



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail City Commission

Tuesday, May 18, 2010

6:00 PM

Commssion Chambers

CALL MEETING TO ORDER

ROLL CALL

INVOCATION-Chaplin Dorman Dowling, Naval Air Station

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS (Mayor Cates)

- 1 Ed Gartenmayer
Sponsors: Cates
Attachments: [Commendation-Ed Gartenmayer](#)

PROCLAMATIONS (Mayor Cates)

- 2 Irma Quigley Goodwill Ambassador
Attachments: [Irma Quigley](#)
- 3 Haitian Flag Day
Attachments: [Key West Haitian Flag Day](#)

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.**

- 4 Authorizing Sister Season Fund Inc. the use of the Southernmost Beach at 1405 Duval Street for the 33rd Annual Survivors Party on Monday, May 31, 2010 from 4:00 P.M. to Sunset; Authorizing the sale and consumption of alcoholic beverages within the barricaded area. (City Manager)
Attachments: [sister season fund.PDF](#)
- 5 Granting a Special Event Permit pursuant to section 6-86 of the Code of Ordinances to Bourbon Street Pub for an event to take place during the hours of 7:00 p.m. to 12:00 midnight at 724 Duval Street on Thursday, June 10, 2010 and Friday, June 11, 2010. (City Manager)
Attachments: [Bourbon Street Noise exemption.PDF](#)
- 6 Authorizing Key West Business Guild to conduct a Pridefest Celebration on June 12 & 13, 2010; Authorizing the Key West Business Guild to conduct numerous events starting with a street fair on Saturday, June 12, 2010 on the 700 & 800 blocks of Duval Street from 10:00 A.M. to 12 midnight; A Pridefest Parade on Sunday, June 13, 2010 from 2:00 P.M. to 4:00 P.M. starting at Truman Annex going left on Whitehead Street, right on Duval and ending at the end of the 1100 block of Duval Street; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area; Authorizing the closure of the 700 & 800 blocks of Duval Street; Granting an exemption from the Noise Control Ordinance pursuant to section 6-86 of the Code of Ordinances during the event. (City Manager)
Attachments: [PRIDEFEST ALCOHOL.PDF](#)
- 7 Approving the first amendment to the inter-local agreement with the Board of County Commissioner for Monroe County (BOCC) on behalf of the Tourist Development Council (TDC) to exercise an option to extend the agreement for a five (5) year period for funding in an amount up to \$380,000.00 per year for cleaning and maintenance of Smathers Beach and Rest Beach. (City Manager)
Attachments: [Res. Maintenance of Smathers & Rest Beach.pdf](#)
[Executive Summary](#)
[Beach cleaning costs 5-year projections](#)
[Resolution 05-218 approval of TDC grant app](#)
[TDC beach cleaning amendment](#)
[TDC interlocal for Smathers.Rest beach cleaning](#)
[FYI - signed routing sheet](#)
- 8 Approving amendment #1 to the Florida Department of Environmental Protection (FDEP) Grant Agreement #08MO2 for Rest Beach Re-nourishment. (City Manager)

Attachments: [Resolution approving amendment #1](#)
[Exec sum extend Rest Beach FDEP grant.pdf](#)
[Resolution 09-019 Rest Beach grant approval.pdf](#)
[Amendment # 1 08MO2.pdf](#)

- 9 Approving amendment #2 to the Florida Department of Environmental Protection (FDEP) Grant Agreement #06MO1 for Smathers Beach re-nourishment. (City Manager)

Attachments: [Resolution Smathers Beach Renourishment.pdf](#)
[Revised Executive summary to extend Smathers Beach FDEP grant](#)
[Resolution 06-384 FDEP Smathers and Rest Beach Remourishment \\$660000](#)
[cover letter Amendment 2 06MO1.pdf](#)
[Amendment #2 06MO1.pdf](#)

- 10 Approving amendment #2 to Task Order 1-08-SWR for CDM, Inc. in an amount not to exceed \$49,991.00 for additional services related to the design, permitting and construction management of a diffused aeration system at the Richard A. Heyman Environmental Protection Facility. (City Manager)

Attachments: [Resolution](#)
[Exec. Summary.pdf](#)

- 11 Accepting the Proposal of Tropical Soup Corporation for Parcels 1, 2, 3 and 4 at Mallory Square (Cable Hut, Hospitality House and Mallory Square); Authorizing the City Manager to enter into negotiations for the lease of those parcels. (City Manager)

Attachments: [Res. Lease at Mallory Square.pdf](#)
[Tropical Soup.pdf](#)
[Tropical Shell.pdf](#)
[Pete's Fish House.pdf](#)

RESOLUTIONS

- 12 Approving the City Attorney Performance Evaluation. (City Attorney)

Attachments: [Evaluation.pdf](#)

- 13 MAJOR DEVELOPMENT: 3200 BLOCK OF DUCK AVENUE
Authorizing a Major Development Plan and Conditional Use to construct a 16-bed managed-care facility in the Poinciana Housing special needs area; Providing conditions. (City Manager)

Attachments: [Res. Major Development.pdf](#)
[20100518 CC Pkg Casa de Meredith](#)
[City Commission Site Plans.pdf](#)

ORDINANCE – FIRST READING

- 14 An Ordinance of the City of Key West, pursuant to Section 8.01 of the Key West

Charter, proposing that Section 6.01 of the Key West Charter be amended to provide that runoff elections if necessary, shall be held on the first Tuesday following the first Monday in November between the two candidates receiving the greatest number of votes; Setting the General Election of November 2, 2010, as the date of Referendum; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Mayor Cates)

Attachments: [Change in election date.pdf](#)

- 15 An Ordinance of the City of Key West, Florida, amending Chapter 42 of the Code of Ordinances entitled "Miscellaneous Offenses" by amending Section 42-9 to provide for an exemption from the nudity prohibition in areas specifically designated for that purpose by Resolution of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Commissioner Johnston)

Attachments: [Ord Exemption from Prohibiton in Nudity](#)

- 16 An Ordinance of the City of Key West, Florida, amending Chapter 10 of the Code of Ordinances entitled "Animals"; Creating Section 10-107 entitled "Dogs in Public Food Service Establishments"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Commissioner Weekley)

Attachments: [Ord. Dogs in Public Food Service Establishment.pdf](#)

- 17 An Ordinance of the City of Key West, Florida, amending Section 58-34 of the Code of Ordinances entitled "Collection and Disposal, Unlawful Disposal" by Adding subsection (f) to prohibit the storing or disposing of certain materials in vehicles or trailers; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Commissioner Weekley)

Attachments: [Ord. Unlawful Disposal.pdf](#)

- 18 An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Parking, Stopping and Standing" by amending Section 70-116 to prohibit the storing or disposing of certain materials in vehicles or trailers, and by amending Section 70-121 to provide for revised and added penalties for violations of provisions of Chapter 70; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (Commissioner Weekley)

Attachments: [Ord. Storage of Trash Trailers.pdf](#)

ORDINANCE - SECOND READING

- 19 An Ordinance of the City Commission of the City of Key West, amending Chapter 108 of the Code of Ordinances entitled "Planning and Development" by amending Article X Part B, Land Development Regulations, Building Permit Allocation and Vested Right, Division 1; Amending Section 108-995 pertaining to renewal of allocations; Amending Section 108-996 pertaining to beneficial use; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

Attachments: [Ordinance - Second Reading.pdf](#)

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT