



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, February 5, 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

6:04 P.M.

ROLL CALL

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

INVOCATION - Ellen Booth Church, Yeshe of Key West Tara Mandala Buddhist Sangha

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Wesley House Valentine's Day

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

City Attorney's Report

City Manager's Report

- Update on Advertising on City Right-of-Way
- Right-of-Way Clean Up

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

- 2 *January 8, 2013 (Regular)

 Passed

RESOLUTIONS

- 3 *Authorizing the Wesley House Family Services, Inc. to conduct its Annual "Valentine's Day Fundraiser" at the Curry Mansion located at 511 Caroline Street on Thursday, February 14, 2013 from 9:00 A.M. to 11:30 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Caroline Street from Duval Street to Simonton Street and Ann Street from Greene Street to Caroline Street from 9:00 A.M. to 11:30 P.M; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 9:00 A.M. to 11:30 P.M; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

 Sponsors: City Manager Vitas

 Passed

 Enactment No: Res 13-030

- 4 *Authorizing Finnegan's Wake Irish Pub & Eatery to conduct the Annual St. Patrick's Day Celebration on March 17, 2013 from 10:00 A.M. to Midnight; Pursuant to terms & conditions set forth by the City Manager; Authorizing the closure of James Street between Grinnell and Margaret Streets from 10:00 A.M. to Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 10:00 A.M. to Midnight; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-031

- 5 *Authorizing AIDS Help to conduct their Annual Taste of Key West at the Truman Waterfront along the East Quay Wall on Monday, April 29, 2013 from 6:00 P.M. to 9:00 P.M. (set up starting at 8:00 A.M.); Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area; Granting an exemption from the Noise Control Ordinances pursuant to Section 6-86 of the Code of Ordinances from 5:00 P.M. to 11:00 P.M.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-032

- 6 *Authorizing Karen Bowers d/b/a Shoot for the Moon permission to conduct a Battle in the Bay Dragon Boat Festival at the Truman Waterfront on Saturday, May 11, 2013 from 6:00 A.M. to 7:00 P.M. (practice session May 10, 2013); Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area; Granting an exemption from the Noise Control Ordinances pursuant to Section 6-86 of the Code of Ordinances from 6:00 A.M. to 7:00 P.M.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-033

- 7 *Authorizing the City Manager to accept a 2012 Florida Department of Highway Safety and Motor Vehicles (FDHSMV) Law Enforcement E-Crash Hardware Grant via the Federal Motor Carrier Safety Administration Grant to the State of Florida in the amount of \$25,000.00.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-034
- 8 *Ratifying a Budget Transfer from Stormwater Fund Reserves, and payment to Florida Keys Community College (FKCC) in the amount of \$214,630.08 in compliance with the Amended Final Judgment in the 16th Judicial Circuit Case 2009-CA-729-K.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-035
- 9 *Approving a one-year extension to the “Master Agreement to Furnish Financial Consulting Services” between the City and Camp, Dresser & McKee, Inc., now known as CDM Smith, Inc.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-036
- 10 *Approving a three-year extension to the Agreement to furnish Disaster Response Services to the City of Key West between the City and CrowderGulf Joint Venture, Inc.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-037
- 11 *Approving a three-year extension to the Agreement to furnish Disaster Response Services to the City of Key West between the City and Omni Pinnacle, LLC.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-038

- 12 *Approving a three-year extension to the Agreement to furnish Disaster Response Service to the City of Key West between the City and AshBritt Environmental, Inc.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-039
- 13 *Authorizing an additional thirty (30) day contract time extension for Douglas N. Higgins, Inc., to complete construction of the Glynn Archer/14th Street Roadway Reconstruction (Project No. EN-1004) at no additional cost.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-040
- 14 *Authorizing an expenditure of State Police Forfeiture Funds in an amount not to exceed \$21,170.00 for enrollment, housing and per diem costs for two KWPD Officers to attend the Southern Police Institute Officers Development Course (SPI-CODC) between March and July, 2013.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 13-041
- 15 *Authorizing the attached Worker's Compensation Settlement Agreement between Wilmer Bringle and the City of Key West in the amount of \$30,000.00; Authorizing the City Manager to execute Settlement documents.
- Sponsors: City Attorney Smith
- Passed**
- Enactment No: Res 13-042

ORDINANCES – FIRST READING

- 16 *An Ordinance of the City of Key West amending Chapters 14, 34 and 108 of the Code of Ordinances and amendments to local Sections 104, 107, 117, 202, 1612 of the 2010 Florida Building Codes for the purpose of updating the City's Flood Damage Protection Ordinances and related building codes; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

Postponed to February 20, 2013

Approval of the Consent Agenda

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

- 17 Recommending to the Board of County Commissioners of Monroe County that the Communications Tower at Key West International Airport be named after Fred Cabanas ~~Airport in Key West be named "The Key West Fred Cabanas International Airport"~~.

Sponsors: Commissioner Wardlow

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

No: 1 - Commissioner Johnston

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

Enactment No: Res 13-043

- 18 Approving the Committee Ranking of firms submitting responses to Request for Qualifications (RFQ) No. 13-001: Architectural Services Key West City Hall; Authorizing Staff to negotiate a contract for approval by the City Commission.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Yaniz, that the Resolution be Passed 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 13-044

19

Quasi-Judicial Hearing:

Approving an Easement of approximately 30 square feet to address the encroachment of existing front steps, an awning, landscaped area and an eave that encroach on City right of way abutting the property located at 1114 Watson Street, Key West, Florida (RE#00031790-000000); Providing fees and conditions.

Sponsors: City Manager Vitas

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 13-045

20

Quasi-Judicial Hearing:

Approving a Minor Development Plan and Conditional Use for real property located at 701 Passover Lane (RE# 000020620-000000) in the Historic Public and Semipublic Service (HPS) Zoning District; Providing for conditions.

Sponsors: City Manager Vitas

A motion was made by Commissioner Weekley, seconded by Commissioner Yaniz, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 13-046

ORDINANCES - SECOND READING (Public Hearing)

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 CityView Trolley Tours of Key West, Inc. to amend the type of Sightseeing Vehicle(s) permitted by the Franchise Agreement; Providing for severability; Providing for an effective date.

Sponsors: City Attorney Smith

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

No: 2 - Commissioner Weekley and Mayor Cates

Yes: 5 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Yaniz

Enactment No: Ord 13-02

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:33 P.M.