

## MINUTES

### CITY COMMISSION MEETING

OLD CITY HALL, 510 GREENE STREET

TUESDAY, AUGUST 6, 2013

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, August 6, 2013.

Mayor Craig Cates called the meeting to order at 6:07 p.m.

Answering roll call were Commissioners Teri Johnston, Clayton Lopez, Mark Rossi, Billy Wardlow, Jimmy Weekley, Tony Yaniz and Mayor Craig Cates.

Also present were City Manager Bob Vitas, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, City Planner Don Craig, Police Chief Donie Lee, Acting Finance Director Nancy Kielman, Community Services Director Greg Veliz, Deputy Community Services Director Rodrigo Delostrinos, Information Technology Director Patti McLauchlin, Senior Project Manager Doug Bradshaw, Utilities Manager Jay Gewin, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

The Mayor recessed the meeting, reconvening at 6:22 p.m.

Deacon Peter Batty, Basilica of St. Mary's Star of the Sea Catholic Church, gave the invocation.

The pledge of allegiance to the flag of the United States of America was given by all present.

#### **CHANGES TO THE AGENDA:**

The City Manager requested Item #1 be postponed until Ms. Turner was in town. Mr. Vitas also asked to postpone Items #30 and #32 until the next meeting on August 20, 2013.

Commissioner Wardlow requested Item #22 be removed from the Consent Agenda.

The Clerk announced speakers for Items #10, #24 and #29 and those items would need to be removed from the Consent Agenda.

It was moved by Commissioner Rossi and seconded by Commissioner Weekley to approve the agenda as changed. The Mayor asked for objections and seeing none the agenda was approved.

**PROCLAMATIONS:**

Purple Heart Recipients Day

**PRESENTATIONS:**

20 Year Service Award – Cheri Smith

Dr. Robert Marbut, Jr. – Homeless Services Gap Analysis of Key West and Monroe County

City Attorney's Report -

Mr. Smith reported the Glynn Archer School closing was done the previous week and was handled by Chief Assistant City Attorney Larry Erskine. As Mr. Erskine is a title agent and wrote the policy he saved the City \$30,000.00 for this transaction. Mr. Smith stated he is a top notch real estate attorney and the City benefit from that.

Mr. Smith reported that the Boys 12 and Under Baseball Team were State of Florida Champions.

Mr. Smith also reported the Girls 8 and Under Softball Team had benefitted from local supporters for an out-of-town event.

Commissioner Yaniz thanked Mr. Erskine and the legal department for their hard work.

Commissioner Johnston asked the City Attorney to forward the information from 2010 regarding the North Roosevelt Boulevard Project to Representative Rashein and Secretary Prasad.

City Manager's Report - Key West Bight Management District Board Meeting Time

The City Manager reported that after the six month evening trial period the attendance had not fluctuated in comparison to the morning meetings. The general consensus of the Board was to continue meeting in the afternoon. The Commission agreed to the later time for the Bight Board to meet.

Mr. Vitas also thanked Mr. Erskine for the work done regarding the Glynn Archer closing.

Commissioner Wardlow asked about the fluctuation of rates regarding the solid waste and stormwater services. The City Manager stated this year represented a slight reduction in solid waste and a slight raise in stormwater. The only way it could be altered is by resolution.

**CONSENT AGENDA:**

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Rossi and seconded by Commissioner Lopez to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to approve the Minutes and pass the Resolutions as read.

**APPROVAL OF MINUTES:**

June 18, 2013 (Regular)  
July 2, 2013 (Regular)  
July 15, 2013 (Workshop)  
July 16, 2013 (Workshop)

**RESOLUTIONS:**

**RESOLUTION NO. 13-183**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A WAIVER OF THE CONDITIONAL USE APPLICATION FEE FOR THE FLORIDA KEYS CHILDREN'S SHELTER/PROJECT LIGHTHOUSE, LOCATED AT 1102 TRUMAN AVENUE, IN AN AMOUNT NOT TO EXCEED \$2,150.00; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-184**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE KEY WEST GATOR CLUB TO CONDUCT A FULL AND HALF MARATHON ON SATURDAY, OCTOBER 12, 2013; AUTHORIZING THE CLOSURE OF FRONT STREET FROM DUVAL STREET AND SIMONTON STREET INCLUDING SIMONTON STREET BEACH AREA; AUTHORIZING CERTAIN STREET CLOSURES THEREOF DURING THE EVENT;**

**GRANTING AN EXEMPTION FROM THE NOISE CONTROL ORDINANCE PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 5:00 A.M. TO 12:00 NOON; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE EVENT AREA; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-185**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING AIDS HELP TO CONDUCT THE CORONATION OF THE KING & QUEEN OF FANTASY FEST AT THE SOUTHERNMOST BEACH CAFE ON FRIDAY, OCTOBER 18, 2013 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; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-186**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING COPA CARES FUND TO CONDUCT PARROT HEADS IN PARADISE STREET PARTY ON FRIDAY, NOVEMBER 1, 2013 FROM 8:00 A.M. TO 6:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF THE 400 & 500 BLOCKS OF DUVAL STREET; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 8:00 A.M. TO 6:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-187**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED MUNICIPALITY ELECTION SERVICES AGREEMENT WITH THE MONROE COUNTY SUPERVISOR OF ELECTIONS; AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-188**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED "LOCAL AGENCY PROGRAM (LAP) SUPPLEMENTAL AGREEMENT (#3)" BETWEEN THE CITY OF KEY WEST AND FDOT FOR ADDITIONAL FUNDING OF \$20,000.00 TO CONSTRUCTION, ENGINEERING AND INSPECTION FUNDS (PHASE 68) FOR THE POINCIANA ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL SIDEWALK IMPROVEMENT PROJECT; APPROVING NECESSARY BUDGET AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-189**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING AN EMERGENCY PROCUREMENT APPROVED BY THE CITY MANAGER IN THE AMOUNT OF \$20,000.00 AS ALLOWED UNDER SECTION 2-797 FOR AN AFTER-THE-FACT INCREASE IN THE CONTRACT AMOUNT FOR CONSTRUCTION, ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE CONTRACT APPROVED IN RESOLUTION 12-169 BETWEEN THE CITY AND AMEC ENVIRONMENT & INFRASTRUCTURE, INC., FOR THE POINCIANA SAFE ROUTES TO SCHOOL SIDEWALK INSTALLATION PROJECT IN THE AMOUNT OF \$20,000.00; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-190**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-844(A) AND (B) OF THE CODE OF ORDINANCES THE PURCHASE OF UP TO FIVE (5) HEWLETT PACKARD LAPTOP COMPUTERS FROM HEWLETT PACKARD COMPANIES AND K-12 SYSTEMS IN THE AMOUNT OF \$24,585.00; AUTHORIZING PAYMENT FROM THE FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES LAW ENFORCEMENT E-CRASH HARDWARE GRANT ACCEPTED IN RESOLUTION 13-034; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-191**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF E.L.C.I. CONSTRUCTION GROUP, INC. FOR THE POLICE STATION WINDOWS REPLACEMENT PROJECT – PD 1302, IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB 13-003, IN AN AMOUNT NOT TO EXCEED \$287,902.00 (BASE BID PLUS BID ALTERNATE #1, 4 AND A \$10,000.00 WALL REPAIR ALLOWANCE); AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE ON BEHALF OF THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-192**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF GARY'S PLUMBING, INC. IN RESPONSE TO INVITATION TO BID (ITB) #13-021 FOR MARINE SANITATION SEWER SYSTEM - WAHOO AND KINGFISH PIERS, AT THE CITY MARINA AT GARRISON BIGHT IN THE TOTAL AMOUNT OF \$123,450.00; APPROVING NECESSARY BUDGET TRANSFERS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-193**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE CONTRACT BETWEEN THE CITY AND SEAMAR DIVERS, INC. FOR TWO YEARS; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-194**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "TROPICAL STORM/HURRICANE PARKING AGREEMENT" BETWEEN THE CITY AND MONROE COUNTY SHERIFF'S OFFICE (MCSO) FOR TROPICAL STORM/HURRICANE PARKING FOR UP TO 30 VEHICLES AT 5701 COLLEGE ROAD; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-195**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DESIGNATING THE SIGNATURES OF CERTAIN CITY PERSONNEL FOR THE WITHDRAWAL OF CITY FUNDS FROM FIRST STATE BANK AND OTHER AUTHORIZED DEPOSITORIES OF CITY FUNDS; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-196**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN KEY WEST, FLORIDA; DESCRIBING THE METHOD OF ASSESSING SOLID WASTE COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF KEY WEST; DETERMINING THE SOLID WASTE COST AND THE INITIAL SOLID WASTE SERVICE ASSESSMENTS, INCLUDING A NOT-TO-EXCEED RATE OF ASSESSMENT PER DWELLING UNIT FOR FIVE FISCAL YEARS AS FOLLOWS: FY 2014-\$319.05, FY 2015-\$329.67, FY 2016-\$340.65, FY 2017-\$351.99, FY 2018-\$363.72; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-197**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ESTIMATING THE COST OF STORMWATER MANAGEMENT SERVICE PROVIDED BY THE CITY'S STORMWATER UTILITY; DESCRIBING THE METHOD OF ASSESSING STORMWATER COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF KEY WEST; DETERMINING THE STORMWATER COST AND THE INITIAL STORMWATER SERVICE ASSESSMENTS, INCLUDING A NOT-TO-EXCEED RATE OF ASSESSMENT PER ESU FOR FIVE FISCAL YEARS AS FOLLOWS: FY 2014-\$94.82, FY 2015-\$97.47, FY 2016-\$100.20, FY 2017-\$103.01, FY 2018-\$105.89; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. 13-198**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN INTER-LOCAL AGREEMENT IN AN AMOUNT OF UP TO \$37,100.00 BETWEEN THE CITY AND THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS FOR REIMBURSEMENT OF CERTAIN PUBLIC ACCESS WATER-RELATED EXPENSES; PROVIDING FOR AN EFFECTIVE DATE**

