerk Bid memo](#)
[Bid Check Sheet](#)
[*Large File* DN Higgins Proposal](#)
[*Large File* Charley Toppino & Sons proposal](#)
[Resolution 09-218](#)

- 27 *Authorizing a supplemental LAP Agreement between the City of Key West and FDOT in the amount of \$792,000.00 for the Glynn Archer Drive / 14th St. Roadway reconstruction project (EN 1004); Approving necessary budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Supplemental LAP Agreement](#)
[Resolution 09-218](#)

- 28 *Authorizing pursuant to Section 2-771 (3)c of the Code of Ordinances the disposal/demolition of the parking attendant booth at the Mallory Square parking lot entrance (City Asset # 980240 and 980241).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Finance Asset email](#)
[HARC Approval Letter](#)
[Property Disposal Form 1](#)
[Property Disposal Form 2](#)
[Monroe County Property Appraiser Card](#)
[East Photo](#)
[North Photo](#)
[West Photo](#)
[South Photo](#)

- 29 *Awarding the Bid of Ebsary Foundation Company, Inc. in a total amount not to exceed \$3,278,882.00 for repairs to Navy Mole Bulkhead 497; Approving necessary budget transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Attachment 1 Navy In-Kind Approval Letter](#)
[ITB 12-007 Invitation to Bid](#)
[Technical Specifications](#)
[Addendums 1 through 5](#)
[*Large File*Drawings Repair to Navy Mole](#)
[City Clerk's Bid summary memo](#)
[Agreement](#)
[*Large File* Ebsary Foundation Company proposal](#)
[American Bridge Company proposal](#)
[Cayo LLC. proposal](#)
[DN Higgins Inc. proposal](#)
[Metro Equipment Service, Inc. proposal](#)
[Orion Marine Construction proposal](#)
[OTAK Group Inc/Michael Miller Architect proposal](#)
[*Large File*Shoreline Foundation proposal](#)

- 30 *Approval of Task Order NO. 5-12 - Ports from CH2M HILL Engineering, Inc. in an amount not to exceed \$49,350.00 for Engineering Services for evaluate, test and develop a statement of work for repairs to the Navy Mole Electrical System.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Task Order](#)
[Endorsement Letter](#)
[Testing & Evaluation of Navy switchgear](#)
[Resolution 10-287](#)
[Resolution 7-331](#)

- 31 *Authorizing the payment of \$356,052.00 towards the required minimum City funding contribution for FY ending September 30, 2011 to the Police Officer's and Firefighter's Retirement Plan.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[KWPF Actuarial Report Plan\(Final\)](#)
[KWPF Actuarial Report Plan 9-30-11](#)

- 32 *Approving the attached Worker's Compensation Settlement Agreement between George Villareal and the City of Key West in the amount of \$25,000.00; Authorizing the City Manager to execute settlement

documents.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
[Memorandum](#)
[Adjuster Notes](#)
[Settlement Agreement and Release](#)

- 33 *Authorizing the Settlement of Jessica Burke v. City of Key West, Case Number 2011-CA-148-K; Authorizing the City Manager to execute settlement documents.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
[Memorandum of Settlement](#)

- 34 *Authorizing Task Orders numbers Six (6) through Eleven (11) to mbi-k2m Architecture, Inc. in an amount not to exceed \$175,750.00, for the Planning, Design, Contract Administration and Contract Closeout Services required for the construction of a stand-alone Fire Station #2, to include adjoining site development and bus shelter pursuant to the Agreement approved in Resolution No. 08-253, and extended in Resolution No. 12-070.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Angela St Fire St Task Orders 6-11](#)
[Angela St Fire St Task Orders 6-11 - AE Fee Summary](#)
[Resolution 12-071](#)
[Angela St Fire Station Concept Study](#)
[Resolution 12-070](#)
[Resolution 09-133](#)
[Resolution 08-253](#)

- 35 *Approving the attached Easement Agreement with the Monroe County School District to construct an elevated generator platform and control panel for a Stormwater Pump Station in the vicinity of the HOB property.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Easement and School Board Approval](#)
[Easement Request from City Manager](#)
[Survey for Easement](#)

- 36 Approving the attached "Agreement for Conveyance of Real Property" between the City and School Board of Monroe County, Florida.
- Sponsors:** Mayor Cates
- Attachments:** [Resolution](#)
[Agreement](#)
[Property Value College Road](#)
[Draft Lease](#)
- Legislative History**
- | | | |
|---------|-----------------|-----------|
| 3/20/12 | City Commission | Postponed |
|---------|-----------------|-----------|
- 37 Supporting Keys Energy Services' efforts to remove electrical facilities from inaccessible locations; Waiving Permit Fees for certain electrical work; Directing the City Manager to facilitate customer upgrades; Supporting efforts to remove additional facilities so excess poles can be removed in a timely manner.
- Sponsors:** Commissioner Yaniz
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Storm Hardening Presentation to City](#)
[*LARGE FILE* Support Documents](#)
- Legislative History**
- | | | |
|--------|-----------------|-----------|
| 3/6/12 | City Commission | Postponed |
|--------|-----------------|-----------|
- 38 Approving a Minor Development Plan for real property located at 313 Margaret Street; Providing for Conditions, Providing for an effective date.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Planning Board Resolution 2012-06](#)
[Application](#)
[Mailing list](#)
[HARC Approval](#)
[Site Plans](#)
[Public Comments \(Rev 2/16/12\)](#)
[Citizen Letters](#)
[Email From Owner Regarding use of rear structure](#)
- Legislative History**
- | | | |
|----------|------------------------------|--------------------|
| 11/18/11 | Development Review Committee | Received and Filed |
| 2/16/12 | Planning Board | Passed |
| 3/20/12 | City Commission | Postponed |

- 39 Granting a Major Development Plan for property located at Nelson English and Willie Ward Parks in the HMDR and the HHDR Zoning Districts - 306 Catherine Street (RE# 00026460-000000), 304 Catherine Street (RE# 00026470-000000, 00026480-000000), 300 Louisa Street (RE# 00026500-000000), 307 Louisa Street (RE# 00026490-000000, 00026510-000000, 00026520-000000), 250 Amelia Street (RE# 00026610-000000, 00026610-000100), Key West, Florida.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Planning Board Resolution 2012-07](#)
[Planning Board Package and Application](#)
[Survey & Site Plans](#)
[Property Appraiser Record Cards](#)

Legislative History

10/27/11	Development Review Committee	Received and Filed
2/16/12	Planning Board	Passed
3/20/12	City Commission	Postponed

- 40 Approving the attached "Amendment No. 2 to the Interlocal Agreement between Monroe County and the City of Key West, for joint participation in Grant Agreement No. ARS010"; Authorizing the City Manager to execute the necessary documents.

Proposed Add-on

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Amendment EECBG](#)
[Resolution 10-303](#)
[Resolution 11-267](#)

ORDINANCES – FIRST READING

- 41 An Ordinance of the City Commission of the City of Key West, approving an amendment to the Historic Architectural Review Commission guidelines for solar energy collectors or other energy production devices as referenced in Section 90-142 of the Code of Ordinances of the City of Key West, Florida; and providing an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Planning Board Resolution 2011-051](#)

Legislative History

11/16/11 Planning Board Passed

42

An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code or Ordinances entitled "Wreckers and Towing Service" by amending Section 70-654 to clarify required equipment for the City tow rotation list; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT