



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, October 21, 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

6:01 P.M.

ROLL CALL

Absent 1 - Commissioner Lopez

Present 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

INVOCATION - Rev. Sarah Fowler, St. Peters Episcopal Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Lights On Afterschool Day

Sponsors: Mayor Cates

Received and Filed

2 National Energy Awareness Month

Sponsors: Mayor Cates

Received and Filed

- 3 Visiting Nurse Association & Hospice of the Florida Keys Home Health Care and Hospice Month

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

- 4 Key West Community Services Lead Maintenance Worker Mark Bacon - 20 Year Service Award

Sponsors: City Manager Scholl

Received and Filed

City Attorney's Report

City Manager's Report

Police Department Promotions:

Captain Sean Brandenburg

Lieutenant Areaka Jewell

Sergeant Donny Barrios

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

- 5 *Approving the attached Fifth Amendment to the City's Bus Shelter Agreement with Anderson Outdoor Advertising, Inc.

Sponsors: Commissioner Rossi

Passed

Enactment No: Res 14-293

- 6 *Supporting Amendment No. 1, titled "Florida Water and Land Conservation - Dedicates Funds to Acquire and Restore Florida Conservation and Recreation Land," on the General Election Ballot of November 4, 2014; Urging residents to support the proposed amendment.

Sponsors: Commissioner Weekley

Passed

Enactment No: Res 14-294

- 7 *Authorizing Key West Business Guild, Inc. to conduct a block party to welcome a gay cruise ship on Monday, December 1, 2014 from 12:00 Noon to 4:00 P.M.; Authorizing the closure of the 700 & 800 blocks of Duval Street from 9:00 A.M. to 6:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages with an enclosed area; 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

Passed

Enactment No: Res 14-295

- 8 *Authorizing the Key West Art Center to conduct a Craft Festival Show on Saturday, January 24, 2015 and Sunday, January 25, 2015 during the hours of 10:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Street including Caroline from Telegraph to Whitehead Street on January 24, 2015 and January 25, 2015 from 6:00 A.M. to 8:00 P.M.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-296

- 9 *Authorizing the Wesley House Family Services, Inc. to conduct its annual "Valentine's Day Fundraiser" at the Curry Mansion located at 511 Caroline Street on Saturday, February 14, 2015 from 9:00 A.M. to 11:30 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Caroline Street from Duval Street to Simonton Street and Ann Street from Greene Street to Caroline Street from 9:00 A.M. to 11:30 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 9:00 A.M. to 11:30 P.M.; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-297

- 10 *Authorizing the Key West Art Center to conduct an Art Show on Saturday, February 21, 2015 and Sunday, February 22, 2015 (street closed from February 21, 2015 6:00 A.M. thorough February 22, 2015 8:00 P.M.) during the hours of 10:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Street including Caroline between Telegraph & Whitehead on February 21, 2015 and February 22, 2015 from 10:00 A.M. to 5:00 P.M.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-298

- 11 *Re-establishing and implementing one-day bus pass fares within the City of Key West; Establishing a one-day "Super Pass" fare for travel within Key West and on the Lower Keys Shuttle.

Sponsors: City Manager Scholl

Passed

Enactment No: Res 14-299

- 12 *Awarding the bid of the Straits Lighting Company, LLC, for the purchase, delivery and installation of LED lighting fixtures, hardware and poles, and removal and disposal of replaced light fixtures at the Park N Ride in accordance with the terms specified in ITB #14-025 in an amount not to exceed \$41,873.50; 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 Scholl
- Passed**
- Enactment No: Res 14-300
- 13 *Approving the attached Supplemental Joint Participation Agreement (SJPA) #4 between the Florida Department of Transportation (FDOT) Commuter Assistance Grant Program and the City of Key West for operating assistance funding (Contract AQ173) for the Lower Keys Shuttle in an amount of up to \$345,863.00.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 14-301
- 14 *Approving the attached Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and the City of Key West for Annual Block Grant Program Funding Assistance for Operating a Fixed Route Bus System in an amount not to exceed 50% of the total project cost at \$431,660.00, or reimbursement of up to \$215,830.00, in operating assistance (Contract Number ARM46); Providing for any necessary budget amendments.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 14-302
- 15 *Authorizing a purchase from Physio-Control, Inc. for four (4) Lifepak 15 Cardiac Monitors plus accessories as brand name products, pursuant to City Code Section 2-844(a) and (b), for the Key West Fire Department in an amount not to exceed \$109,059.20.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 14-303

