



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, June 3, 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: Commissioner Teri Johnston

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

1 Susan C. Srch

Sponsors: Mayor Cates, Commissioner Lopez and Commissioner Johnston

Received and Filed

PROCLAMATIONS

2 Key West Pride Week

Sponsors: Mayor Cates and Commissioner Johnston

Received and Filed

3 Mystery Writers Weekend

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS**4** Annual Sustainability Advisory Board Report

Sponsors: City Manager Vitas

Received and Filed

5 Florida Fire Chief's Association - EMS Report

Sponsors: City Manager Vitas

Received and Filed

6 International Association of Fire Fighters, Local 1424 - EMS Report

Sponsors: City Manager Vitas

Received and Filed

7 Key West Classic Regatta and Tall Ship Festival

Sponsors: City Manager Vitas

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**8** *April 22, 2014 (Special)

Approved

9 *April 23, 2014 (Workshop)

Approved

10 *May 6, 2014 (Regular)

Approved

11 *May 20, 2014 (Regular)

Approved

RESOLUTIONS

12 *Providing for a waiver of past due utility fees for Sewer, Stormwater and Solid Waste in the amount of \$14,253.71 for a lawful unit located at 716 Eisenhower Drive (703 Pearl Street).

Sponsors: Commissioner Weekley

Withdrawn

13 *Authorizing Key West Business Guild, Inc. to conduct a Key West Pride Celebration on June 14 & 15, 2014; Authorizing the Key West Business Guild, Inc. to conduct numerous events starting with a street fair on Saturday, June 14, 2014 on the 700 & 800 block of Duval Street from 10:00 A.M. to 7:00 P.M.; A Parade on Sunday, June 15, 2014 from 5:00 P.M. to 7:00 P.M. starting at Truman Annex, going left on Whitehead Street, right on Duval Street and ending at the end of the 1100 block of Duval Street; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Authorizing the closure of the 700 & 800 block of Duval Street; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-147

- 14 *Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a fundraiser at the McCoy Indigenous Park July 4th, 2014 (set up July 2, 2014) from 7:00 A.M. to 8:00 P.M. and display and cleanup from 9:00 P.M. to 12:00 Midnight; Authorizing fireworks display off the White Street Pier on July 4, 2014 from 9:00 P.M. to 10:00 P.M.; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the July 4th fireworks celebration; Authorizing the sale and consumption of alcoholic beverages at McCoy Indigenous Park.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-148

- 15 *Adopting and approving the attached Triennial Update to the Disadvantaged Business Enterprise (DBE) Program Policy; Authorizing the City Manager or designee to execute and submit the DBE to the U.S Department of Transportation.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-149

- 16 *Amending Resolution 14-060 to adjust the procurement price authorized for the purchase of up to three (3) clean diesel (low sulfur) Gillig 30' low floor BRT buses and one (1) hybrid clean diesel (low sulfur) electric Gillig 30' low floor BRT bus to a total amount not to exceed \$2,001,983.00, pursuant to State Contract, pursuant to Sections 2-797(1)(3) and 2-844(a) of the Code of Ordinances.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-150

- 17 *Approving the attached "Public Transportation Joint Participation Agreement" (JPA) between the Florida Department of Transportation (FDOT) and the City of Key West for Section 5311 Grant Program Funding Assistance for FY 13-14 through December 2015 for Capital Funding to purchase replacement buses in an amount not to exceed the maximum participation in the amount of \$2,072,523.00; Authorizing the City Manager to execute necessary documents and necessary budget amendments.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-151

- 18 *Approving a Task Order under the City's General Services Contract with Douglas N. Higgins, Inc. in a total amount not to exceed \$291,695.15 for White Street Pier Guardrail and Sidewalk Replacement.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-152

- 19 *Approving a Task Order under the City's General Services Contract with Douglas N. Higgins, Inc. in a total amount not to exceed \$41,034.00 for installation of ADA Compliant Sidewalk/Walkway at Bill Butler Park.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-153

- 20 *Approving a Task Order under the City's General Services Contract with Douglas N. Higgins, Inc. in a total amount not to exceed \$433,126.29 for installation of sidewalk along United Street from Leon Street to White Street.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-154

- 21 *Approving Transfer of Mobile Vendor License (MVL) #12771 from Lary J. Budnick to Captain Kelly Nelson due to hardship.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-155

- 22 *Approving the attached License Agreement between the City and the Housing Authority of the City of Key West for the use of a portion of Fort Street and Amelia Street.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 14-156

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.

- 23** Approving Task Order No. 14-01 of the General Architectural Services Contract for Key West Police Department Roof Replacement Architectural and Engineering Design and Technical Services in an amount not to exceed \$38,814.00, Approving necessary budget transfers.

Sponsors: City Manager Vitas

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

Enactment No: Res 14-157

- 24** Appointing two members to the Citizen Review Board.

Sponsors: City Manager Vitas

A motion was made by Commissioner Yaniz, seconded by Commissioner Rossi, that the Resolution be Postponed to June 17, 2014. The motion carried by the following vote:

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

- 25** **QUASI-JUDICIAL HEARING:**
REVOCABLE LICENSE FOR 1413 GRINNELL STREET
Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of City property to maintain existing wood fences located on City rights-of-way abutting the property located at 1413 Grinnell Street (RE #00039200-000000, AK #1039942) pursuant to Section 2-939 of the Code of Ordinance of the City of Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, 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 14-158

26

**QUASI-JUDICIAL HEARING:
MAJOR DEVELOPMENT PLAN, CONDITIONAL USE AND
LANDSCAPE WAIVERS FOR 1300 WHITE STREET**

Granting Major Development Plan, Conditional Use and Landscape Waiver approvals pursuant to Sections 108-92.a.2., 108-517, 122-62 and 122-958 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for the adaptive reuse of a former school into new city government offices with related cultural and civic activities on property located at 1300 White Street (RE #00040100-000000, AK #1040827) in the Historic Public and Semipublic Services (HPS) Zoning District; Providing conditions.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, 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 14-159

27

**QUASI-JUDICIAL HEARING:
VACATION OF CITY PROPERTY 1300 WHITE STREET**

Approving the proposal for Vacation of a portion of the Walton Street right-of-way in the dimensions of 50 feet in width by 185 feet in length, to the property owner of lots comprising the Historic Glynn Archer School property located at 1300 White Street within the Historic Public and Semipublic Services (HPS) Zoning District pursuant to Article VII of Chapter 90 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Vitas

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, 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 14-160

ORDINANCES – FIRST READING

28

An Ordinance of the City of Key West, Florida, Amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by adding Article XIII, Sections 18-701 through 18-707, entitled "Cosmetics" to establish requirements and procedures to apply for and obtain a permit and for violations and revocation or suspension of a permit; 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 Rossi, that the Ordinance be Passed to Second Reading on June 17, 2014. The motion carried by the following vote:

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

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

10:05 P.M.