



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail City Commission

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Tuesday, September 18, 2012

6:00 PM

Old City Hall

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Revised Agenda September 14, 2012

**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**

**ORDINANCES - SECOND READING (Public Hearing)**

**1** An Ordinance of the City of Key West, Florida, Adopting an Ad Valorem Tax General Municipal Millage Rate for FY 2012-2013; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Vitas

**Attachments:** [Ordinance](#)

**Legislative History**

9/6/12 City Commission Passed to Second Reading

**RESOLUTIONS**

**2** Adopting the Final Budget for FY 2012-2013 and providing appropriations in accordance therewith.

**Sponsors:** City Manager Vitas

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Fiscal Year 2012/2013 Budget Summary - All Funds by Category](#)  
[General Fund - Revenues](#)  
[General Fund Expenditures - City Commission](#)  
[General Fund Expenditures - City Manager](#)  
[General Fund Expenditures - City Clerk](#)  
[General Fund Expenditures - Citizen Review Board](#)  
[General Fund Expenditures - Parking](#)  
[General Fund Expenditures - Finance](#)  
[General Fund Expenditures - Human Resources](#)  
[General Fund Expenditures - Information Technology](#)  
[General Fund Expenditures - Channel 77](#)  
[General Fund Expenditures - City Attorney](#)  
[General Fund Expenditures - City Planner](#)  
[General Fund Expenditures - Non Departmental](#)  
[General Fund Expenditures - Civil Service Board](#)  
[General Fund Expenditures - Elections](#)  
[General Fund Expenditures - Fleet Service Management](#)  
[General Fund Expenditures - Public Works](#)  
[General Fund Expenditures - Engineering](#)  
[General Fund Expenditures - Facilities Maintenance](#)  
[General Fund Expenditures - Disaster Recovery](#)  
[General Fund Expenditures - Police Department](#)  
[General Fund Expenditures - Local Law Enforcement Grants](#)  
[General Fund Expenditures - Fire Department](#)  
[General Fund Expenditures - Building Department](#)  
[General Fund Expenditures - Code Compliance](#)  
[General Fund Expenditures - Emergency Preparedness](#)  
[General Fund Expenditures - Tree Commission](#)  
[General Fund Expenditures - Port Operations](#)  
[General Fund Expenditures - Truman Waterfront](#)  
[General Fund Expenditures - Homeless Services](#)  
[General Fund Expenditures - Parks and Recreation](#)  
[General Fund Expenditures - Cultural Preservation Society](#)  
[Infrastructure Surtax Fund - Revenues](#)  
[Infrastructure Surtax Fund - Expenditures](#)  
[Gas Tax Fund - Revenues](#)

[Gas Tax Fund - Expenditures](#)  
[Fort Taylor Surcharge Fund - Revenues](#)  
[Fort Taylor Surcharge Fund - Expenditures](#)  
[Law Enforcement Trust Fund - Revenues](#)  
[Law Enforcement Trust Fund - Expenditures](#)  
[Capital Projects Fund - Revenues](#)  
[Capital Projects Funds - Expenditures](#)  
[Sewer Fund - Revenues](#)  
[Sewer Fund - Expenditures](#)  
[Stormwater Fund - Revenues](#)  
[Stormwater Fund - Expenditures](#)  
[Solid Waste Fund - Revenues](#)  
[Solid Waste Fund - Expenditures](#)  
[Key West Bight Fund - Revenues](#)  
[Key West Bight Fund - Expenditures](#)  
[Transit - Revenues](#)  
[Transit - Expenditures](#)  
[Garrison Bight - Revenues](#)  
[Garrison Bight - Expenditures](#)  
[Insurance Programs - Revenues](#)  
[Insurance Programs - Expenditures](#)  
[Bahama Village /Caroline Tax Increment Fund - Revenues](#)  
[Bahama Village / Caroline Tax Increment Fund - Expenditures](#)  
[Navy Outer Mole Fund - Revenues](#)  
[Navy Outer Mole Fund - Expenditures](#)  
[Project Index](#)

## PROCLAMATIONS

- 3 National Recovery Month
- Sponsors:** Commissioner Weekley and Mayor Cates  
**Attachments:** [Proclamation](#)

## PRESENTATIONS

- 4 Cruise Ship Information and Education by Ms. Jennifer Hulse,  
Co-Chairperson of the Cruise Ship Committee for the Key West  
Chamber of Commerce
- Sponsors:** City Manager Vitas