- 16 *Approving the attached "Workforce Services Contract Between the South Florida Workforce Investment Board and the City of Key West," for a total grant award of \$35,000.00 to conduct the Fire Academy Training Program (Workforce Investment Act Youth Funding); Authorizing necessary budget amendments to accept the funding.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 14-304
- 17 *Approving a one-time payment in the amount of \$335,358.51 for the City of Key West pro-rata share of the Monroe County Sheriff's Office (MCSO) new radio system, for use by the Police Department, Fire Department, Transportation Department, Utilities and Community Services Departments.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 14-305
- 18 *Authorizing the execution of the attached "Modification to Subgrant Agreement Between the Division of Emergency Management and City of Key West" for Contract No. 14-HM-1F-11-54-02-453 (Project No: 4084-06-R) (FDEM) for Phase I FEMA Funding for design of the Simonton Street Emergency Outfall Project; Acknowledging new Contract Number 14-HM-1F-11-54-02-453 amended from previous Contract Number 14HM-6B-11-54-02-XXX; Withdrawing Phase II Funding for the Simonton Street Emergency Outfall Project; Amending the Stormwater Budget to accept the funds.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 14-306
- 19 ***QUASI-JUDICIAL HEARING: Easement 951-955 Caroline Street**
Approving an Easement of 129 square feet, more or less, to address the encroachment of existing brick pavers into City right of way abutting the property located at 951-955 Caroline Street, Key West, Florida (RE # 00002970-000000; AK # 1003069); Providing fees and conditions.
- Sponsors: Commissioner Weekley
- This Item was Postponed Indefinitely.**

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.

20

Approving a Task Order for Calvin Giordano & Associates, Inc. to conduct a Parking Garage Capacity and Siting Study for three locations within Old Town Key West in an amount not to exceed \$85,000.00.

Sponsors: City Manager Scholl

A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Resolution be Denied. The motion carried by the following vote:

Absent: 1 - Commissioner Lopez

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

Enactment No:

21

Approving the staff ranking and awarding contracts on a task order basis for General Architectural Services in response to RFQ No. 14-002.

Sponsors: City Manager Scholl

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

No: 2 - Commissioner Wardlow and Commissioner Yaniz

Absent: 1 - Commissioner Lopez

Yes: 4 - Commissioner Johnston, Commissioner Rossi, Commissioner Weekley and Mayor Cates

Enactment No: Res 14-307

22

Granting preliminary authorization to enter into the Development Agreement process and pursue negotiations with the property owner for the property located at 5555 College Road (RE #00072080-001400, AK #1076007) pursuant to Section 90-679 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Scholl

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

No: 1 - Commissioner Rossi

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-308

23

Approving the attached First Amendment to City Manager Employment Agreement between the City of Key West and James K. Scholl.

Sponsors: City Attorney Smith

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-309

24

QUASI-JUDICIAL HEARING: Easement 711 Duval Street

Approving an Easement of approximately 82 square feet in order to maintain an existing marquee that encroaches over Duval Street on City right of way located at 711 Duval Street, Key West, Florida (RE #000015760-000000), AK #1016136); Providing fees and conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-310

25

QUASI-JUDICIAL HEARING: Easement 506 Elizabeth Street

Approving an Easement of approximately 77.70 square feet in order to maintain existing eaves, porches and partial fence and gate that encroach on City right of way located at 506 Elizabeth Street, Key west, Florida (RE #00009080-000000, AK #1009342); Providing fees and conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-311

26

QUASI-JUDICIAL HEARING: Easement 1406 Leon Street

Approving an Easement of approximately 69.16 square feet on the Leon Street right-of-way and 498.84 square feet on the Washington Street right-of-way in order to maintain an existing concrete wall, portion of the pool, pool equipment and landscaping that encroach on City right of Way located at 1406 Leon Street, Key West, Florida (RE #00041610-000000, AK #1042277); Providing fees and conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-312

27

QUASI-JUDICIAL HEARING: Revocable License 200 William Street

Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of City property to install and maintain landscaping, brick pavers and a bicycle / scooter parking area within Lazy Way Lane adjacent to property located at 200 William Street (RE #00000840-000000, AK #1000850) pursuant to Section 2-939 of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-313

28

QUASI-JUDICIAL HEARING: Minor Development 629 Duval Street

Approving a Minor Development Plan for Real Property located at 629 Duval Street (RE #00012440-000100, AK #1012815); and Approving a Modification to Landscape Requirements per Section 108-411, 108,412 and 108,413 of the Code of Ordinances; Providing for conditions.

Sponsors: City Manager Scholl

A motion was made by Commissioner Yaniz, seconded by Commissioner Rossi, that the Resolution be Passed as Amended. The motion carried by the following vote:

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-314

29

QUASI-JUDICIAL HEARING: Major Development 1512 Dennis Street and 1515-1525 Bertha Street

Granting Major Development Plan, Conditional Use and Landscape and Buffer-yard Waiver Approvals pursuant to Sections 108-91.B.2.(a) & (b) and 122-388(6) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for the phased demolition and reconstruction of seven of sixteen existing convalescent units, construction of seven new units, and an administration building on property located at 1512 Dennis Street and 1515-1525 Bertha Street (RE #00063400-000000, AK #1063835 and RE #00063400-000100, AK #8850701) in the Limited Commercial (CL) Zoning District; Providing conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-315

30 QUASI-JUDICIAL HEARING: Major Development 2407 North Roosevelt Boulevard

Granting Major Development Plan, Conditional Use and Landscape Waiver approvals pursuant to Section 108-91.B.2.(c) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida to construct dockage with 79 berths on property located at 2407 North Roosevelt Boulevard (RE #00002280-000100 AK #8890613) in the outstanding waters of the State (C-OW) Zoning District; Providing conditions.

Sponsors: City Manager Scholl

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 14-316

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:46 p.m.