



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, July 1, 2014

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 305-809-3731 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

Absent 1 - Commissioner Yaniz

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

INVOCATION - Elder Pukahi Church of Jesus Christ Latter Day Saints

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PRESENTATIONS

1 United Way of the Florida Keys Update - Margie Smith, President

Sponsors: Commissioner Lopez

Received and Filed

2 Senior Residential Care Facility Request For Proposal
Manuel Castillo, Executive Director Key West Housing Authority

Sponsors: City Manager Vitas

Received and Filed

- 3 Compensation Study for the City of Key West - Evergreen Solutions, LLC

Sponsors: City Manager Vitas

Received and Filed

City Attorney's Report

**City Manager's Report
- FDOT Report - Dean Walters**

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

- 4 *June 3, 2014 (Regular)

Approved

- 5 *June 17, 2014 (Regular)

Approved

RESOLUTIONS

- 6 *Appointing Cheryl Smith to the Board of Trustees of the General Employees Retirement Plan.

Sponsors: Mayor Cates

Passed

Enactment No: Res 14-176

- 7 *Authorizing Sunrise Rotary Foundation of Key West, Inc. the use of City Property at 1405 Duval Street for a Brewfest Key West Festival on Saturday, August 30, 2014 from 3:00 P.M. to 8:00 P.M.; (Rain Date of Sunday, August 31, 2014); Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-177

- 8** *Approving and authorizing execution of the attached Agreement between the City of Key West and the Sunrise Rotary Foundation of Key West, Inc. for Charity Motorcycle Bike Week on September 19 & 20, 2014; Authorizing the closure of Duval Street from Angela Street to Front Street on Friday, September 19 & 20, 2014 from 10:00 A.M. to 2:00 A.M.; All cross streets shall remain open except Greene Street and Caroline Street between Elizabeth to Whitehead Streets; Authorizing the sale and consumption of alcoholic beverages within the barricaded area of the event; Granting an exemption from the Noise Control Ordinances pursuant to Section 6-86 of the Code of Ordinances during the event.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-178

- 9** *Authorizing A.H. of Monroe County, Inc. to conduct the Coronation of the King and Queen of Fantasy Fest at the Southernmost Beach Cafe at 1405 Duval Street on Friday, October 17, 2014 from 9:00 A.M. to 12:00 Midnight; Pursuant to terms and conditions set forth by the City Manager; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 P.M. to 12:00 Midnight; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-179

- 10** *Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow cumulative expenditures during FY 13-14 to Municipal Code Corporation for Code of Ordinance Supplements in a total amount not to exceed \$28,745.80.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-180

- 11 *Selecting Gray Robinson to provide State Government Relations Services pursuant to RFP #005-14; Directing the City Manager to negotiate and execute a Contract in substantial conformance with the documents contained in the RFP, upon advice and consent of the City Attorney.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-181
- 12 *Awarding the Bid of Mingo & Company, LLC in response to ITB #14-004: Fire Station Door Replacement in the amount of \$101,872.00.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-182
- 13 *To approve and authorize the acceptance of a 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) - Local Solicitation, in the amount of \$14,780.00, to allow for the purchase of specialized ballistic armor and minimal rapid response carriers for SRT, Patrol and K-9 Officers.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-183
- 14 *Accepting the Attached 2013 Emergency Shelter Grant Agreement #KPZ19 from the State of Florida Department of Children and Families in the amount of \$54,442.00; Authorizing a budget increase in the amount of \$54,442.00 to reflect receipt of Grant Funding to the General Fund; Authorizing the City Manager to execute the Contract upon consent of the City Attorney.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-184
- 15 *Designating the signatures of certain City Personnel for the withdrawal of City funds from First State Bank and other authorized depositories of City funds.
- Sponsors: City Attorney Smith
- Passed**

Enactment No: Res 14-185

- 16 *Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow an additional \$5,608.00 in cumulative expenditures during FY 13-14 to Host.Net Inc. for network connectivity services, resulting in a total amount not to exceed \$26,187.00.

