



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final City Commission

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Tuesday, January 7, 2014

6:00 PM

Old City Hall

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**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

6:02 P.M.

### ROLL CALL

**Absent** 2 - Commissioner Lopez and Commissioner Wardlow

**Present** 5 - Commissioner Johnston, Commissioner Rossi, 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 Freewheelin' Fridays

Sponsors: Commissioner Yaniz

Received and Filed

**PRESENTATIONS**

**City Attorney's Report**

**City Manager's Report**



- 7 \*Authorizing the 23rd Annual Kelly McGillis Classic International Women's Flag Football Championship and World Challenge Games to hold a parade on Thursday, January 23, 2014 from 5:00 P.M. to 6:00 P.M.; Authorizing the closure of said streets for the parade on Duval Street and ending at United Street from 5:00 P.M. to 6:00 P.M.; Authorizing the Key West Women's Flag Football League the use of Wickers Field Complex for their tournament.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-003

- 8 \*Authorizing the Key West Art Center to conduct a craft festival show on Saturday, January 25, 2014 and Sunday, January 26, 2014 during the hours of 10:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Streets including Caroline Street from Telegraph to Whitehead Street on January 25, 2014 and January 26, 2014 from 6:00 A.M. to 8:00 P.M.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-004

- 9 \*Authorizing the Key West Art Center to conduct an Art Show on Saturday, February 22, 2014 and Sunday, February 23, 2014 (street closed from February 22, 2014 6:00 A.M. through Sunday, February 23, 2014 8:00 P.M.) during the hours of 10:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Street including Caroline on February 22, 2014 and February 23, 2014 from 10:00 A.M. to 5:00 P.M.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-005

- 10 \*Granting a Special Event Permit Pursuant to Section 6-86 of the Code of Ordinances to Jessica Ryner and Jeremy Steinhart for a wedding ceremony and reception at Kelly's Caribbean Grill and Brewery 301 Whitehead Street during the hours of 6:00 P.M. to 12:00 Midnight on Saturday, June 14, 2014.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-006

- 11 \*Approving the extension of the attached Interlocal Agreement between the City and Monroe County Sheriff's Office for shared use of 800 MHz bandwidth for Department of Transportation Radio Communications, for an additional four years, retroactive to October 1, 2013 through September 30, 2017.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-007

- 12 \*Exercising a two-year extension of the Contract with Aramark Uniform Services, a Division of Aramark Uniform and Career Apparel, LLC, for the provision of City Staff Uniform Rentals.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-008

- 13 \*Awarding the Bid of Douglas N. Higgins, Inc. for Construction of the Fort Street Parking Lot (Project #TR-1201) in the amount of \$347,924.00.

**Sponsors:** City Manager Vitas

**Postponed to January 22, 2014**

- 14 \*Approving a Five-year Agreement with Syncromatics Corporation for Real Time Passenger Information System (RTPI) Management/Hosting for use in Key West Department of Transportation buses on a Sole Source Basis, pursuant to Section 2-797(1) of the Code of Ordinances.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-009

- 15 \*Approving the attached Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and the City of Key West for Annual Block Grant Program Funding Assistance in an amount not to exceed 50% of the total project cost at \$439,170.00, or reimbursement of up to \$219,585.00, in operating assistance; Providing for a budget amendment.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-010

- 16 \*Approving the attached Supplemental Joint Participation Agreement (SJPA) #3 between the Florida Department of Transportation (FDOT) Commuter Assistance Grant Program and the City of Key West for Operating Assistance Funding (Contract AQ173) for the Lower Keys Shuttle in the amount of \$345,863.00.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-011

- 17 \*Authorizing the purchase of a Chevrolet Tahoe CSI Specialty Vehicle from the SIRCHIE Acquisition Company, LLC - Vehicle Division under GSA Contract #GS07F946G in an amount not to exceed \$65,748.00 for the Key West Police Department; Authorizing a budget transfer of forfeiture funds.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-012

- 18 \*Authorizing the purchase of six (6) marked Ford Interceptor SUV's from Garber Fleet Sales, three (3) unmarked Ford Interceptor SUVs from Duval Ford Fleet Sales, and two (2) Ford F-250XL 4WD Diesel Crew Cab Pickup Trucks from Alan Jay Ford, pursuant to Section 2-797(3) of the Code of Ordinances in the total amount of \$340,782.00 for use by the Key West Police Department.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-013

- 19 \*Approving an adjustment to City of Key West Planning Department Fees.