**RESOLUTION NO. POSTPONE TO AUGUST 20, 2013**

**GRANTING/DENYING THE APPEAL BY BARTON SMITH ON BEHALF OF RICHARD KLITENICK AND UPHOLDING/AMENDING THE PLANNING DEPARTMENT'S DECISION REGARDING NON-CONFORMING USES OF 405 FLEMING STREET**

The said Resolutions were thereupon declared by the Mayor to have been duly passed and adopted and were authenticated by the signatures of the Mayor and the Clerk of the Commission.

**SO ORDERED**

The Mayor called for a recess at 7:55 p.m. and reconvened the meeting at 8:05 p.m.

**RESOLUTION NO. 13-199**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO REPEAL FLORIDA STATUTES SECTION 776.013, KNOWN AS THE "STAND YOUR GROUND" LAW; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Judy Martinez, 1020 Emma Street  
Peggy Ward-Grant, 410 County Road  
Randolph Becker, 818 Thomas Street  
Wilhelmina Martin, 1202 Whitehead Street  
Sloan Bashinsky, Little Torch Key  
Peter Batty, 912 Georgia Street

Commissioner Lopez wanted the record to show that Commissioner Weekley is the third co-sponsor on this Resolution.

It was moved by Commissioner Lopez and seconded by Commissioner Yaniz that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Weekley and Yaniz

Nays: Commissioners Rossi, Wardlow and Mayor Cates



The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

**SO ORDERED**

**RESOLUTION NO. 13-200**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN EXTENSION OF THE TIME LIMITATIONS OF THE SOUND CONTROL ORDINANCE PURSUANT TO SECTION 26-193 (3)(B) OF THE CODE OF ORDINANCES FOR THE DEMOYA GROUP AND AUTHORIZED FDOT CONTRACTORS, FOR THE CONSTRUCTION FOR THE NORTH ROOSEVELT BOULEVARD; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Shawn Smith, City Attorney  
Bob Vitas, City Manager  
Jackie Hart, DOT Consultant

It was moved by Commissioner Wardlow and seconded by Commissioner Rossi that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

**SO ORDERED**

**RESOLUTION NO. 13-201**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, 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 2013-2014 SCHOOL YEAR; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street  
Shawn Smith, City Attorney

It was moved by Commissioner Rossi and seconded by Commissioner Johnston that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

