

MINUTES

CITY COMMISSION MEETING

OLD CITY HALL, 510 GREENE STREET

TUESDAY, JUNE 21, 2011

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, June 21, 2011.

Mayor Craig Cates called the meeting to order at 6:04 p.m.

Answering roll call were Commissioners Barry Gibson, Teri Johnston, Mark Rossi, Billy Wardlow, Jimmy Weekley and Mayor Craig Cates.

Commissioners Clayton Lopez was absent.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, City Planner Don Craig, Police Chief Donie Lee, Fire Chief David Fraga, Community Services Director Greg Veliz, Deputy Community Services Director Rodrigo Delostrinos, Code Compliance Manager Jim Young, Information Technology Director Patti McLaughlin, Senior Project Manager Doug Bradshaw, Utilities Manager Jay Gewin, Parking Manager John Wilkins, Port and Transit Director Jim Fitton, Senior Property Manager Marilyn Wilbarger, Deputy City Clerk Angela Budde and City Clerk Cheri Smith.

Chaplin Steve Torrence from the Key West Police Department gave the invocation.

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

CHANGES TO THE AGENDA:

Commissioner Weekley requested Item #9 be removed from the Consent Agenda.

Commissioner Johnston requested Items #13 and #19 be removed from the Consent Agenda for discussion.

Commissioner Rossi requested Item #18 to be removed from the Consent Agenda.

Commissioner Wardlow requested to add non-consent Item #20 to be added to the Consent Agenda.

Commissioner Weekley requested Item #21 be moved to immediately follow the approval of the Consent Agenda.

Without opposition, the agenda was accepted as changed.

PROCLAMATIONS:

- 1) Leadership Monroe County 20th Anniversary

PRESENTATIONS:

- 2) 20 Year Service Award – Key West Police Lieutenant David Smith
 - Add-On** 3) **20 Year Service Award – Key West Police Sergeant Alfredo Vasquez**
 - 3) 25 Year Service Award – Tony Michelle Gage
 - 4) 25 Year Service Award – Pearline Lewis
 - 5) Florida Keys Assisted Care Coalition Facility Update
 - 6) Lower East Coast Water Supply Plan Update by Tom Genovese from the South Florida Water Manager District (SFWMD)
- City Attorney's Report
- No Report
- City Manager's Report

City Manager Scholl reported he will be out of the office the week of June 26 and Assistant City Manager David Fernandez will be overseeing day to day operations. He reported the proposed Budget Workshop meetings are tentatively set for July 25, 2011 and July 26, 2011.

The City Manager reported he would be advertising for positions, a contract staff position titled Project Manager for overseeing the repairs made at the Naval Pier the City uses. The other position he reported would be a full time position to handle the utility billing revenue.

CONSENT AGENDA:

The City Clerk advised a speaker had signed up on Item #15 and requested the item be removed from the Consent Agenda.

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolutions as read.

RESOLUTIONS:

RESOLUTION NO. 11-178

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING THOMAS D. MACK TO THE CIVIL SERVICE BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-179

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, Appointing David A. Jackson to the Tree Commission; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-180

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING MEL FISHER MARITIME HERITAGE SOCIETY, INC. TO CONDUCT THE 26TH ANNIVERSARY CELEBRATION OF THE FINDING OF THE ATOCHA ON FRIDAY, JULY 15, 2011 DURING THE HOURS OF 3:00 P.M. TO 9:00 P.M. AUTHORIZING THE CLOSURE OF THE 200 BLOCK OF DUVAL STREET FROM 10:00 A.M. TO 10:00 P.M.; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 1:00 P.M. TO 10:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-181

