



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, July 19, 2011

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

6:00 P.M.

ROLL CALL

Absent 1 - Mayor Cates

Present 6 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Weekley

INVOCATION - Reverend Dr. Kevin Lewis, Cornish Memorial AME Zion Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Americans with Disabilities Act Awareness Day

Sponsors: Commissioner Rossi

Attachments: [Proclamation](#)

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.

MINUTES

- 2 *June 20, 2011 (Joint Meeting with Monroe County School Board)

Attachments: [Minutes](#)

Passed

- 3 *July 5, 2011 (Regular)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

- 4 *Appointing one member to the Citizens Review Board.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 11-209

- 5 *Authorizing pursuant to Sections 2-797 (3) and 2-844 (A) and (B) of the Code of Ordinances the purchase of 6 Panasonic Tough Book laptop computers from CDW Government, Inc. in the amount of \$31,434.00 and related software and licenses pursuant Sections 2-797 (1) and 2-844(A) and (B) of the Code of Ordinances from Sungard, Inc. in the amount of \$26,250.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[HTE Quote](#)
[HTE Exemption Sole Source](#)
[CDW Sales Quotation](#)
[Cooperative Purchasing Exemption](#)
[E Government Act 2002](#)
[CDW-Government GSA Contract](#)
[CDW Government amendment of solicitation/modification of contract](#)
[Synnex CDW-G Agreement](#)

Passed

Enactment No: Res 11-210

- 6 *Authorizing an agreement for collection services for excessive false alarms between the City and AOT Public Safety Corporation D/B/A Public Safety Corporation or Cry Wolf False Alarm Solutions, pursuant to Section 2-797 (3) of the Code of Ordinances; Authorizing City staff to negotiate an agreement; Authorizing the City Manager to execute the agreement.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Executive Summary from May 19, 2009](#)
[Ordinance 09-14](#)
[Oakland Park Request for Proposal resubmittal](#)
[Town of Davie, Florida Request for Proposals documents](#)
[Oakland Park Selection and Fair and Reasonable Pricing](#)
[Oakland Park Resolution](#)
[Davie Resolution](#)
[Town of Davie, Florida contract](#)
[Miami Gardens FL Council Meeting Agenda Item](#)
[CryWolf Florida Clients](#)
[CryWolf Overview](#)
[Partners and Affiliations](#)

Passed

Enactment No: Res 11-211

- 7 *Extending the contract for Atlantic Boulevard Enhancements project no. GN 0710 with Charley Toppino and Sons, Inc. until August 24, 2011.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 10-339](#)

Passed

Enactment No: Res 11-212

- 8 *Authorizing modification number two to a subgrant agreement with Florida Division of Emergency Management in order to reinstate and extend the term and increase federal funding share of FEMA Grant Contract 09HM-37-11-54-02-30 (George / First Street pump station outfall).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Modification agreement No. 2](#)
 [Revised Attachment A](#)
 [Resolution 09-006](#)

Passed

Enactment No: Res 11-213

- 9 *Authorizing the City Manager to execute and submit to the Federal Transit Administration (FTA) the attached triennial update to the "City of Key West Department of Transportation Federal Transit Administration Title VI / Civil Rights program plan".

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Program Plan](#)
 [Equal Employment Opportunity Commission 2011 Plan Rewrite](#)

Passed

Enactment No: Res 11-214

- 10 *Adopting and approving the attached Substance Abuse Management Statement (SAMS) policy plan revision of 2011 / City of Key West Department of Transportation; Authorizing the City Manager or his designee to execute the update and submit same to the U.S. Department of Transportation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Amended Policy](#)
[Transportation program procedures](#)

Passed

Enactment No: Res 11-215

- 11 *Adopting and approving the attached triennial update to the Disadvantaged Business Enterprise (DBE) program policy; Authorizing the City Manager or his designees to execute and submit the DBE to the U.S. Department of Transportation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Disadvantaged Business Enterprise Worksheet](#)
[KW DBE Program Plan 2011](#)
[Attachment D](#)

Passed

Enactment No: Res 11-216

- 12 *Approving a mural to be painted at 101 Geraldine Street; Providing that a bond is not required.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)
[Executive Summary](#)
[Decision Letter](#)
[HARC File](#)

Passed

Enactment No: Res 11-217

Approval of the Consent Agenda

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

- 13 Granting pursuant to Key West Code of Ordinances Section 10-16, an exception allowing Gloria Kimberly McGee to keep a total of eight dogs and four cats on premises at the residence located at 2812 Fogarty Avenue.

