

MINUTES
SPECIAL CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
MONDAY, JUNE 30, 2014

A special meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Monday, June 30, 2014.

Mayor Craig Cates called the meeting to order at 9:00 a.m.

Answering roll call were Commissioners Teri Johnston, Clayton Lopez, Mark Rossi, Billy Wardlow, Jimmy Weekley, Tony Yaniz and Mayor Craig Cates.

Also present were Assistant City Manager David Fernandez, Assistant City Manager Sarah Spurlock, City Attorney Shawn Smith, City Planner and Director of Community Development Don Craig, Police Chief Donie Lee, Code Compliance Manager Jim Young, Information Technology Director Patti McLaughlin, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

The pledge of allegiance to the flag of the United States of America was given by all present.

APPROVAL OF AGENDA:

It was moved by Commissioner Rossi and seconded by Commissioner Lopez to approve the agenda. The Mayor acknowledged the motion and second and asked for approval, there were no objections.

RESOLUTIONS:

RESOLUTION NO. 14-173

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ENDING THE EMPLOYMENT RELATIONSHIP BETWEEN THE CITY AND BOGDAN VITAS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Shawn Smith, City Attorney
Judy Martinez, 1020 Emma Street
Margaret Romero, 1615 Washington Street
Jim Gilleran, 801 Duval Street

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 14-174

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING SHAWN D. SMITH AS INTERIM CITY MANAGER UNTIL SUCH TIME AS A NEW INTERIM CITY MANAGER IS APPOINTED; APPOINTING LARRY ERSKINE INTERIM CITY ATTORNEY UNTIL SHAWN D. SMITH IS RELIEVED OF INTERIM CITY MANAGER DUTIES; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Shawn Smith, City Attorney
Judy Martinez, 1020 Emma Street
Margaret Romero, 1615 Washington Street

Mr. Smith stated according to Charter Section 4.05, "Department heads shall be considered employees of the City and covered by the Civil Service System." Contract employees are specifically exempt from review under the Civil Service rules therefore he did not believe department heads could be

contract employees. Mr. Smith believes the contract with E. David Fernandez is not valid and therefore void.

It was moved by Commissioner Wardlow and seconded by Commissioner Yaniz that a Resolution be passed designating City Attorney Shawn Smith as Interim City Manager until such time that a new Interim City Manager is appointed and designating Chief Assistant City Attorney Larry Erskine as Interim City Attorney to take effect immediately.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Rossi, Wardlow, Weekley, Yaniz and Mayor Cates

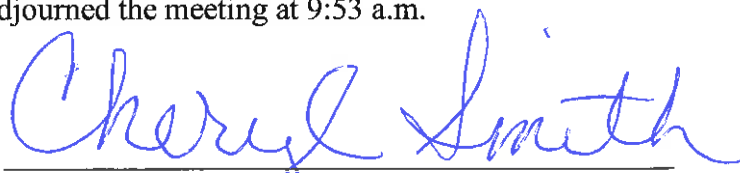
Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 9:53 a.m.


Cheryl Smith, MMC, CPM
City Clerk