



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, March 6, 2012

6:00 PM

Old City Hall

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

6:00 P.M.

ROLL CALL

Present 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

INVOCATION: Rev. Sarah Fowler, St. Peter's Episcopal Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

- 1 National Week of Prayer for the Healing of AIDS in the City of Key West

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

- 2 Mosquito Control - Genetically Modified Male Mosquitoes - Mike Doyle

Sponsors: City Manager Scholl

Received and Filed

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.**

RESOLUTIONS

- 3 *Appointing Jose L. Pichardo to the Tree Commission.
- Sponsors:** Mayor Cates
- Passed**
- Enactment No: Res 12-077
-
- 4 *Authorizing Mr. Z's to conduct a block party fundraiser for the Wesley House on Sunday, April 1, 2012 starting at 12:00 Noon to 4:00 P.M.; Authorizing the closure of the 500 block of Southard Street between Duval Street & Bahama Street; 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.
- Sponsors:** City Manager Scholl
- Postponed to March 20, 2012**
- Enactment No:
-
- 5 *Authorizing 551 Teen Club of Key West to conduct a reunion at Bayview Park on Friday, August 3, 2012 from 5:00 P.M. to 11:00 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 from 5:00 P.M. to 11:00 P.M.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 12-078

- 6 *Authorizing the execution of the attached Modification Number Two to "Federally Funded Subgrant Agreement" Contract Number 11HM-2V-11-54-02-004 (State FEMA Project No: HMGP 1539-47-R; State Project No: 1539-116) with the State of Florida Division of Emergency Management (FDEM) for Phase I FEMA Funding for East Front Street Flood Mitigation Project, to reinstate and extend the period of performance.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 12-079

- 7 *Authorizing the City Manager to enter into an Agreement with Federal National Mortgage Association and BAC Home Loans Servicing, LP (f/k/a Countrywide Home Loans Servicing, LP), property owner(s) in Code Compliance Case Number CES-07-2197 (3015 Riviera Drive) permitting a Release of Lien upon payment by the owners of a mitigated amount of \$176.50.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 12-080

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

Sponsors: City Manager Scholl

Postponed to April 3, 2012

Enactment No:

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

Postponed to April 3, 2012

Enactment No:

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

Postponed to April 3, 2012

Enactment No:

- 11 *Accepting pursuant to Section 2-797(3) of the Code of Ordinances the attached proposal of Garber Automall in the total amount of \$51,626.00 for two police patrol vehicles for use by the Key West Police Department.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 12-081

Approval of the Consent Agenda

A motion was made by Commissioner Rossi, seconded by Commissioner Weekley to Approve the Consent Agenda. The motion carried unanimously.

- 12 Approving and Authorizing the Petronia St. Neighborhood Association, Inc. to conduct a Goombay Festival on October 19 & 20, 2012 from 12:00 Noon to 12:00 Midnight; Authorizing the closure of Petronia Street between Duval Street and Fort Street including the Truman Waterfront Recreational Fields; Authorizing the consumption of alcoholic beverages within the barricaded area of the Festival; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the Festival.

Sponsors: City Manager Scholl

A motion was made by Commissioner Lopez, seconded by Commissioner Yaniz, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 12-082

- 13 Approving a Sound Control Ordinance Waiver for Coastal Construction for the construction of the Horace O'Bryant School.

Sponsors: City Manager Scholl

A motion was made by Commissioner Johnston, seconded by Commissioner Rossi, that the Resolution be Approved As Amended. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 12-083

- 14 Approving a two (2) year extension to the Agreement with Gray Robinson Attorneys at Law to serve as the City's Florida Government Lobbyist.

Sponsors: City Manager Scholl

A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 12-084

- 15 Approving a five-year lease with the Bahama Village Music Program, Inc. for property located at 103 Olivia Street.

Sponsors: City Manager Scholl

A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 12-085

- 16 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

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Postponed to April 3, 2012. The motion carried by the following vote:

No: 1 - Commissioner Yaniz

Yes: 6 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

- 17 Authorizing an expenditure **not to exceed \$19,750.00** of ~~\$21,500.00~~ to Colin Baenziger & Associates for assistance with the recruitment and assessment of the next Key West City Manager in accordance with City Code Section 2-797(3); Approving budget transfers.

Sponsors: City Attorney Smith

A motion was made by Commissioner Weekley, seconded by Commissioner Johnston, that the Resolution be Approved As Amended. The motion carried by the following vote:

No: 2 - Commissioner Wardlow and Commissioner Yaniz

Yes: 5 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Weekley and Mayor Cates

Enactment No: Res 12-086

ORDINANCES - SECOND READING (Public Hearing)

- 18 An Ordinance of the City of Key West, Florida amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Section 70-372 entitled "Time Limits for Deliveries on Duval Street", to expand the defined area to include Simonton and Whitehead Streets; Amending Section 70-373 entitled "Time Limits for Deliveries within the Historic District" to expand the amended time restrictions to all other portions of the Historic District; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Johnston

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Ordinance be Adopted as Amended. The motion carried by the following vote:

Yes: 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Ord 12-06

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:43 P.M.