Sponsors: Commissioner Gibson

Attachments: [Resolution](#)

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

Absent: 1 - Mayor Cates

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

Enactment No: Res 11-218

14

Unanimously supporting and urging the appointment of Edwin A. Scales to the vacant position on the Third District Court of Appeal.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)
[Resume](#)

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

Absent: 1 - Mayor Cates

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

Enactment No: Res 11-219

15

Rescinding Resolution No. 11-076 accepting State of Florida Division of Emergency Management / FEMA Grant funding in the amount of \$743,568.00 for Phase II of the Patricia / Ashby Streets drainage area project; Authorizing the City Manager to execute revised contract No. 11HM-3B-11-54-02-002 with the Florida Division of Emergency Management; Amending the FY 2011 Stormwater budget to accept the grant (25% match of \$730,490.00 after deduction for administration).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Revised Sub Grant agreement](#)
[Resolution 11-076](#)
[Resolution 08-323](#)

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

Enactment No: Res 11-220

16

Directing City staff to recommend within 60 days revised regulations regarding recreational vehicles and recreational vessels including associated trailer parking in the City of Key West; Providing for a reasonable time to correct violations in light of pending proposed revised regulations.

Sponsors: Commissioner Gibson

Attachments: [Resolution](#)

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

No: 2 - Commissioner Johnston and Commissioner Weekley

Absent: 1 - Mayor Cates

Yes: 4 - Commissioner Gibson, Commissioner Lopez, Commissioner Rossi and Commissioner Wardlow

Enactment No: Res 11-221

17

Approving a Minor Development Plan and Conditional Use for real property located at 305 Petronia Street, 309 Petronia Street and 729 Thomas Street.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* Planning Department Staff Report](#)
[Planning Board Resolution 2011-017](#)
[Planning Board Resolution 2011-018](#)
[*Large File* Application](#)
[Joint Stipulation](#)
[Survey](#)
[Site Plans](#)
[Concurrency Analysis](#)
[*Large File* DRC](#)
[*Large File* Blue Heaven Public Comments Rev 20110429](#)
[Business Tax Receipts](#)
[Property Appraisers information](#)
[Noticing](#)
[Planning Board Variance Staff Report](#)

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

Recuse: 1 - Commissioner Weekley

Absent: 1 - Mayor Cates

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

Enactment No: Res 11-222

ORDINANCES – FIRST READING

18

An Ordinance of the City of Key West, Florida, Amending Chapter 90 of the Code of Ordinances entitled “Administration” to provide for modification of the membership and membership requirements of the Historic Architectural Review Commission by amending Section 90-127, Membership, Terms and Removal; Section 90-128, Vacancies, and 90-135 Quorum; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Planning Board Resolution 2011-029](#)
[HARC Membership DRAFT Ordinance](#)

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

Absent: 1 - Mayor Cates

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

19

An Ordinance of the City of Key West, Florida, Amending Chapter 90 of the Code of Ordinances entitled "Administration" by amending Sections 90-133, 90-136 and 90-138 to amend notice requirements; By adding section 90-143 to provide for an expanded and consistent public noticing process for the Historic Architectural Review Commission; By amending Chapter 102 of the Code of Ordinances entitled "Historic Preservation" by amending Sections 102-217 and 102-251 to amend notice requirements; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Planning Board Resolution 2011-030](#)
[HARC Noticing DRAFT Ordinance](#)

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

Absent: 1 - Mayor Cates

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

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:38 P.M.