



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, March 20, 2012

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

6:03 P.M.

ROLL CALL

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

INVOCATION - Reverend Phillip Smedstad, Unity of the Keys Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

- 1 Key West High School for Excellence in the Visual, Performing and Vocational Arts
Natalie Castaldo

Sponsors: Mayor Cates

Attachments: [Natalie Castaldo](#)

The item was Postponed to the April 3, 2012 meeting.

PRESENTATIONS

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

- 2 *Authorizing Historic Markers, Inc. d/b/a Historic Key West to place up to eighty-four (84) "500 years of paradise" banners along Duval Street and Truman Avenue in accordance with Sections 114-35 and 114-103(a)(2) of the Code of Ordinances; providing conditions.

Sponsors: Commissioner Johnston, Commissioner Lopez, Commissioner Rossi and Commissioner Weekley

Attachments: [Resolution](#)
 [Support Document](#)

Passed

Enactment No: Res 12-087

- 3 *Authorizing Mr. Z's to conduct a block party fundraiser for the Wesley House on Sunday, April 1, 2012 starting at 12:00 Noon to 4:00 P.M.; Authorizing the closure of the 500 block of Southard Street between Duval Street & Bahama Streets; Authorizing the consumption of alcoholic beverages within the barricaded area of the event; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)
 [Advertisement](#)

Passed

Enactment No: Res 12-088

- 4 *Authorizing the American Cancer Society to conduct their annual Relay for Life Fundraiser at Bayview Park starting on Friday, April 20, 2012 at 5:00 p.m. ending on Saturday, April 21, 2012 at 2:00 p.m.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Advertisement](#)

Passed

Enactment No: Res 12-089

- 5 *Approving a one year extension of the agreement between the City and Law Offices of J. Jefferson Overby, P.A.; For Code Enforcement Special Magistrate Services; Providing for a two percent (2%) rate adjustment, effective as of March 28, 2012.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Letter from J. Jeffereson Overby](#)
[Resolution 10-082](#)
[Signed Agreement](#)

Passed

Enactment No: Res 12-090

- 6 *Adopting the maximum Income, Sale and Rent schedule.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Exhibit A](#)
[Request from KWHHA](#)

Passed

Enactment No: Res 12-091

- 7 *Authorizing the approval of Task Order 02-2012 STM for Red Oak Consulting, a division of Malcolm Pirnie, Inc. in an amount not to exceed \$19,750.00 to provide a rate study for preparation of the City's Stormwater billing.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Malcolm Pirnie Task Order 02-2012-STM](#)
[Malcolm Pirnie Contract and 1 Year Extension](#)

Passed

Enactment No: Res 12-092

- 8 *Authorizing the approval of Task Order 03-2012 SWR for Red Oak Consulting, a division of Malcolm Pirnie, Inc. in an amount not to exceed \$19,750.00 to provide a rate study for preparation of the City's Sewer billing.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Malcolm Pirnie Task Order 03-2012-SWR](#)
[Malcolm Pirnie Contract and 1 Year Extension](#)

Passed

Enactment No: Res 12-093

- 9 *Approving the attached amendment to contract for Ambulance Services between the City of Key West and Lifestar Response of Alabama, d/b/a Care Ambulance.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Performance Bond Reduction Request Agreement](#)
[LifeStar Agreement](#)
[LifeStar Annual Report Key West Operations](#)

Passed

Enactment No: Res 12-094

- 10 *Approving the attached Interlocal Agreement between Monroe County and the Key West Fire Department for self-contained breathing apparatus (SCBA).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Interlocal Agreement](#)

Passed

Enactment No: Res 12-095

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.

- 11 Approving the attached one-year "Agreement for City of Key West Keys Overnight Temporary Shelter (KOTS)" between the City and the Southermost Homeless Assistance League, Inc. (SHAL).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Proposed City of Key West and SHAL KOTS Agreement](#)

A motion was made by Commissioner Johnston, seconded by Commissioner Lopez, that the Resolution be Passed. 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 12-096

- 12 Approving the attached "Agreement for Conveyance of Real Property" between the City and School Board of Monroe County, Florida.

Sponsors: Mayor Cates

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

A motion was made by Commissioner Wardlow, seconded by Commissioner Rossi, that the Resolution be Postponed to April 3, 2012. The motion carried by the following vote:

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

- 13 Requesting the Florida Department of Transportation (FDOT) to remove the proposed railing along the seawall on the north side of North Roosevelt Boulevard from plans for Right-of-Way improvements scheduled on North Roosevelt Boulevard.

Sponsors: Mayor Cates and Commissioner Weekley

Attachments: [Resolution](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Johnston, that the Resolution be Passed. 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 12-097

- 14 Approving a Minor Development Plan for real property located at 313 Margaret Street; Providing for Conditions, Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Planning Board Resolution 2012-06](#)
[Application](#)
[Mailing list](#)
[HARC Approval](#)
[Site Plans](#)
[Public Comments \(Rev 2/16/12\)](#)
[Citizen Letters](#)

A motion was made by Commissioner Rossi, seconded by Commissioner Yaniz, that the Resolution be Postponed to April 3, 2012. 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 12-06

- 15 Granting a Major Development Plan for property located at Nelson English and Willie Ward Parks in the HMDR and the HHDR Zoning Districts - 306 Catherine Street (RE# 00026460-000000), 304 Catherine Street (RE# 00026470-000000, 00026480-000000), 300 Louisa Street (RE# 00026500-000000), 307 Louisa Street (RE# 00026490-000000, 00026510-000000, 00026520-000000), 250 Amelia Street (RE# 00026610-000000, 00026610-000100), Key West, Florida.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Planning Board Resolution 2012-07](#)
[Planning Board Package and Application](#)
[Survey & Site Plans](#)
[Property Appraiser Record Cards](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Johnston, that the Resolution be Postponed to April 3, 2012. 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 12-07

- 16 Supporting the 'Move to Amend' Campaign to call for an Amendment to the Constitution to Abolish Corporate Personhood and the doctrine of Money as Speech; Calling on other jurisdictions to join the 'Move to Amend' Campaign; Supporting education to increase public awareness of the threats posed by Corporate Personhood.

Proposed Add-on

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)

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

No: 1 - Commissioner Rossi

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

Enactment No: Res 12-098

ORDINANCES – FIRST READING

17 An Ordinance of the City of Key West, Addressing the compatibility of lands adjacent to or closely proximate to military installations in the future land use element in the City of Key West Comprehensive Plan; Revising Policy 1-3.9.1, and creating Policy 1-3.9.2, Policy 1-3.9.3, Policy 1-3.9.4, Policy 1-3.9.5, Policy 1-3.9.6, and Policy 1-3.9.7; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State and for an effective date; Providing for the inclusion in the City of Key West Comprehensive Plan.

Sponsors: City Manager Scholl

- Attachments:**
- [Ordinance](#)
 - [Executive Summary](#)
 - [Planning Board Resolution 2012-05](#)
 - [Planning Board Minutes](#)
 - [DCA Request dated August 4, 2011](#)
 - [Data & Analysis](#)
 - [Exhibit 1 - CNIC Land Acreage](#)
 - [Exhibit 2 - KW Chamber MC Major Employees](#)
 - [Exhibit 3 - KW & MC Demographics](#)
 - ["Large File" Exhibit 4 - 2007 AICUZ Study](#)
 - [Exhibit 5 - Encroachment Challenges](#)

A motion was made by Commissioner Rossi, seconded by Commissioner Johnston, that the Ordinance be Passed to Second Reading. 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 12-05

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:37 P.M.