



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, June 7, 2011

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

6:00 P.M.

ROLL CALL

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

INVOCATION - Pastor Ernie DeLoach, Glad Tidings Tabernacle Assembly

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Key West Pride

Sponsors: Mayor Cates

Received and Filed

PRESENTATIONS

2 20 Year Service Award:
Key West Police Sergeant Frank Blasberg

Sponsors: City Manager Scholl

Not Received

- 3 20 Year Service Award:
 Key West Police Lieutenant Alfredo Vazquez Jr.

Sponsors: City Manager Scholl

Not Received

- 4 Update on the Carrying Capacity Study-Jeff Maxwell from Calvin,
 Giordano & Associates, Inc.

Sponsors: City Manager Scholl

Received and Filed

- 5 Fiscal Year 2010-11 Mid-Year Budget Review

Sponsors: City Manager Scholl

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

- 6 *May 7, 2011 (Regular)

Passed

RESOLUTIONS

- 7 *Requesting that the Trustees of the Internal Improvement Trust Fund of the State of Florida establish an erosion control line along approximately 640 feet of Rest Beach in conformance with Chapter 161, Florida Statutes.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 11-156
- 8 *Authorizing the City Manager to enter into an Agreement with David E. Gordon and Susan Brown Gordon, property owner(s) in Code Compliance Case Number CES-09-520 (418-420 Petronia Street) permitting a release of lien upon payment by the owners of a mitigated amount of \$1,075.00.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 11-157
- 9 *Authorizing, pursuant to Sections 2-797(4) and 2-844(b) of the Code of Ordinances, the purchase of Cisco Switching Equipment from Modcomp Systems & Solutions in the amount of \$29,985.55.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 11-158
- 10 *Amending the contract for General Environmental Consulting Services with Post, Buckley, Schuh & Jernigan, Inc. ("PBS&J") by consenting to novate the contract to Atkins North America, Inc. ("Atkins").
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 11-159
- 11 *Rejecting all bids received in response to Invitation to Bid (ITB) #11-017, Resod Rosa Hernandez and Pepe Hernandez Softball Fields.
- Sponsors:** City Manager Scholl
- Passed**
- Enactment No: Res 11-160

- 12 *Rejecting all bids received in response to Invitation to Bid (ITB) #11-009, Unleaded Fuel Tank Replacement.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 11-161
- 13 *Approving pursuant to Section 7-797(4)(b) and 7-771(3)(c) of the Code of Ordinances the attached proposal of Murray Marine, Inc. to re-power two existing vessels for use by the Key West Police Department Marine Unit in exchange for the trade-in of two surplus vessels and one 1998 hp Johnson motor.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 11-162
- 14 *Approving a Task Order from Charley Toppino and Sons, Inc. in an amount not to exceed \$64,521.60 for rehabilitation of 17 stormwater drainage wells.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 11-163
- 15 *Approving the attached Deed of Conservation Easement with the South Florida Water Management District (SFWMD) for the Key West Botanical Garden; Providing that mitigation credits are reserved for use by the City of Key West on City property.
- Sponsors: City Manager Scholl
- Passed**
- Enactment No: Res 11-164

Approval of the Consent Agenda

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

- 16 Authorizing Sloppy Joe's to conduct an event for Poker Run on Saturday, September 17, 2011 from 12:00 Noon to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Greene Street between Duval and Ann Streets from 11:00 A.M. to 12:00 Midnight; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Scholl

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

Enactment No: Res 11-165

- 17 Approving and authorizing the execution of the attached Agreement between the City of Key West, Florida, and the Key West Tourist Development Association, Inc. for Fantasy Fest 2011 through 2015; Authorizing the sale and consumption of alcoholic beverages on city property/rights-of-way at five locations within the Fantasy Zones by not-for-profit organizations to be selected by the Association; Authorizing the City Manager to issue a letter of no objection to the Department of Business and Regulation, Alcohol and Tobacco Division for the sale of alcoholic beverages each day by five not-for-profit organizations on private property; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the Festival; Designating a Fantasy Fest Zone.

Sponsors: City Manager Scholl

A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Resolution be passed with the amended agreement. The motion carried by the following vote:

No: 1 - Commissioner Johnston

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

Enactment No: Res 11-166

- 18 Approving one way, one lane traffic flow in a southbound direction on Leon Street between Catherine Street and Flagler Avenue.

Sponsors: City Manager Scholl

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

No: 1 - Commissioner Wardlow

Yes: 6 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Weekley and Mayor Cates

Enactment No: Res 11-167

- 19 Approving Task Order No. 11-007 to Perez Engineering and Development, Inc. in an amount not to exceed \$62,700.00 for Truman Waterfront Roadway Design (funded by 2004-2005 Defense Infrastructure Grant Funds).

Sponsors: City Manager Scholl

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

No: 3 - Commissioner Johnston, Commissioner Wardlow and Mayor Cates

Yes: 4 - Commissioner Gibson, Commissioner Lopez, Commissioner Rossi and Commissioner Weekley

Enactment No: Res 11-168

- 20 Ratifying Amendment #1 to Task Order 01-10-GEN with Red Oak Consulting, a Division of Malcolm Pirnie, Inc., in an additional amount not to exceed \$18,000.00 to provide additional research, review and analysis for the General Fund Cost Allocation Study.

Sponsors: City Manager Scholl

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 Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 11-169

- 21 Approving the attached "Memorandum of Agreement" with the State of Florida, Department of Health, Monroe County Health Department.

Sponsors: City Manager Scholl

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

Recuse: 1 - Commissioner Lopez

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

Enactment No: Res 11-170

- 22 Directing that in the absence of the Mayor, the City Commission shall by majority vote select the individual with the expertise best suited to preside over the agenda items at a particular meeting.

Sponsors: Mayor Cates

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

No: 1 - Mayor Cates

Yes: 6 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Weekley

Enactment No:

- 23 Accepting the attached report on recommendations of the Strategic Planning Committee; Directing the City Manager to present a quarterly report on progress of the City's Strategic Plan.

Sponsors: Commissioner Weekley

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 Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 11-171

- 24 Directing City Staff to recommend within 90 days a plan which would coordinate alternate side of the street parking and a schedule for street sweeping in the Historic District.

Sponsors: Commissioner Weekley

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

No: 3 - Commissioner Gibson, Commissioner Wardlow and Mayor Cates

Yes: 4 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi and Commissioner Weekley

Enactment No: Res 11-172

- 25 Directing City Staff to recommend within 90 days a plan to prohibit or restrict the use of leaf blowers in the City of Key West.

Sponsors: Commissioner Weekley

Withdrawn

- 26 Approving the short listing of respondents to RFP 005-11 for Consulting Services to prepare Evaluation and Appraisal Report (EAR) Amendments to the Comprehensive Plan; Ranking the top three firms based upon qualifications; Authorizing Staff to negotiate with the top ranked firm and each firm thereafter until an acceptable contract is brought before the Commission.

Sponsors: City Manager Scholl

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 Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 11-173

- 27 Ranking the respondents to RFP 007-11 for Key West Historic Resource Survey 2011; Authorizing City Staff to negotiate a contract in accordance with the accepted proposals with the top ranked firm and each firm thereafter as necessary until an acceptable contract is agreed upon; Authorizing the City Manager, upon advice and consent of the City Attorney to execute the resulting contract.

Sponsors: City Manager Scholl

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

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

Enactment No: Res 11-174

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

10:55 P.M.