



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, May 7, 2013

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

6:03 P.M.

ROLL CALL

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

INVOCATION - Pastor Dick Knapp, Grace Lutheran Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Roger McVeigh Day

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

2 Peace Officers Memorial Day and Key West Police Week

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

3 Motorcycle Safety Awareness Month

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

4 Teen Pregnancy Prevention and Sexual Health Awareness Month

Sponsors: Mayor Cates

Attachments: [Proclamaton](#)

Received and Filed

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.**

MINUTES

5 *April 2, 2013 (Regular)

Attachments: [Minutes](#)

Passed

6 *April 17, 2013 (Special)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

- 7 *Authorizing Key West Business Guild to conduct a Key West Pride Celebration on June 8 & 9, 2013; Authorizing the Key West Business Guild to conduct numerous events starting with a Street Fair on Saturday, June 8, 2013 on the 700 & 800 Blocks of Duval Street from 10:00 A.M. to 7:00 P.M; A Parade on Sunday, June 9, 2013 from 5:00 P.M. to 7:00 P.M. starting at Truman Annex going left on Whitehead Street, right on Duval Street 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 Ordinances pursuant to Section 6-86 of the Code of Ordinances during the event.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
 [*Large File* Application](#)
 [Advertisement](#)

Passed

Enactment No: Res 13-105

- 8 *Authorizing the Southernmost Beach Cafe the use of City Property at 1405 Duval Street for a Brewfest Key West Festival on Saturday, August 31, 2013 from 3:00 P.M. to 8:00 P.M. (Rain date Sunday, September 1, 2013); Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
 [*Large File* Application](#)
 [Advertisement](#)

Passed

Enactment No: Res 13-106

- 9 *Authorizing the City to provide up to four (4) Free Shuttle Bus Trips per Calendar Year for Residents of The Key West Health and Rehabilitation Center.
- Sponsors: City Manager Vitas
- Attachments: [Resolution](#)
 [Executive Summary](#)
 [Key West Health & Rehab Request Letter](#)
- Passed**
- Enactment No: Res 13-107
- 10 *Establishing a one-way token fare for the Public Transit (Bus) System.
- Sponsors: City Manager Vitas
- Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 08-096](#)
- Passed**
- Enactment No: Res 13-108
- 11 *Establishing a one-way token fare for the Lower Keys Shuttle System.
- Sponsors: City Manager Vitas
- Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 11-054](#)
- Passed**
- Enactment No: Res 13-109

- 12 *Approving the Attached Interlocal Grant Award Agreement with the Monroe County Tourist Development Council (TDC) for funding in the amount of up to \$207,000.00 for Rest Beach Renourishment Phase II (City match up to \$207,000.00).

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement](#)
[Resolution 13-075](#)

Passed

Enactment No: Res 13-110

- 13 *Amending the contract for General Engineering Services with Corzo Castella Carballo Thompson Salman ("C3TS") by consenting to assign the contract to Stantec Consulting Services, Inc.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Name Change Request](#)
[*Large File* C3TS Agreement](#)

Passed

Enactment No: Res 13-111

- 14 *Ratifying the Attached "Consulting Agreement" between the City of Key West and Langton Associates, Inc., and IN REM Solutions, Inc. for Grant Writing Services.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement - CKW - Langton / IN REM](#)
[Resolution 13-071](#)

Passed

Enactment No: Res 13-112

- 15 *Authorizing a Purchasing Exception pursuant to Section 2-797(4)(b) of the Code of Ordinances, to allow cumulative expenditures during FY 12-13 to Certified Records Management (CRM) for records storage in a total amount not to exceed \$30,000.00.