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING HELPLINE, INC. AND THE KEY WEST SHRINE CLUB TO CONDUCT IT'S ANNUAL HEMINGWAY DAYS STREET FAIR ON SATURDAY, JULY 23, 2011 FROM 8:00 A.M. TO 9:00 P.M.; PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF DUVAL STREET BETWEEN FRONT AND FLEMING STREETS BETWEEN THE HOURS OF 8:00 A.M. TO 9:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING EXECUTION OF THE ATTACHED PARTNERSHIP AGREEMENT FOR SOUTH FLORIDA REGIONAL PARTNERSHIP CONSORTIUM – HUD SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-183

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE PURCHASE OF 15 ELECTRONIC TICKETING SYSTEMS FROM ADVANCED PUBLIC SAFETY INC. PURSUANT TO THE CITY OF KEY WEST CODE OF ORDINANCES SECTIONS 2-797 (1) AND 2-844 (A) IN AN AMOUNT NOT TO EXCEED \$27,187; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-184

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE CONTRACT FOR GENERAL AND UTILITY ENGINEERING SERVICES WITH CH2MHILL, INC. BY CONSENTING TO NOVATE THE CONTRACT TO CH2M HILL ENGINEERS, INC; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-185

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDDING THE BID OF CHARLEY TOPPINO & SONS, INC., FOR THE CONSTRUCTION OF COLLEGE ROAD

ENHANCEMENTS (PROJECT GN-0711) IN AN AMOUNT NOT TO EXCEED \$279,841.99; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 11-186

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, DETERMINING THAT THE CONTINUED DETERIORATION OF THE SUNRISE CANAL MAY CONSTITUTE A NUISANCE AFFECTING THE PUBLIC'S HEALTH AND WELFARE; DIRECTING STAFF TO SEEK GRANT FUNDING AND OBTAIN PERMITS FOR MAINTENANCE DREDGING TO RESTORE THE CANAL AND ABATE THE NUISANCE; PROVIDING FOR AN EFFECTIVE DATE

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

SO ORDERED

RESOLUTION NO. 11-187

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING RICK'S & DURTY HARRY'S ENTERTAINMENT COMPLEX TO CONDUCT A SEAFOOD LOBSTER FESTIVAL ON SATURDAY, AUGUST 13, 2011 FROM 10:00 A.M. TO 12:00 MIDNIGHT, PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF THE 100, 200, 300 & 400 & 500 BLOCKS OF DUVAL STREET BETWEEN FRONT AND FLEMING STREETS INCLUDING THE GREENE STREET INTERSECTION AND TELEGRAPH LANE FROM 10:00 A.M. TO 12:00 MIDNIGHT.; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 12:00 NOON TO 11:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

City Attorney Smith

Commissioner Rossi recused himself from the vote stating he had a conflict of interest.

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

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

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. 11-188

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING EXECUTION OF THE ATTACHED SETTLEMENT AGREEMENT (REVISED) BETWEEN M&I REGIONAL PROPERTIES, LLC (AS SUCCESSOR IN TITLE TO CAROLINE STREET PARTNERS, LLC), HARBORSIDE, LLC AND THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

A Presentation by Harborside, Inc. Mr. Pritham Singh was heard.

The Clerk read the following letter into the record:

Sheila Mullins, 830 Fleming Street

The following people spoke on the matter:

City Attorney Smith
Bert Bender, 410 Angela Street
Ed Scales representing Harborside
Kevin Boucher, 3724 Flagler Avenue
Mark Songer, 1310 Newton Street representing LastStand
Margaret Romero, 1615 Washington Street
Tom Milone, 832 Caroline Street
Jim Wilson, 3229 Flagler Avenue Suite 101
Michael Knowles, 3640 Duck Avenue
Shirley Freeman, 724 Eaton Street
Richard Tallmadge, 1700 Jamaica Drive
Barbara Bowers, 320 William Street
Mike Mongo, 1218 Pearl Street
Linda O'Brien, 923 Fleming Street
City Planner Don Craig

City Manager Scholl

It was moved by Commissioner Weekley and seconded by Commissioner Johnston for discussion to accept amendments to the Settlement Agreement with the following:

- Any application for Variance where exception shall constitute material breach of the Settlement Agreement.
- 97 parking spaces shall be provided either on site or pursuant to a lease agreement with the City of Key West.
- The project shall comply with green lodging Building standards including Recycling and irrigation standards.
- The employee parking shall be provided by the developer pursuant to an off site agreement with the City of Key West
- 5 Transient Licenses returned to the City of Key West.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

It was moved by Commissioner Weekley and seconded by Commissioner Rossi to postpone the item to the July 5, 2011 meeting.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Rossi and Weekley

Nays: Commissioners Gibson, Johnston, Wardlow and Mayor Cates

Motion failed.

It was moved by Commissioner Wardlow and seconded by Commissioner Gibson to approve the Resolution with the additional language that is acceptable to the City Manager and City Attorney with the amendments to the Settlement Agreement.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow and Mayor Cates

Nays: Commissioner Weekley

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

The Mayor called for a 5 minute recess at 8:37 P.M.

The Mayor reconvened the meeting at 8:46 P.M.

RESOLUTION NO. 11-189

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF IMPERIAL ELECTRICAL INC. TO RETROFIT LOCAL PARK BALL FIELD LIGHTING IN ACCORDANCE WITH THE TERMS SPECIFIED IN ITB #11-015 IN AN AMOUNT NOT TO EXCEED \$707,677; AUTHORIZING NECESSARY BUDGET ALLOCATIONS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT IN SUBSTANTIAL CONFORMANCE WITH THE CONTRACT DOCUMENTS CONTAINED IN THE BID PACKAGE ON BEHALF OF THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

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

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

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. 11-190

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED FOURTH AMENDMENT TO THE CITY'S BUS SHELTER AGREEMENT WITH ANDERSON OUTDOOR ADVERTISING, INC; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Richard Tallmadge, 1700 Jamaica Drive
Shirley Freeman, 724 Eaton Street
Mike Mongo, 1218 Pearl Street
Port and Transit Director Jim Fitton

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

The Mayor acknowledged the motion and second and requested Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley 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. 11-191

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A TASK ORDER UNDER THE GENERAL SERVICES CONTRACT WITH DOUGLAS N. HIGGINS, INC. IN AN AMOUNT NOT TO EXCEED \$306,843.13 FOR REPAIR OF SEWER LATERAL TRENCHES ON EATON STREET; AUTHORIZING A BUDGET TRANSFER FROM SEWER FUND RESERVES; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

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

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

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. 11-192

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RANKING PROPOSALS RECEIVED IN RESPONSE TO RFP #011-08, FOR MONITORING OF DEBRIS REMOVAL AND RELATED SERVICES; AUTHORIZING THE NEGOTIATION OF CONTRACTS WITH TWO OF THE RANKED PROPOSERS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

City Manager Scholl
Division Fire Chief Craig Marston

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

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

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. 11-193

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN EASEMENT OF APPROXIMATELY 307.26 SQUARE FEET AT THE END OF CARABALLO LANE TO ADDRESS THE ENCROACHMENT OF A PROPOSED SECURITY GATE AT THE REAR OF PROPERTY LOCATED AT 327 WILLIAM STREET, KEY WEST, FLORIDA (RE #00003270-000000); PROVIDING FEES AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

At this time the Clerk asked anyone giving testimony on this item to please stand to be sworn in; the Clerk administered the oath.

The following people spoke on the matter:

City Attorney Smith
Diane Covan, representative for Applicant
Interim City Planner Don Craig

The following people spoke in support to the Easement:

George Mentonis, 327 William Street

The Clerk reported there were eleven (11) notices sent to property owners within 50 feet. Three (3) responses were received; all three (3) were objections with one (1) objection not on the mailing list.

