



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, October 16, 2012

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 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

6:04 P.M.

ROLL CALL

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

INVOCATION - Chaplin Steve Torrence- Key West Police Department

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

- 1 Key West High School Academic Excellence Awards
Sponsors: Mayor Cates
Received and Filed
- 2 Key West High School Outstanding Achievement/Unsung Hero Awards
Sponsors: Mayor Cates
Received and Filed
- 3 Key West High School Arts, Visual, Performing or Vocational Awards
Sponsors: Mayor Cates
Received and Filed

PROCLAMATIONS

4 Lights On After School Day

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

5 Referendum On Extending The One Cent Infrastructure Sales Tax Through 2033 - Monroe County Mayor David Rice

Sponsors: City Attorney Smith

Received and Filed

6 Truman Village Senior Residential Community Project Update by Wendover Housing Partner

Sponsors: City Manager Vitas

Received and Filed

**RECESS CITY COMMISSION MEETING AND CONVENE AS THE NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY (LRA) - 7:18 P.M.
RECONVENE AS THE CITY COMMISSION - 8:24 P.M.**

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.**

RESOLUTIONS

7 *Re-appointing J. Robert Dean to the Housing Authority of the City of Key West Board of Commissioners.

Sponsors: Mayor Cates

Passed

Enactment No: Res 12-286

- 8 *Approving the attached agreement between the Conch Republic Offshore Powerboat Racing Association and the City of Key West to conduct the Key West World Championship Races on November 4 - 11, 2012; A boat parade on Sunday, November 4, 2012 starting at 4:00 P.M., a block party on Friday, November 9, 2012 from 7:00 P.M. to 11:00 P.M; The parade will be starting at Truman Annex Southard Street Gate to Whitehead Street - right going south to United Street - left to Duval Street - left go north to Front Street - to Whitehead Street - left go south to Southard Street and right back to Truman Annex; The Street Party on Friday, November 9, 2012, from 7:00 P.M. to 11:00 P.M., pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Duval Street between Fleming and Front Streets including Greene from Ann to Fitzpatrick Streets and Duval Street and a Welcome Party for the US and International Teams at the Mole Pier on Monday, November 5, 2012 from 6:00 P.M. to 10:00 P.M; The use of the Truman Waterfront for the staging, launching & hauling of the racing boats; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-287

- 9 *Authorizing Key West Business Guild to conduct a mixer kick off Toys for Tots drive event on Wednesday, November 14, 2012 from 5:00 P.M. to 9:00 P.M. pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 900 block of Frances Street from 12:00 Noon to 10:00 P.M; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 2:00 P.M. to 10:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-288

- 10 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Key West Rotary Club of Key West, FL., Inc. for a Reggae Concert at Clarence Higgs Beach from the hours of 5:00 P.M. to 11:00 P.M. on Saturday, November 17, 2012 (Set up time is 8:00 A.M. to 5:00 P.M.).

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-289

- 11 *Authorizing Rotary Club of Key West, Inc. to conduct a fundraiser at Dewitt Roberts Field (Wickers Sports Complex) and Pedro Aguilar Field (Clayton Sterling Complex) for the Annual Marques Butler Memorial Softball Tournament on Saturday, January 26 and Sunday, January 27, 2013 from 7:00 A.M. to 11:00 P.M. pursuant to terms and conditions set forth by the Office of the City Manager; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 12:00 Noon to 11:00 P.M. on Saturday, January 26 and Sunday, January 27, 2013; Authorizing the sale and consumption of alcoholic beverages on the date and during the hours stated above.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-290

- 12 *Authorizing pursuant to Sections 2-797(3) and 2-844(A) and (B) of the Code of Ordinances the purchase of Dell Computers and Accessories from Dell Marketing L.P. in the amount of \$74,792.94.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-291

- 13 *Authorizing pursuant to Section 2-797(4) of the Code of Ordinances the purchase of EMC Data Domain Backup Equipment, Software and Support from GovConnection, Inc. in the amount of \$32,162.00.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-292

- 14 *Awarding the bid of Ten-8 Fire Equipment, Inc. in an amount not to exceed \$565,659.00 for the purchase of a Pierce Velocity Pumper, with Hurst Tools from Team Equipment, Inc., for the Fire Department.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-293