Sponsors: City Attorney Smith

Passed

Enactment No: Res 14-186

Approval of the Consent Agenda

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

- 17 Approving and authorizing the execution of the attached Agreement between the City of Key West, Florida, and Super Boat International Productions, Inc. for the City of Key West World Championship Race from 2014 through 2018; Authorizing the sale and consumption of alcoholic beverages on City Property/Rights-of-way at the Truman Waterfront Park by not-for-profit organizations to be selected by Super Boat International Productions, Inc.; Authorizing the City Manager to issue a Letter of No Objection to the Department of Business and Regulation, Alcohol and Tobacco Division for the sale of alcoholic beverages each day by not-for-profit organizations on public property; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the boat races.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Yaniz

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

Enactment No: Res 14-187

- 18 Approving and authorizing the Bahama Village Goombay Festival, Inc. to conduct a Goombay Festival on October 17 and 18, 2014 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 Vitas

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

No: 1 - Commissioner Lopez

Absent: 1 - Commissioner Yaniz

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

Enactment No: Res 14-188

- 19 Approving and authorizing the Key West Goombay Festival, Inc. to conduct a Goombay Festival on October 17 & 18, 2014 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 Vitas

Withdrawn

- 20 **QUASI-JUDICIAL HEARING: Easement - 907 Frances Street**
Approving an easement along the rear property line on Havana Avenue in order to address encroachments of the eaves of the principal structure and detached bedroom; Providing conditions, for the property located at 907 Frances Street (RE# 00021700-000000; AK# 1022454).

Sponsors: City Manager Vitas

A motion was made by Commissioner Johnston, seconded by Commissioner Wardlow, that the Resolution be Passed as amended only for the encroachment of the eaves of the principal structure and detached bedroom with the conditions as detailed in Option 3 of the Executive Summary. The motion carried by the following vote:

No: 1 - Commissioner Weekley

Absent: 1 - Commissioner Yaniz

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

Enactment No: Res 14-189

ORDINANCES – FIRST READING

21

An Ordinance of the City of Key West granting an amendment to Section 9, and adding a related Exhibit A-1 to the Franchise Agreement between the City and Duck Tours Seafari, d/b/a Yellow Duck Tours to amend the type of sightseeing vehicles(s) permitted by the Franchise Agreement; Providing for severability; Providing for an effective date.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion failed by the following vote:

No: 4 - Commissioner Johnston, Commissioner Lopez, Commissioner Weekley and Mayor Cates

Absent: 1 - Commissioner Yaniz

Yes: 2 - Commissioner Rossi and Commissioner Wardlow

ORDINANCES - SECOND READING (Public Hearing)

22

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles," Article IV. - Parking, Stopping and Standing, by adding Division 7, Sections 70-260 through 70-264 to create and regulate an Employee Parking Lot Permit; By Adding Section 70-260, Definitions; Section 70-261, Descriptions, Proof of Eligibility, Application and Display of Decal; Adding Section 70-262, Program Costs, Reclamation; Adding Section 70-263, Regarding Prohibitions; and Adding Section 70-264, Penalties; Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Cates

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

Absent: 1 - Commissioner Yaniz

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

Enactment No: Ord 14-12

23

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - Parking, Stopping and Standing, Division 5, Residential Parking Permit Program, to amend Permit Eligibility and Registration Procedures; By Amending Section 70-248, to Establish Eligibility; Amending Section 70-249 regarding Eligibility for Military and Seasonal Residents and Business Tax Receipt Holders and Amending the Registration Fee; Amending Section 70-251 regarding Appeals; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Adopted as amended to include in Section 70-249 Business Tax Receipt Holders. The motion carried by the following vote:

Absent: 1 - Commissioner Yaniz

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

Enactment No: Ord 14-13

24

An Ordinance of the City of Key West, Florida, amending the Official Zoning Map of the City of Key West for property located at 625 South Street (RE #00038140-000000; AK #1038890), known as the Ocean Breeze Inn, by changing the zoning designation from Historic Residential Office (HRO) to Historic Commercial Tourist (HCT); Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Yaniz

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

Enactment No: Ord 14-14

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

10:08 P.M.