#### **SO ORDERED**

#### **RESOLUTION NO. 13-202**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "SECOND AMENDMENT TO AGREEMENT" BETWEEN THE CITY AND SCHOOL BOARD OF MONROE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street  
Shawn Smith, City Attorney

It was moved by Commissioner Johnston and seconded by Commissioner Lopez that the Resolution be passed and adopted as read.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

**SO ORDERED**

**ORDINANCES - FIRST READING:**

**ORDINANCE NO. Second Reading August 20, 2013**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, APPROVING A BOND ORDINANCE TO AUTHORIZE THE CITY OF KEY WEST TO ISSUE \$23,500,000 IN SEWER SYSTEM REVENUE BONDS TO FINANCE COMPLETED SEWER PROJECTS, INCLUDING PAYING COSTS RELATING TO LOAN ISSUANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Ordinance.

The following people spoke on the matter:

Jay Gewin, Utilities Manager  
David Moore, Public Financial Management

It was moved by Commissioner Rossi and seconded by Commissioner Johnston that the Ordinance be passed on first reading as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading.

**SO ORDERED**

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

**ORDINANCE NO. Postponed to August 20, 2013**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED "AMUSEMENTS AND ENTERTAINMENT" BY ADDING DEFINITIONS**

**TO SECTION 6-116; AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED "BUSINESSES" BY DELETING "MOPED AND SCOOTER RENTALS," AND ADDING "RECREATIONAL RENTAL VEHICLES"; BY ADDING SECTION 18-354 ESTABLISHING THAT PERMITS REQUIRED, APPLICATION, FRANCHISE FEES; BY ADDING SECTION 18-355 ESTABLISHING RECREATIONAL RENTAL VEHICLES DEEMED A CONDITIONAL USE; BY ADDING SECTION 18-356 ESTABLISHING A 30-DAY PERIOD TO ESTABLISH NUMBERS OF RECREATIONAL RENTAL VEHICLES; BY ADDING SECTION 18-357 ESTABLISHING RESTRICTIONS ON BICYCLE TOUR COMPANIES; BY ADDING SECTION 18-358 ESTABLISHING REQUIREMENT OF CONCURRENCY TRAFFIC ANALYSIS FOR THE ESTABLISHMENT OF NEW OR RELOCATED RECREATIONAL RENTAL BUSINESSES; BY ADDING SECTION 18-359 ESTABLISHING IDENTIFICATION BY DECAL OF ALL RECREATIONAL RENTAL VEHICLES; BY ADDING SECTION 18-360 ESTABLISHING AN ANNUAL INSPECTION OF EACH RECREATIONAL RENTAL VEHICLE FACILITY; BY ADDING SECTION 18-361 ESTABLISHING PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Ordinance.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi for the Ordinance to be postponed to August 20, 2013.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to postpone the Ordinance to August 20, 2013.

**SO ORDERED**

**CITIZEN COMMENTS:**

Mark Gambuzza, 214 Golf Club Drive  
Margaret Romero, 1615 Washington Street  
Eric Geen, 19 Kingfisher Lane  
Liz Lustburg, 335 Duval Street  
Sloan Bashinsky, Little Torch Key  
Judy Martinez, 1020 Emma Street  
Christine Russell, 1014 Grinnell Street

**COMMISSION COMMENTS:**

Commissioner Lopez commented on the homeless situation.

Commissioner Yaniz commented regarding his upcoming visit with the Cuban Ambassador in Washington.

Commissioner Johnston commented that the Commission should start being more professional during the meetings.

Commissioner Weekley commented on the issue in his district regarding a stationary vehicle with advertising parked on Fleming Street.

The City Attorney reported there are code cases regarding this particular situation in the Historic District. His stated both Code Enforcement and his office have looked at this issue and he would get the pending case information to the Commissioner.

Mayor Cates commented on Commissioner Johnston's comments in that some remarks at meetings have become embarrassing. As public servants they work hard to look out for the best interest of the citizens but there may not be agreement every time. He said they should lead by example.

**ADJOURNMENT:**

There being no further business the Mayor adjourned the meeting at 9:33 p.m.



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Cheryl Smith, MMC, CPM  
City Clerk