- 5 30 Year Service Award and Retirement Recognition for Frank Sauer -  
Key West Police Captain

Sponsors: City Manager Vitas

**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 \*July 31, 2012 (Workshop)

Attachments: [Minutes](#)

#### RESOLUTIONS

- 7 \*Authorizing the submission of a competitive grant application in the housing category to the Florida Department of Economic Opportunity Small Cities Community Development Block Grant Program; Authorizing acceptance of the grant, if awarded; Authorizing the Mayor and/or City Manager to execute the application, award agreement, program documents, reports, and close out documentation.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)  
[Form for agenda item](#)

- 8 \*Authorizing the expenditure of Disaster Recovery Grant Funds on Community Development Block Grant (CDBG) eligible activities as leverage for the 2012 Florida Small Cities CDBG Housing Rehabilitation application.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)  
[Form for agenda item](#)

- 9 \*Approving the attached amended Small Cities Community Development Block Grant Program Housing Assistance Plan for the City of Key West as required by the Department of Economic Opportunity

and the Small Cities Community Development Block Grant Program-Housing Category.

**Sponsors:** City Manager Vitas

**Attachments:** [Resolution](#)  
[Supporting Document](#)  
[Form for agenda item](#)

- 10 \*Authorizing \$3,000.00 donation from the Law Enforcement Officers Trust Fund (State forfeiture funds) to the Key West Police Athletic League summer and holiday camp program.

**Sponsors:** City Manager Vitas

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

- 11 \*Approving the attached Mutual Aid Agreement between the City of Key West and the Monroe County School District regarding a School Resource Officer at Key West High School for the 2012-2013 school year.

**Sponsors:** City Manager Vitas

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Supporting Document](#)

- 12 \*Approval of Task Order 7-12-Ports from CH2M Hill for Engineering Services for the Design and Preparation of Bid Documents for Mole Pier Floating Dock and Fueling Station in a total amount not to exceed \$49,350.00; Approving necessary Budget amendments.

**Sponsors:** City Manager Vitas

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order](#)  
[Domestic Partnership Compliance letter](#)  
[In-Kind Request Letter](#)

- 13 Approving the attached "Contract for Sale and Purchase" of real property commonly known as 529 Front Street (RE Number 00072082-000600); Providing conditions.

**Sponsors:** City Manager Vitas

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Contract for Sale and Purchase](#)  
[Estimated Settlement Statement](#)  
[Pier House Venture Group Ltr. Dated August 23, 2012](#)  
[Pier House Venture Group Ltr. Dated July 17, 2012](#)  
[Resolution 12-171](#)  
[Pier House Venture Group Ltr. Dated May 4, 2012](#)

14

**Quasi-Judicial Hearing**

Approving an Easement of approximately 74.1 Square Feet to address the encroachment of a roof overhang for a commercial structure located at 812 Caroline Street, Key West, Florida (RE # 00003150-000000); Providing fees and conditions.

**Sponsors:** City Manager Vitas

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Agreement](#)  
[Easement Package](#)  
[Site Photos](#)

**Legislative History**

7/26/12	Development Review Committee	Received and Filed
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15

**Quasi-Judicial Hearing**

Approving an Easement of 168 square feet to address the encroachment of a fence, overhang, and concrete slabs that runs along Robert's Alley for a commercial structure located at 812 Caroline Street, Key West, Florida (RE# 00003150-000000); Providing fees and conditions.

**Sponsors:** City Manager Vitas

**Attachments:** [Executive Summary](#)  
[Easement package](#)  
[Site Photos](#)

**Legislative History**

7/26/12	Development Review Committee	Received and Filed
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16

**Proposed Add-On Item**

Urging the Florida Housing Finance Corporation to review and reverse a proposed change to the 2013 application and program requirements for the MMRB Programs, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.), in order to provide an allowance for a Florida Keys Priority Set Aside.

**Sponsors:** Mayor Cates  
**Attachments:** [Resolution](#)  
[Supporting document](#)

#### ORDINANCES - SECOND READING (Public Hearing)

- 17 An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled "Environment" by amending Section 26-193 entitled "Exceptions" to clarify and update exemptions to the Sound Control Ordinance; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Yaniz  
**Attachments:** [Ordinance](#)

**Legislative History**

9/5/12 City Commission Passed to Second Reading

- 18 An Ordinance of the City of Key West, Addressing the compatibility of lands adjacent to or closely proximate to military installations in the future land use element in the City of Key West Comprehensive Plan; Revising Policy 1-3.9.1, and creating Policy 1-3.9.2, Policy 1-3.9.3, Policy 1-3.9.4, Policy 1-3.9.5, Policy 1-3.9.6, and Policy 1-3.9.7; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State and for an effective date; Providing for the inclusion in the City of Key West Comprehensive Plan.