The City Clerk read the following objections into the record:

Brian Wruble and Kathleen Bratton, 309 Carabello Lane
Christopher Kent, 4 Gecko Lane
Lawrence Enid MD, 2 Gecko Lane

The following people spoke in opposition to the Easement:

Brian Wruble, 309 Carabello Lane
Kathleen Bratton, 309 Carabello Lane
Wayne Smith, representative of Kathleen Bratton, Brian Wruble and Mr. and Mrs. Lockwood

It was moved by Commissioner Gibson and seconded by Commissioner Wardlow that the Resolution be amended to include the language for the applicant to indemnify and hold the City harmless from the grant of the Easement and actions associated therewith and adopted as read.

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Rossi, Wardlow and Mayor Cates

Nays: Commissioners Johnston, Weekley

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

ORDINANCES - FIRST READING:

ORDINANCE NO. Passed to 2nd Reading

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED "BUSINESSES" BY AMENDING SECTION 18-27 (A) TO ALLOW CONSUMPTION OF ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 7:00 A.M. AND 4:00 A.M. AND 12 NOON ON SUNDAYS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance

Commissioners Rossi and Weekley recused themselves from the item due to each having a conflict of interest and proceeded to stepped down from the dais.

The City Clerk read the following letters into the record:

Shelley McInnis, 806 Caroline Street
Barbara Ramey, 615 William Street
Maryanne Downs, 25 East Pine Street, Orlando, Florida

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street
Jim Gilleran, 2904 Riveria Drive
Christine Russell, 1014 Grinnell Street

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

The Mayor acknowledged the motion and second and requested the Clerk to call the roll.

Yeas: Commissioners Gibson, Johnston, Wardlow and Mayor Cates

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading as read.

SO ORDERED

CITIZEN COMMENTS:

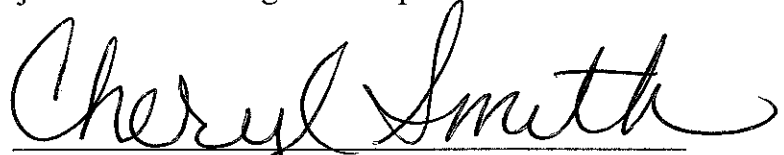
None

COMMISSION COMMENTS:

None

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 10:02 p.m.


Cheryl Smith, MMC, CPM
City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Rossi, Mark	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Key West City Commission
MAILING ADDRESS P.O. Box 1409	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Key West	COUNTY Monroe
DATE ON WHICH VOTE OCCURRED June 21, 2011	NAME OF POLITICAL SUBDIVISION: City of Key West
MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Mark Rossi, hereby disclose that on June 21, 20 11 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

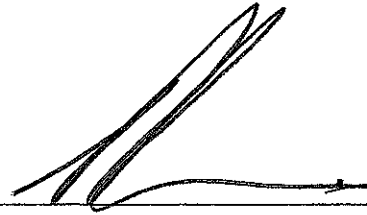
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Authorizing Rick's & Durty Harry's Entertainment Complex to conduct a Seafood Lobster Festival on Saturday, August 13, 2011 from 10:00 AM to 12 Midnight.

Date Filed

6/21/11

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Mark Rossi, hereby disclose that on June 21, 20 11 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Section 18-27 (a) to allow consumption of alcoholic beverages between the hours of 7:00 AM and 4:00 AM; Repealing Section 18-27(b), which prohibited alcohol sales between 4:00 AM and 12 Noon on Sundays.

6/21/11
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Weekley, Jimmy	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Key West City Commission
MAILING ADDRESS P.O. Box 1409	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Key West	COUNTY Monroe
DATE ON WHICH VOTE OCCURRED June 21, 2011	NAME OF POLITICAL SUBDIVISION: City of Key West
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jimmy Weekley, hereby disclose that on June 21, 20 11 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Section 18-27(a) to allow consumption of alcoholic beverages between the hours of 7:00 AM and 4:00 AM; Repealing Section 18-27(b), which prohibited alcohol sales between 4:00 AM and 12 Noon on Sundays.

6/21/11
Date Filed

Jimmy Weekley
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.