



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, March 1, 2011

6:00 PM

Old City Hall

Revised

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 Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

INVOCATION - Pastor Ruben Velasco, Key West United Methodist Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Motorcycle Awareness Safety Month

Sponsors: Mayor Cates

Received and Filed

2 Red Cross Month

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

- 3 Emigdio Gill Contractors Examining Board Since 1983

Received and Filed

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.**

RESOLUTIONS

- 4 *Urging Governor Scott and the Florida Legislature to implement Amendment 5 and Amendment 6 to ensure a fair voter redistricting process for residents of Key West, Monroe County and the State of Florida.

Sponsors: Commissioner Weekley

Passed

Enactment No: Res 11-059

- 5 *Authorizing the disposal of surplus city property known as "Old Fire Engine #5" as a donation to the "Guardians of the Ribbon-Pink Fire Truck Cancer Awareness Program" pursuant to Section 2-771(3)(c) of the Code of Ordinances; providing conditions.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-060

- 6 *Authorizing the purchase and installation of 218 stormwater inlet filters from Suntree Technologies, Inc., via sole source purchase in accordance with City Code Section 2-797(1), in the total amount of \$236,099.00, in order to complete a FEMA Disaster Recovery Project for stormwater cleaning and future hazard mitigation; Approving budget transfers; Waiving competitive bidding for the installation cost of the project.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-061

- 7 *Approving the purchase of \$150,000.00 of Flexi-Pave material from K. B. Industries, inc. on a sole source basis pursuant to Section 2-797(1) for brand name items in accordance with 2-844 of the Code of Ordinances for paving around tree and flora planter areas bordering streets within certain areas of the historic district.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-062

- 8 *Awarding the bid of Layne Christensen Company for a City of Key West three-year contract for rehabilitation of stormwater drainage wells in response to invitation to bid (ITB) #10-017; Authorizing the City Manager to enter into a contract in accordance with the solicitation documents.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-063

- 9 *Accepting pursuant to Section 2-797(3)(b) and 7-798 of the Code of Ordinances the attached proposal of Niles Sales & Service, Inc. in the total amount of \$64,605.00 for two Chevy Tahoe E-85 Flex Fuel compliant Police K-9 specialty vehicles (one marked and one unmarked) for use by the Key West Police Department; Approving budget transfers.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-064

- 10 *Authorizing the purchase of Microsoft and Adobe Software licenses from SHI International Corp in the amount of \$23,757.73 pursuant to Key West Code of Ordinances Section 2-797(4)(b).

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-065

- 11 *Approving the attached First Amendment to Concession Agreement between the City and Sunset Watersports, Inc.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 11-066

Approval of the Consent Agenda

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

- 12 Approving a Sound Control Ordinance waiver for Coastal Construction for the construction of the Horace O'Bryant School.

Sponsors: City Manager Scholl

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

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

- 13 Requesting the Housing Authority of the City of Key West, Florida to acquire the Bahama Conch Community Land Trust Real Estate assets; Identify funding sources for the acquisition and rehabilitation; Modify existing disaster recovery set-asides for the Bahama Conch acquisitions; Rent or sell the properties subject to the existing Public Purposes Affordable Housing Restrictions.

Sponsors: Mayor Cates

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

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

Enactment No: Res 11-067

- 14 Approving the Federal Legislative Priorities as illustrated by the content of the attached correspondence.

Sponsors: City Manager Scholl

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

No: 2 - Commissioner Rossi and Mayor Cates

Yes: 5 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 11-068

- 15 Approving the City Manager Performance Evaluation.

Sponsors: City Manager Scholl

A motion was made by Commissioner Weekley, seconded by Commissioner Rossi, that the Resolution be Postponed to March 15, 2011. The motion carried by the following vote:

No: 2 - Commissioner Gibson and Commissioner Johnston

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

ORDINANCES – FIRST READING

- 16 An Ordinance of the City of Key West, Florida, Amending Chapter 6 of the Code of Ordinances entitled "Amusements and Entertainment"; by amending Section 6-1, to add definitions; Section 6-2 to amend permit, application and appeal processes, adding palm weaving permits and extending 2010 permits; Amending Section 6-3, regarding locations; Amending Section 6-4 by amending permit regulations and prohibitions; Amending Section 6-7 regarding revocation of permits; Amending Section 6-8 adjusting permit fees; Amending Section 6-9 regarding penalty enforcement; 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 Lopez, that the Ordinance be Passed to Second Reading as amended. The motion carried by the following vote:

No: 1 - Mayor Cates

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

- 17 An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Code of Ordinances entitled "Zoning" by amending Section 122-1338, and 122-1346 to provide for clarification to the Transfer of Transient Units Ordinance; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

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

ORDINANCES - SECOND READING (Public Hearing)

18

An Ordinance of the City of Key West, Florida, Amending Chapter 22 of the Code of Ordinances entitled "Cemeteries" by amending Section 22-16, "Use of thoroughfares", to define bona fide visit; defining exceptions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

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

No: 1 - Commissioner Wardlow

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

Enactment No: Ord 11-05

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:25 P.M.