



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, May 6, 2014

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 305-809-3731 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 Dr. Randolph Becker, Unitarian Universalist Fellowship

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Peace Officers Memorial Day and Key West Police Week

Sponsors: Mayor Cates

Received and Filed

2 Motorcycle Safety Awareness Month

Sponsors: Mayor Cates

Received and Filed

3 Visiting Nurse Association & Hospice of the Florida Keys
Celebrating 30 years of "Caring for the Keys"

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

City Attorney's Report

**City Manager's Report
- Ambassador's Graduation Class 22**

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

- 4** *April 1, 2014 (Regular)
- Passed**

RESOLUTIONS

- 5** *Reappointing John G. Parks, Jr. to the Housing Authority of the City of Key West Board of Commissioners.
- Sponsors:** Mayor Cates
- Passed**
- Enactment No: Res 14-112
-
- 6** *Authorizing Mel Fisher Days, Inc. to conduct a 2014 celebration of the finding of the Atocha on Saturday, July 12, 2014 during the hours of 11:00 A.M. to 9:00 P.M.; Authorizing the closure of the 100 & 200 blocks of Duval Street including Greene Street from Telegraph Lane to Ann Streets from 8:00 A.M. to 11:00 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to 11:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
- Sponsors:** City Manager Vitas
- Passed**
- Enactment No: Res 14-113

- 7 *Authorizing 551 Teen Club of Key West to conduct a reunion at Bayview Park on Friday, August 8, 2014 from 5:00 P.M. to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Granting a Special Event Permit 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 14-114

- 8 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Just Save the Date, LLC for a wedding ceremony and reception at the Hemingway House on Whitehead Street during the hours of 5:30 P.M. (12/31/2014) to 1:00 A.M (01/01/2015) on Wednesday, December 31, 2014 and Thursday, January 1, 2015.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-115

- 9 *Extending the term of the Historic District Signage Task Force for six months.

Sponsors: City Attorney Smith

Passed

Enactment No: Res 14-116

- 10 *Approving the City Clerk Performance Evaluation.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-117

- 11 *Approving one year extension of the contract for Merchant Services between the City of Key West and First State Bank of the Florida Keys.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-118

- 12 *Approving Amendment 1 to Task Order 3-12 Ports to CH2M Hill for Engineering Services, for additional tasks related to the design and preparation of bid documents for Bulkhead Repair/Replacement at Zero Duval and the Berthing Improvements to the Mallory Square T-Pier in an additional total amount not to exceed \$7,524.00.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-119
- 13 *Approving a Task Order under the City's General Services Contract with Douglas N. Higgins, Inc. in a total amount not to exceed \$81,317.08 for sidewalk replacement/installation in the 800 block of Southard Street.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-120
- 14 *Ranking the respondents to City of Key West - Request for Qualifications (RFQ) 14-001 - Design of Bus Aprons - Lower Florida Keys; Authorizing the City Manager to negotiate and execute a contract in substantial compliance with the RFQ with the highest ranked firm.
- Sponsors: City Manager Vitas
- Passed**
- Enactment No: Res 14-121
- 15 *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 Vitas
- Passed**
- Enactment No: Res 14-122
- 16 *Authorizing the approval of Task Order 01-2014-IMPACT for Arcadis, d/b/a Malcolm Pirnie, Inc. in an amount not to exceed \$80,000.00 to provide an Impact Rate Study; Approving necessary budget transfers.
- Sponsors: City Manager Vitas
- Passed**

Enactment No: Res 14-123

- 17 *Approving the attached Supplemental Joint Participation Agreement Number One (SJPA #1) for Contract ARB19 between the Florida Department of Transportation (FDOT) and the City of Key West, to amend the maximum participation or grant award from FDOT from \$542,452.00 to \$433,406.00, reflecting a reduced amount, to be used for operating expenses of Fixed Route Bus Transit System.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-124

- 18 *Approving the attached Supplement Number Three (3) to the Joint Participation Agreement (JPA) for Contract AQN20 between the Florida Department of Transportation (FDOT) and the City of Key West, to amend the maximum participation or grant award from FDOT from \$3,781,266.00 to \$3,225,600.00, reflecting a reduced amount to be used for construction costs or related capital expenses of the New Transit Facility at 5701 College Road, Key West, Florida.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-125

- 19 *Authorizing the purchase of an IES Interactive Training MILO Range 4 PRO High Definition Training Simulator Upgrade Package from IES Interactive Training USA, on a Sole Source Basis in accordance with City Code Section 2-797(1), in the total amount of \$24,286.50.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-126