**Sponsors:** City Manager Vitas  
**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[ORC Report](#)  
[CC Minutes 20120320](#)  
[Planning Board Resolution 2012-05](#)  
[Planning Board Minutes](#)  
[DCA Request dated August 4, 2011](#)  
[Data & Analysis](#)  
[Exhibit 1 - CNIC Land Acreage](#)  
[Exhibit 2 - KW Chamber MC Major Employees](#)  
[Exhibit 3 - KW & MC Demographics](#)  
["Large File" Exhibit 4 - 2007 AICUZ Study](#)  
[Exhibit 5 - Encroachment Challenges](#)

Legislative History

1/19/12	Planning Board	Postponed
2/16/12	Planning Board	Passed
3/20/12	City Commission	Passed to Second Reading

19

An Ordinance of the City of Key West, Florida, proposing amendments to the Future Land Use Element and Future Land Use Map series of the City of Key West Comprehensive Plan for property known as the Peary Court Housing Complex (RE#00006730-000000, Alternate Key# 1006963); Amending the Future Land Use Map legend and Density and Intensity of Development, amending Map 1-1, Map 1-4 and Map 1-6 of the Future Land Use Map series; Providing for a Residential Density of 8.6 units per acre, creating Policy 1-1.6.4; And Policy 1-2.3.11 to provide for the integration of the Military site into the community; And to define a new Future Land Use Map designation of " Historic Special Medium Density Residential" (HSMDR) and applying such designation to said property; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State and for an effective date; And providing for the inclusion in the City of Key West Comprehensive Plan.

Sponsors: City Manager Vitas

Attachments: [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution 2012-16](#)

[Planning Board Package](#)

[Comprehensive Plan Objectives & Policies](#)

[\\*Large File\\* Data & Analysis](#)

[Processing Schedule](#)

[ORC Report](#)

[Planning Board Noticing & Advertising](#)

[Updated Survey](#)

[Public Comment](#)

[DEO Revocation of Affordability for PC](#)

[May 29, 2012 Commission minutes](#)

Legislative History

1/26/12	Development Review Committee	Received and Filed
2/23/12	Development Review Committee	Received and Filed
4/19/12	Planning Board	Passed
5/15/12	City Commission	Postponed
5/29/12	City Commission	Passed to Second Reading

20

An Ordinance of the City of Key West amending the Land Development



Regulations, and the Official Zoning Map for property known as the Peary Court Housing Complex (RE# 00006730-000000, Alternate Key# 1006963) Amending the Official Zoning Map Legend; Amending Chapter 122, Article IV, to create a new Historic Special Medium Density Residential District (HSMDR), providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; Providing for a residential density of 9 8.6 units per acre; Amending Chapter 122, Article V, providing amendments to the tables of uses and dimensional requirements for Historic Special Medium Density Residential District (HSMDR); Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Vitas

**Attachments:** [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution & Proposed Ordinance](#)

[Planning Board Staff Report & Package](#)

[Recommended FLUM Amendment Ordinance](#)

[\\*LARGE FILE\\* Data and Analysis Report](#)

[Resolution 11-325](#)

[Peary Court Memo Re-zoning Process](#)

[Draft 2012 Data and Analysis](#)

[DEO Letter on Affordable Housing Units](#)

[ORC Report](#)

[Processing Schedule](#)

[Mailing List](#)

[Survey](#)

[Updated Survey](#)

**Legislative History**

7/19/12	Planning Board	Passed
8/7/12	City Commission	Withdrawn
9/5/12	City Commission	Passed to Second Reading

21

An Ordinance of the City of Key West, Florida, amending Chapter 58 of the Code of Ordinances entitled "Solid Waste" by amending Section 58-64 to adjust Navy Generated Solid Waste Rates; Amending Section 58-65 to adjust Residential Rates; Amending Section 58-66 to adjust Commercial Solid Waste Rates; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Vitas

- Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[FY 2013 Solid Waste Budget Presentation](#)  
[FY 2013 Solid Waste Budget Projected Revenues](#)  
[FY 2013 Solid Waste Budget Projected Expenditures](#)

**Legislative History**

9/5/12	City Commission	Passed to Second Reading
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**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**