



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final City Commission

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Wednesday, November 7, 2012

6:00 PM

Old City Hall

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**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

6:02 P.M.

### ROLL CALL

**Absent** 1 - Commissioner Weekley

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

### INVOCATION Pastor Ernie DeLoach, Glad Tidings Tabernacle Assembly

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

### PROCLAMATIONS

1 National Home Care Month

Sponsors: Mayor Cates

Received and Filed

2 Smart Ride Day

Sponsors: Mayor Cates

Received and Filed

**3** National Hospice and Palliative Care Month

Sponsors: Mayor Cates

**Received and Filed**

#### **PRESENTATIONS**

**4** Florida League of Cities - Jim McGinn  
20 Years of Service Award - Commissioner Jimmy Weekley

Sponsors: City Manager Vitas

**Postponed to December 4, 2012**

**5** Preserve Island Life Campaign - Climate Marketing/Advertising Contract

Sponsors: City Manager Vitas

**Received and Filed**

**City Attorney's Report**

**City Manager's Report**

**Ambassador Graduation Class 19**

#### **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** \*October 11, 2012 (Special)

**Passed**

#### **RESOLUTIONS**

7 \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Florida Powerboat Club, Inc. for an event to take place during the hours of 8:00 A.M. to 12:00 A.M. on Friday, November 9 through Saturday, November 10, 2012 from 8:00 P.M. to 11:00 P.M. at the Conch Republic Seafood Company.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-304

8 \*Sponsoring a Holiday Season Parade on Saturday, December 8, 2012, between 7:00 P.M. and 10:00 P.M.; Authorizing the closure of certain streets for the parade.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-305

9 \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Alexa Sellers for a wedding to take place at 404 South Street during the hours of 2:00 P.M. to 9:00 P.M. on Saturday, February 16, 2013.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-306

10 \*Approving a mural to be painted at 1215 Simonton Street.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-307

11 \*Approving transfer of Mobile Vendor License (MVL) #12784 from Paul McGrail to Assaf Azoulay due to hardship.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-308

12 \*Approving the Collective Bargaining Agreement between the City of Key West and Teamsters Local 769, Office and Blue Collar Workers, Effective October 1, 2012 through September 30, 2014.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-309

13 \*Approving a one-year renewal, retroactive to March 3, 2012, of the Thyssenkrupp Elevator Corporation Contract, for City of Key West elevator/lift maintenance and service.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-310

14 \*Authorizing a ninety (90) day contract time extension for Douglas N. Higgins, Inc. to complete construction of the Glynn Archer / 14th Street Roadway Reconstruction (Project No. EN-1004) at no additional cost.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-311

15 \*Authorizing a 16-day contract time extension with OTAK Group, Inc. for Sidewalk Installation for the Safe Routes to School (SRTS) Gerald Adams Elementary School Sidewalk Installation Project #FM 425851-1 at no additional cost.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-312

16 \*Approving Task Order No. 1 of General Architectural Services Contract for Design/Technical Services at the Garrison Bight Marina Transient Facility/Dock Master Building in an amount not to exceed \$122,204.00.

Sponsors: City Manager Vitas

**Passed**

Enactment No: Res 12-313

17        \*Authorizing Key West Port Operations, with the Key West Police Department, to accept Grant Award No. EMW-2012-PU-0056 in the amount of \$90,000.00 from the Department of Homeland Security Port Security Grant Program (PSGP) (City Match 25% - \$30,000.00).

Sponsors:      City Manager Vitas

**Passed**

Enactment No: Res 12-314

18        \*Authorizing the City of Key West to enter into a Revocable License Agreement with the Sunrise Rotary to construct a composting shed at the Mounted Police Stables.

Sponsors:      City Manager Vitas

**Passed**

Enactment No: Res 12-315

19        \*Authorizing and directing City Staff to investigate the concept of making Duval Street a pedestrian mall.

Sponsors:      Commissioner Yaniz

**Postponed to December 4, 2012**

20        \*Directing modifications to the City's Solid Waste and Recycling Collection Contract; Directing the City Attorney to prepare an amendment to the Contract between the City and Waste Management, Inc. of Florida for Commission consideration; Directing Staff to begin preparation of bid documents for Solid Waste and Recycling Collection Services to commence at the conclusion of the current contract.

Sponsors:      City Manager Vitas

**Postponed December 4, 2012**

## **ADMINISTRATIVE APPEALS**

21        **Quasi-Judicial Hearing**

\*An Administrative Appeal of a decision by the City Planner on August 21, 2012 regarding the calculation of back fees associated with the Douglas House Guesthouse located at 417, 419 and 423 Amelia and 418 Virginia Streets.

Sponsors:      City Manager Vitas

**Withdrawn**

22

**Quasi-Judicial Hearing**

\*An Appeal of the Chief Building Official's issuance of a Building Permit dated October 3, 2012 for the property located at 525 Frances Street, Mary and Karl Haffenreffer Property Owners, by Robert Cintron, Representative for Leonard Gartner of 1109 Stump Lane.

Sponsors: City Manager Vitas

**Postponed to November 20, 2012**

**Approval of the Consent Agenda**

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

23

Awarding the Bid of Ebsary Foundation Company in response to RFP 12-030 in a total amount not to exceed \$1,421,523.00, for replacement of Tarpon Pier at City Marina at Garrison Bight; Waiving minor irregularities with the bid tabulation sheet and the contractor's proposal.

Sponsors: City Manager Vitas

**A motion was made by Commissioner Rossi, seconded by Commissioner Johnston, that the Resolution be Postponed to November 20, 2012. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Weekley

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

24

Approving the attached Supplemental Joint Participation Agreement Number One to the Joint Participation Agreement (JPA) for Contract AQN20 between the Florida Department of Transportation (FDOT) and the City of Key West, to increase the maximum participation or grant award from FDOT from \$1,000,000.00 to a total of \$2,000,000.00 to be used for construction costs of the new Transit Facility at 5701 College Road, Key West, Florida.

Sponsors: City Manager Vitas

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

Enactment No: Res 12-316

**25** Approving the attached "First Amendment to Agreement" amending the "Agreement Between the City of Key West and Historic Tours of America, Inc. for the Provision of Shuttle Services for Cruise Ship Passengers".

Sponsors: City Manager Vitas

**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 Weekley

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

Enactment No: Res 12-317

**26 PUBLIC HEARING**

Electing to use the Uniform Method of Collecting Non-ad Valorem Special Assessments levied within the incorporated area of the City; Stating a need for such levy; Providing for the mailing of this Resolution.

Sponsors: City Manager Vitas

**27 RESOLUTIONS CONTINUED:**

Electing to use the Uniform Method of Collecting Non-ad Valorem Special Assessments levied within the incorporated area of the City; Stating a need for such levy; Providing for the mailing of this Resolution.

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:**

**No:** 1 - Commissioner Lopez

**Absent:** 1 - Commissioner Weekley

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

Enactment No: Res 12-318

**28** Ranking pursuant to RFP #004-12 Firms to Provide Federal Government Relations Services; Providing the four three top-ranked firms with an opportunity to make a presentation at the December 4, 2012 City Commission Meeting.

Sponsors: City Manager Vitas

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

**Absent:** 1 - Commissioner Weekley

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

Enactment No: Res 12-319

#### **CITIZEN COMMENTS**

#### **COMMISSION COMMENTS**

#### **ADJOURNMENT**

**7:32 P.M.**