- 15** *Authorizing the Key West Police Department to accept a grant award from the Florida Department of Transportation in the amount of \$81,528.00; Authorizing necessary budget amendments.
- Sponsors:** City Manager Vitas
- Passed**
- Enactment No: Res 12-294
- 16** *Authorizing modification Number One to Subgrant Agreement between the Division of Emergency Management and the City of Key West, to modify Contract Number 13HM-3B-11-54-02-136 in order to amend the commencement date of the Phase II agreement for the Stormwater Pump Station and Outfall System for the George Street Drainage Area.
- Sponsors:** City Manager Vitas
- Passed**
- Enactment No: Res 12-295
- 17** *Approving the attached "Amendment No. 3 to the Interlocal Agreement between Monroe County and the City of Key West, for Joint Participation in Grant Agreement No. ARS010"; Authorizing the City Manager to execute the necessary documents.
- Sponsors:** City Manager Vitas
- Passed**
- Enactment No: Res 12-296
- 18** *Authorizing the Sustainability Coordinator to work with City Staff to recommend PACE and Green Business Certification.
- Sponsors:** City Manager Vitas
- Postponed Indefinitely**
- 19** *Approving the subordination of a Disaster Recovery CDBG mortgage held by the City of Key West to facilitate the refinancing of the property located at 12 Luna Lane by owner Deborah Pardee; Authorizing the Mayor to execute an Agreement on behalf of the City of Key West.
- Sponsors:** City Manager Vitas
- Passed**
- Enactment No: Res 12-297

20 *Approving the attached Easement Agreement between the City and the Monroe County School District to allow construction of an underground stormwater emergency outfall pipe on Horace O’Bryant Middle School Property located at 1100 Leon Street, Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 12-298

21 *Approving the City Attorney Performance Evaluation

Sponsors: City Attorney Smith

Passed

Enactment No: Res 12-299

22 *Ranking pursuant to RFP #004-12 firms to provide Federal Government Relations Services; Providing the three top-ranked firms with an opportunity to make a presentation at the November 7, 2012 City Commission Meeting.

Sponsors: City Manager Vitas

Postponed to November 7, 2012

ORDINANCES - SECOND READING (Public Hearing)

23 *An Ordinance of the City of Key West, Florida, amending Chapter 6 of the Code of Ordinances entitled “Street Performers and Street Artists” by amending Section 6-4 “Permit Regulations; Prohibitions” to provide for a prohibition of art vendors to establish their wares on City sidewalks within seventy-five feet of storefronts selling like goods; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Cates

Withdrawn

Approval of the Consent Agenda

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

- 24** Rejecting all bids in response to Invitation to Bid (ITB) #12-031 for Repairs to Electrical Systems - Kingfish and Wahoo Piers at the City Marina at Garrison Bight.

Sponsors: City Manager Vitas

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

Enactment No: Res 12-300

- 25** Approving the attached "Contract for Sale and Purchase" of real property commonly known as 529 Front Street (RE Number 00072082-000600); Authorizing the Mayor to execute necessary documents upon advice and consent of the City Attorney; Specifying that closing proceeds of \$7,500,000.00 shall be placed in Capital Projects Fund 303, with restrictions for use, and reimbursement of Appraisal Fees totaling \$30,100.00 shall be deposited in the General Fund.

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:

No: 2 - Commissioner Wardlow and Commissioner Yaniz

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

Enactment No: Res 12-301

- 26** **Quasi-Judicial Hearing**

Approving an Easement of approximately 74.1 square feet to address the encroachment of a roof overhang for a commercial structure located at 812 Caroline Street, Key West, Florida (RE # 00003150-000000); Providing fees and conditions.

Sponsors: City Manager Vitas

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

No: 1 - Commissioner Johnston

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

Enactment No: Res 12-302

27

Quasi-Judicial Hearing

Approving an Easement of approximately 214 square feet to address the encroachment of a fence, overhang and concrete slabs along Robert's Alley for a commercial structure located at 812 Caroline Street, Key West, Florida (RE# 0003150-000000); Providing fees and conditions.

Sponsors: City Manager Vitas

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

No: 1 - Commissioner Rossi

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

Enactment No: Res 12-303

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:24 P.M.