- 20 *Authorizing the City Manager to apply for and accept a 2013-14 Florida Department of Transportation (FDOT) Highway Safety Grant in the amount of \$80,000.00 for the "Not One More: Police Traffic Services Enforcement Campaign" (Project No. PT-14-12-11) through the US Department of Transportation National Highway Traffic Safety Administration Grant to the Florida Department of Transportation.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-127

- 21 *Directing Staff to proceed immediately with the planning, design and engineering necessary to assemble a Major Development Plan for the reconstruction of the Community Services Facility located at 627 Palm Avenue.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-128

- 22 *Rescinding Resolution 14-084, in order to rescind the award of bid to T. Mac Wilder & Associates; Awarding the bid of JSM Services, Inc. to Resod the Truman Annex Sports Field in accordance with the terms specified in ITB #14-011 in an amount not to exceed \$118,090.00; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package on behalf of the City of Key West.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-129

- 23 *Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow cumulative expenditures during FY 13-14 to Environmental Products of Florida for street sweeper repair and service parts in a total amount not to exceed \$52,500.00.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-130

Approval of the Consent Agenda

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

- 24 Urging Southwest Airlines to continue to provide regular service to the Key West International Airport.

Sponsors: Commissioner Weekley

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

Enactment No: Res 14-131

- 25 Urging President Raul Castro and the Government of Cuba to release Alan Gross from prison and return him to his family and home in the United States of America.

Sponsors: Commissioner Yaniz

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

Enactment No: Res 14-132

- 26 Designating the signatures of certain City Personnel for the withdrawal of City funds from First State Bank and other authorized depositories of City funds.

Sponsors: City Manager Vitas

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

Enactment No: Res 14-133

- 27 Approving the award of bid to Waste Management Inc. of Florida ~~Advanced Disposal Services Solid Waste Southeast, Inc.~~, in response to ITB 14-009, for Solid Waste Collection and Processing Services; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Resolution be Passed accepting the bid of Waste Management, Inc., of Florida, Option 2 With Transfer Station. The motion carried by the following vote:

No: 3 - Commissioner Johnston, Commissioner Weekley and Mayor Cates

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

Enactment No: Res 14-134

- 28 Approving an easement of approximately 129.40 square feet to address the encroachment of an existing concrete front porch, balcony and eaves that encroach on City right of way abutting the property located at 801 Emma Street, Key West, Florida, (RE #00014640-000000, AK #1015024); Providing fees and conditions.

Sponsors: City Manager Vitas

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

Enactment No: Res 14-135

- 29** Approving a Minor Development Plan for real property located at 512 and 524 Eaton Street; Providing for conditions.

Sponsors: City Manager Vitas

A motion was made by Commissioner Weekley, 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 14-136

- 30** Granting approval to a Major Development Plan and Conditional Use Approval for development of the Truman Waterfront parcel located in the Historic Public Service and Semipublic Service-1 (HPS-1), Historic Medium Density Residential (HMDR), Historic Residential Commercial Core-4 (HRCC-4) and the Historic Neighborhood Commercial-2 (HNC-2) Zoning Districts (RE #00001630-001000, AK #9038855; RE #00001630-001100, AK #9038866), Key West, Florida; Providing conditions.

Sponsors: City Manager Vitas

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

No: 2 - Commissioner Rossi and Commissioner Yaniz

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

Enactment No: Res 14-137

ORDINANCES - SECOND READING (Public Hearing)

- 31** An Ordinance of the City of Key West, Florida, amending Chapter 18 "Businesses", Article II "Alcoholic Beverages", Division 2 "Entertainment License", to amend Section 18-56 regarding Definitions; by Amending Section 18-59 to update Definitions; by Amending Section 18-60 to increase the number of violations before an entertainment license may be revoked or suspended; 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 Adopted. The motion carried by the following vote:

No: 2 - Commissioner Rossi and Commissioner Yaniz

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

Enactment No: Ord 14-08

- 32** An Ordinance of the City of Key West, Florida, amending Chapter 66 of the Code of Ordinances entitled "Taxation" by amending Section 66-56 to provide for an additional Homestead Exemption in the amount of \$50,000.00, retroactively effective to the 2013 tax roll, for any person with legal or equitable title to real estate and maintains thereon permanent residence as owner, who has attained the age of 65, and whose household income does not exceed \$20,000.00; Directing the City Clerk to deliver a copy of this Ordinance to the Property Appraiser; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

A motion was made by Commissioner Weekley, seconded by Commissioner Rossi, that the Ordinance be Adopted. 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: Ord 14-09

33

An Ordinance of the City of Key West, Florida, amending Chapter 82 of the Code of Ordinances entitled "Waterways" by amending Section 82-31 to add definitions and amend regulations regarding unlawful docking and mooring; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Weekley, that the Ordinance be Adopted. 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: Ord 14-10

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

10:22 P.M.