**Sponsors:** City Manager Vitas

**Passed**

Enactment No: Res 14-014

- 20 \*Approving the waving of formal bid procedures for critical path components in order to facilitate development of Phase 1A of the Truman Waterfront: Multi-use Field/Horse Stables, in accordance with City Code Section 2-797(4)(b).

**Sponsors:** City Manager Vitas

**Postponed to January 22, 2014**

### 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.**

- 21 Creating the Historic Architecture Review Commission (HARC) - Fair Insurance Rates Monroe County (FIRM) Task Force (HARC-FIRM Task Force); Providing for recommendations to HARC concerning methods to harmonize the goals of historic preservation and flood/windstorm insurance providers regarding hazard mitigation and insurance rates in the Historic District of Key West; Providing for membership; Providing for its composition, staffing and duties; Providing for a sunset date.

**Sponsors:** Commissioner Johnston

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

**Absent:** 2 - Commissioner Lopez and Commissioner Wardlow

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

Enactment No: Res 14-015

- 22 Approving the attached Second Amendment to Lease Agreement between the City and Island Tranquility, Inc. for property in the 700 block of Eisenhower Drive.

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

**Absent:** 2 - Commissioner Lopez and Commissioner Wardlow

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

Enactment No: Res 14-016

- 23 Approving the Third Amendment to Lease Agreement between the City and RL BB-FL Hillsborough, LLC, (successor in interest to Hillsborough Center Associates, LLC) for the property located at 3100 - 3140 Flagler Avenue.

**Sponsors:** City Manager Vitas

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

**Absent:** 2 - Commissioner Lopez and Commissioner Wardlow

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

Enactment No: Res 14-017

- 24 \*Approving the attached Stipulated Settlement Agreement in the Cases of James Young V. City of Key West.

**Sponsors:** City Attorney Smith

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

**Absent:** 2 - Commissioner Lopez and Commissioner Wardlow

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

Enactment No: Res 14-018

#### **ORDINANCES – FIRST READING**

- 25 An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled "Environment," Article IV entitled "Sound Control" by adding Section 26-189, Purpose; Adding Section 26-190, Findings of Fact; Amending Section 26-191, Definitions; Amending Section 26-192 to amend and clarify unreasonably excessive noise prohibitions; Amending Section 26-193 to clarify and amend exceptions to the Sound Control Ordinance; Amending Section 26-194 to clarify citation procedure and penalties; Adding Section 16-199, to provide for temporary waivers; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley and Mayor Cates

**A motion was made by Commissioner Weekley, seconded by Commissioner Yaniz, that the Ordinance be Postponed January 22, 2014. The motion carried by the following vote:**

**Absent:** 2 - Commissioner Lopez and Commissioner Wardlow

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

**26**

An Ordinance of the City of Key West, Florida, amending Chapter 6 of the Code of Ordinances entitled "Amusements and Entertainment," Division 3 entitled "Noise Control" by amending Section 6-86 to amend the permit application process; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley and Mayor Cates

**A motion was made by Commissioner Weekley, seconded by Commissioner Yaniz, that the Ordinance be Postponed to January 22, 2014. The motion carried by the following vote:**

**Absent:** 2 - Commissioner Lopez and Commissioner Wardlow

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

**27**

An Ordinance of the City of Key West, Florida, Amending Chapter 62, Article V of the Code of Ordinances entitled "Newsracks" by adjusting the spelling to 'News Racks' throughout the Ordinance; by amending Section 62-151 to amend Definitions; Adding Section 62-152 to state Purpose and Criteria; Amending Section 62-177 to set July 15 as the Application for Locations Deadline; Amending Section 62-179 to establish and adjust Certain Fees; Amending Section 62-181, Denial; Amending Section 62-182 to Amend the Replacement Procedure; Amending Section 62-183, to Amend Location Requirements; Providing for severability, Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Yaniz

**A motion was made by Commissioner Weekley, seconded by Commissioner Yaniz, that the Ordinance be Postponed to January 22, 2014. The motion passed by a unanimous vote.**

#### **RESCINDING VOTE ON ORDINANCE**

28

An Ordinance of the City of Key West, Florida, Amending Chapter 78 of the Code of Ordinances entitled "Vehicles For Hire" by adding Sections 78-65, 78-66 78-67 and Amending 78-198 to provide for the conversion of Contract Vehicle for Hire Licenses to Wheelchair Accessible Passenger Vehicle for Hire Licenses, Operations Requirements for such Vehicles and a Revocation Process; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Lopez

A motion was made by Commissioner Weekley, seconded by Commissioner Yaniz, that the Ordinance be Postponed to January 22, 2014. The motion passed by a unanimous vote.

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

8:58 P.M.