Sponsors: City Manager Vitas

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

Passed

Enactment No: Res 13-113

- 16 *Awarding the bid of ThyssenKrupp Elevator Corporation, for a City of Key West Elevator/Lift Maintenance and Service Contract in response to Invitation to Bid (ITB) #13-013.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[City of Key West ITB 13-013](#)
[Addendum #1](#)
[City Clerk Memo](#)
[* Large File* ThyssenKrupp Bid](#)
[Contract](#)

Passed

Enactment No: Res 13-114

- 17 *Awarding the Bid of McKenzie Petroleum for a Fuel Contract in response to Fuel Supply Bid #13-012.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[City Clerk Bid Tabulation Memo](#)
[*Large File* McKenzie Petroleum Proposal](#)
[*Large File* McKenzie Petroleum Bid Bond](#)
[Mansfield Oil Co. Proposal](#)
[Fuel Bid Contract](#)

Passed

Enactment No: Res 13-115

- 18 *Rejecting all Bids received in response to Invitation to Bid (ITB) #13-010 for Right of Way Maintenance Services.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[City Bid 13-010](#)
[Addendum 1](#)
[Addendum 2](#)
[City Clerk Bid Memo](#)
[Mandatory Pre-Bid](#)
[Toppino Bid](#)
[*Large File* Valley Crest Bid](#)

Passed

Enactment No: Res 13-116

Approval of the Consent Agenda

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

- 19 *Authorizing and directing the City Attorney to form a Not-for-Profit Corporation, with the City Commission acting as the Directors, for the purpose of accepting and distributing funds for Municipal purposes.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[Attorney General Opinion 2006-40](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Teri Johnston, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 13-117

- 20 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Turtle Kraals for an event to take place at 231 Margaret Street at the Plaza during the hours of 6:00 P.M. to 10:00 P.M. on Saturday, May 11, 2013.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Application](#)
[Noise Control Exemption form](#)
[Advertisement](#)

A motion was made by Commissioner Tony Yaniz, seconded by Commissioner Mark Rossi, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 13-118

- 21 *Approving and authorizing execution of the Attached Agreement between the City of Key West and the Sunrise Rotary Club for Motorcycle Bike Week on September 20 & 21, 2013; Authorizing the closure of Duval Street from Southard to Front Street on Friday, September 20, 2013 from 10:00 A.M. to 12:00 Midnight and on Saturday, September 21, 2013, from 10:00 A.M. to 12:00 Midnight; All cross streets shall remain open except Greene 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 Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Application](#)
[Agreement](#)
[Advertisement](#)

A motion was made by Commissioner Rossi, seconded by Commissioner Yaniz, for Discussion, 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 13-119

22 Approving Task Order No. 2 for Solid Waste Procurement for the City of Key West in an amount not to exceed \$ 40,000.00.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Contracts Awarded from RFP's Written By Kessler Consulting](#)
[Kessler Consulting Task Order #2](#)
[Resolution 10-186](#)
[Resolution 12-253](#)
[Resolution 12-360](#)
[Resolution 13-051](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Johnston, for Discussion, 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 13-120

23 Authorizing Rick's & Durty Harry's Entertainment Complex to conduct a Seafood Lobster Festival on Saturday, August 10, 2013, from 11:00 A.M. to 12:00 Midnight, pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 100, 200, 300 & 400 & 500 Blocks of Duval Street between Front & Fleming Streets including the Greene Street intersection and Telegraph Lane from 11:00 A.M. to 12:00 Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 12:00 Noon to 11:00 P.M. Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[*Large File* Application](#)
[Advertisement](#)

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

Recuse: 1 - Commissioner Rossi

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

Enactment No: Res 13-121

24

Quasi-Judicial Hearing: Extension of Revocable License Agreement

Authorizing a 180 day extension of the Revocable License Agreement for the use of approximately 6,200 square feet of property located along the Virginia Street side of t 1015 Simonton Street; Providing conditions.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* City Commission Res 12-174](#)
[Extension Request](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Rossi, 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 13-122

ORDINANCES – FIRST READING

25

An Ordinance of the City of Key West, Florida to call for a Binding Referendum to determine whether the City of Key West should request that the Army Corps of Engineers conduct a Comprehensive Feasibility Study, at no monetary cost to the City, to determine the environmental, economic and social impacts of widening the Key West Main Ship Channel for use by modern and longer Cruise Ships while also addressing navigational safety; Authorizing the City Clerk to take all necessary action to place this measure on the Ballot for October 1, 2013; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Yaniz

Attachments: [Ordinance](#)
[Chamber of Commerce's Letter of Support](#)
[Last Stand's Letter of Support](#)

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

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

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:06 P.M.