

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE SETTLEMENT OF REEFMAKERS, LLC V. CITY OF KEY WEST, CASE NUMBER CASE NO. 2010-CA-1256-K; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

Whereas, Reefmakers provided services for the City of Key West related to the sinking of the Vandenberg commencing in January 2009; and

Whereas, the City and Reefmakers disagreed over the value of Reefmakers' services to the City of Key West; and

Whereas, Reefmakers claimed that the City of Key West owed \$143,304.38 to Reefmakers; and

WHEREAS, the City of Key West has \$90,677.09 in reimbursable state grant funds remaining available to it to complete the Vandenberg project; and

WHEREAS, Reefmakers has agreed to accept these grant funds in full satisfaction of any and all claims.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the City Manager, with the advice and consent of the City Attorney, is authorized to execute all settlement documents necessary to effectuate the \$90,677.09 payment to Reefmakers in satisfaction of all claims.

Section 2: That the City Manager is authorized to execute the final settlement documents consistent with this Resolution with the counsel of the City Attorney.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2011.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2011.

Filed with the Clerk on _____, 2011

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK