

MINUTES

CITY COMMISSION MEETING

OLD CITY HALL, 510 GREENE STREET

TUESDAY, JANUARY 3, 2012

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, January 3, 2012.

Mayor Craig Cates called the meeting to order at 6:03 p.m.

Answering roll call were Commissioners Teri Johnston, Mark Rossi, Jimmy Weekley, Tony Yaniz and Mayor Craig Cates.

Commissioners Clayton Lopez and Billy Wardlow were absent.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, City Planner Don Craig, Police Chief Donie Lee, Community Services Director Greg Veliz, Information Technology Director Patti McLauchlin, Port and Transit Director Jim Fitton, Senior Project Manager Doug Bradshaw, Utilities Manager Jay Gewin, Senior Property Manager Marilyn Wilbarger, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

Reverend Dr. Lawrence Schenk, Peace Covenant Presbyterian Church gave the invocation.

The pledge of allegiance to the flag of the United States of America was given by all present.

CHANGES TO THE AGENDA:

Commissioner Weekley requested the Ordinances for First Reading, Items #33 and #34, be withdrawn from the Agenda.

The City Manager requested the Ordinance for Second Reading, Item #32, be moved and read before Resolutions #29 and #30.

The Clerk announced speakers were signed up for Items #4, #7, #8, #9, #10, #11 and #19 and those items would need to be removed from the Consent Agenda.

The City Clerk stated there were also a proposed Add-on Resolution and proposed Add-on Presentation. The Resolution was added to the Consent Agenda as Item #31. Mr. Scholl stated the presentation for an event to be scheduled a year from now would be brief.

Without opposition, the agenda was accepted as changed.

PROCLAMATIONS:

Human Trafficking Awareness Day

PRESENTATIONS:

City Attorney's Report

Mr. Smith had no report for the Commission. He expressed his condolences to Commissioner Lopez and his family at the loss of his mother, Rose Lopez.

City Manager's Report

Mr. Scholl reported that the holiday season went very well including the New Year's Eve celebrations. He said the Key West Police and Fire Departments and Care Ambulance Service kept the City very safe. He also stated the Community Services department did a great job with the clean up the morning of New Year's Day; he thanked them all for their hard work.

Mr. Scholl reminded the Commission of the Special Meeting scheduled for January 24, 2012 for the Assisted Living Facility Lease Agreement and for the Pier House Property sale. He added that the Federal Lobbyist would be available and would like to make a presentation at that meeting for the Commission.

Mr. Scholl reported there has been work on the Commission approved Strategic Plan and they have developed a steering committee. He would provide a more formal report at a future meeting.

Mr. Scholl announced the official recognitions for the Annual Holiday Parade as follows:

AWARDS – 16TH ANNUAL CITY OF KEY WEST HOLIDAY PARADE

- | | | |
|-------------------|---|-------------------------------------|
| Best Non-Profit | - | Mary Immaculate Star of the Sea |
| Best Youth Group | - | Nutcracker Key West |
| Best Commercial | - | One Call Construction |
| Honorable Mention | - | City of Key West Community Services |

Mr. Scholl discussed the Triathlon event that was to take place on January 12, 2013 and introduced Richard Langdon to provide a brief presentation.

Mr. Scholl announced that he planned not to seek renewal of his contract in July 2012.

Commissioner Rossi requested that a search committee be formed and that the position be advertised as soon as possible.

CONSENT AGENDA:

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Rossi and seconded by Commissioner Weekley to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to approve the Minutes and pass the Resolutions as read.

APPROVAL OF MINUTES:

*November 15, 2011 (Regular)

*December 6, 2011 (Regular)

RESOLUTIONS:

RESOLUTION NO. 12-001

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-APPOINTING TIMOTHY R. ATWELL TO THE CIVIL SERVICE BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-002

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-APPOINTING GEORGE CABANAS, JR. TO THE CIVIL SERVICE BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-003

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE FLAGLER CENTENNIAL COMMITTEE AND THE MARKET SHARE COMPANY TO CONDUCT THE CENTENNIAL OF THE FLAGLER RAILROAD ROLLING PARADE ON DUVAL STREET FROM 11:00 A.M. TO 4:00 P.M. SUNDAY, JANUARY 22, 2012; AUTHORIZING THE CLOSURE OF CERTAIN STREETS OR PORTIONS THEREOF FOR SAID PARADE FROM 11:00 A.M. TO 4:00 P.M.; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-004

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE AMERICAN CANCER SOCIETY TO CONDUCT ROCKING AWAY CANCER EVENT ON THE 200 BLOCK OF DUVAL STREET ON SATURDAY, FEBRUARY 18, 2012 FROM 12:00 NOON TO 6:00 P.M. PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF THE 200 BLOCK OF DUVAL STREET FROM 9:00 A.M. TO 7:00 P.M.; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 12:00 NOON TO 6:00 P.M.; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE ENCLOSED AREA; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-005

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING EXECUTIVE ADVENTURES, LLC TO CONDUCT A WORLD SAILFISH CHAMPIONSHIP AND TOURNAMENT FESTIVITIES AT MALLORY SQUARE PLAZA STARTING ON TUESDAY, APRIL 17 THROUGH SATURDAY, APRIL 21, 2012 FROM 12:00 NOON TO 12:00 MIDNIGHT (SET UP APRIL 13 - 17, 2012 AND BREAKDOWN APRIL 21 - 23, 2012); PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; GRANTING A SPECIAL EVENT PERMIT PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCES FROM 11:00 A.M. TO 12:00 MIDNIGHT; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN AN ENCLOSED AREA; APPROVING A FIVE YEAR CONTRACT STARTING ON 2012 THROUGH 2016 WITH EXECUTIVE ADVENTURES; PROVIDING PAYMENTS TO THE CITY; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-006

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE OPTION FOR AN ADDITIONAL TWO-YEAR PERIOD FOR THE CONCESSION AGREEMENT BETWEEN THE CITY AND KEY WEST WILDLIFE CENTER, INC.; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A ONE-YEAR EXTENSION TO THE "MASTER AGREEMENT TO FURNISH FINANCIAL CONSULTING SERVICES" BETWEEN THE CITY AND CAMP, DRESSER AND MCKEE, INC.; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-008

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A ONE-YEAR EXTENSION TO THE MASTER AGREEMENT TO FURNISH FINANCIAL CONSULTING SERVICES BETWEEN MALCOLM PIRNIE AND THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "AGREEMENT TO PROVIDE MARKETING AND ADVERTISING SERVICES TO THE CITY OF KEY WEST IN SUPPORT OF THE CLIMATE ACTION PLAN," BETWEEN THE CITY AND THE CUNNINGHAM GROUP; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$57,000.00 TO THE FLORIDA KEYS COMMUNITY COLLEGE (FKCC) FOR POLICE ACADEMY TRAINING FOR UP TO EIGHT (8) CADETS; PROVIDING FOR BUDGET TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-011

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-797(3) OF THE CODE OF ORDINANCES THE PURCHASE OF ONE 6,000 POUND CAPACITY YALE CUSHION TIRE LIFT TRUCK FROM YALE LIFT TRUCKS OF FLORIDA & GEORGIA IN AN AMOUNT NOT TO EXCEED \$29,291.32; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTION 2-797(3) OF THE CODE OF ORDINANCES THE PURCHASE OF ONE TORO REELMASTER AND TORO VERTICUTTER FOR REELMASTER FROM WESCO TURF, INC. UNDER FLORIDA STATE CONTRACT #760-00-10-1 FOR AN AMOUNT NOT TO EXCEED \$30,431.59; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-013

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING PURSUANT TO SECTIONS 2-797(3) AND 2-844(A) AND (B) OF THE CODE OF ORDINANCES THE PURCHASE OF FOUR (4) PANASONIC TOUGH BOOK LAPTOP COMPUTERS FROM CDW GOVERNMENT, INC. IN THE AMOUNT OF

\$20,956.00 AND RELATED SOFTWARE AND LICENSES PURSUANT TO SECTIONS 2-797(1) AND 2-844(A) AND (B) OF THE CODE OF ORDINANCES FROM SUNGARD, INC. IN THE AMOUNT OF \$7,600.00; AUTHORIZING PAYMENT FROM COPS GRANT #2006CKWX0295 (\$25,228.84) AND THE LAW ENFORCEMENT TRUST FUND (\$3,327.16); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-014

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING MODIFICATION NUMBER FOUR TO A SUBGRANT AGREEMENT WITH FLORIDA DIVISION OF EMERGENCY MANAGEMENT IN ORDER TO REINSTATE AND EXTEND THE TERM FOR FEMA (DIVISION OF EMERGENCY MANAGEMENT) GRANT CONTRACT 09HM-37-11-54-02-030 (GEORGE/FIRST STREET PUMP STATION OUTFALL PHASE 1); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-015

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING MODIFICATION #1, CONTRACT NO. 12HM-3B-11-54-02-001 FROM STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT TO REINSTATE AND EXTEND THE TERM OF PHASE II FEMA FUNDING FOR PATRICIA/ASHBY STREETS DRAINAGE AREA PROJECT TO AUGUST 31, 2012, AND TO INCREASE FEDERAL FUNDS BY \$334,407.00, TO A TOTAL OF \$1,064,897.00 IN FEDERAL FUNDS; AMENDING THE STORMWATER BUDGET TO INCREASE THE LOCAL SHARE AMOUNT BY \$111,469.00, TO A TOTAL OF \$354,965.00; AUTHORIZING THE CITY MANAGER TO EXECUTE MODIFICATION #1 TO CONTRACT NO. 12HM-3B-11-54-02-001; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING CHANGE ORDER #4 TO THE CONTRACT FOR SIDEWALK ENHANCEMENTS PHASE IV - VIRGINIA STREET SIDEWALKS AND APPLEROUTH LANE SIDEWALKS WITH CHARLEY TOPPINO AND SONS, INC. IN AN AMOUNT NOT TO EXCEED \$21,479.50; AUTHORIZING A BUDGET TRANSFER; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-017

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING TRANSFER OF MOBILE VENDOR LICENSE (MVL) #12785 FROM MICHAEL I. NELSON TO CASH W. PAULEY DUE TO HARDSHIP; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-018

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING PERMISSION TO INITIATE A DEVELOPMENT AGREEMENT FOR THE HIGGS BEACH PARK PROPERTY (1000 ATLANTIC BOULEVARD); PROVIDING FOR AN EFFECTIVE DATE

The said Resolutions were thereupon declared by the Mayor to have been duly passed and adopted and were authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 12-019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING ROBIN ROBINSON TO THE TREE COMMISSION; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Tom Milone, 832 Caroline Street

As the speaker's comments related to all the items regarding appointments to boards and commissions it was moved by Commissioner Weekley and seconded by Commissioner Rossi to approve these items under the Consent Agenda.

The Clerk read the additional items into the record.

RESOLUTION NO. 12-020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-APPOINTING DAN PROBERT TO THE KEY WEST BIGHT MANAGEMENT DISTRICT BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-021

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-APPOINTING J. JON ASHBY TO THE KEY WEST BIGHT MANAGEMENT DISTRICT BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 12-022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-APPOINTING MICHAEL KNOWLES TO THE KEY WEST MANAGEMENT DISTRICT BOARD; PROVIDING FOR AN EFFECTIVE DATE

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolutions as read.

The said Resolutions were thereupon declared by the Mayor to have been duly passed and adopted and were authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 12-023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPORTING APPROVAL OF THE MONROE COUNTY SCHOOL DISTRICT REFERENDUM TO RENEW FLEXIBLE FUNDING FOR MONROE COUNTY SCHOOLS; URGING CITIZENS TO VOTE IN THE SPECIAL ELECTION SCHEDULED FOR JANUARY 31, 2012; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Margaret Romero, 1615 Washington Street
Rob Smith-Martin, 2503 Fogarty Avenue
Shawn Smith, City Attorney

It was moved by Commissioner Rossi and seconded by Commissioner Yaniz that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Rossi, Weekley, Yaniz and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 12-024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE RESIDENCY REQUIREMENT OF THE "TRUMAN WATERFRONT ADVISORY BOARD" (TWAB); PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Robert Kelly, 1801 N Roosevelt Boulevard
Margaret Romero, 1615 Washington Street
Tom Milone, 832 Caroline Street
Shawn Smith, City Attorney
Doug Bradshaw, Senior Project Manager

It was moved by Commissioner Rossi and seconded by Commissioner Johnston, for discussion, that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Rossi, Weekley, Yaniz and Mayor Cates

Nays: Commissioner Johnston

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 12-025

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED AGREEMENT REGARDING MANAGEMENT AND MAINTENANCE FOR THE KEY WEST MARINE PARK BY REEF RELIEF; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Millard McCleary, for Reef Relief, 713 Elizabeth Street
Rob Smith-Martin, for Reef Relief, 2503 Fogarty Avenue

It was moved by Commissioner Rossi and seconded by Commissioner Johnston that the Resolution be passed and adding to the Agreement that Reef Relief will become an active participant in the Higgs Beach Park planning efforts to assure continuity and vision for the Higgs Beach Development project.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 12-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING COMMISSIONER JOHNSTON TO SERVE IN THE "HURRICANE EVACUATION CLEARANCE TIME WORK GROUP" ("WORK GROUP") FOR THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY ("DEO"); PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

Commissioner Weekley recommended Commissioner Johnston for the position.

It was moved by Commissioner Rossi and seconded by Commissioner Yaniz that the Resolution be passed and adopted appointing Commissioner Johnston to the Work Group.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution appointing Commissioner Teri Johnston to the Work Group.

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

ORDINANCES SECOND READING: (Public Hearing)

ORDINANCE NO. 12-01

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA SUPPLEMENTING ORDINANCE NO. 03-15; AUTHORIZING THE ISSUANCE OF A SERIES OF SEWER SYSTEM REVENUE BONDS FOR THE PURPOSE OF FINANCING SEWER PROJECTS ORIGINALLY FUNDED THROUGH THE STATE OF FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT AND PAYING COSTS OF ISSUANCE RELATED THERETO; PROVIDING FOR THE PAYMENT OF SUCH SEWER SYSTEM REVENUE BONDS FROM NET REVENUES OF THE SEWER SYSTEM OF THE CITY; AUTHORIZING AN AMENDMENT TO THE RESERVE ACCOUNT REQUIREMENT UPON CONSENT OF A MAJORITY OF BONDHOLDERS; AND PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The following people spoke on the matter:

Jim Scholl, City Manager
Jay Gewin, Utilities Manager
David Moore, Public Financial Management
Ed Scales, 201 Front Street, Associated with the Gray-Robinson Firm

It was moved by Commissioner Rossi and seconded by Commissioner Johnston for the Ordinance to be passed on second reading.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Rossi, Weekley, Yaniz and Mayor Cates

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first and second reading and was adopted and authenticated with the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTIONS: (Continued)

RESOLUTION NO. POSTPONED INDEFINITELY

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPLEMENTING ORDINANCE NO. 03-15, AS AMENDED AND SUPPLEMENTED BY AN ORDINANCE ENACTED THIS DATE, WHICH AUTHORIZED THE ISSUANCE OF NOT EXCEEDING \$6,400,000.00 SEWER SYSTEM REVENUE BONDS, SERIES 2012 OF THE CITY TO FINANCE SEWER PROJECTS ORIGINALLY FUNDED THROUGH THE STATE OF FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT AND PAYING COSTS OF ISSUANCE RELATED THERETO; PLEDGING A PARITY LIEN ON THE NET REVENUES OF THE SEWER SYSTEM FOR THE PAYMENT OF SUCH BONDS; PROVIDING FOR THE RIGHTS OF THE REGISTERED OWNERS OF SUCH BONDS; APPOINTING A BOND REGISTRAR AND PAYING AGENT; AUTHORIZING THE PRIVATE NEGOTIATED SALE OF SUCH BONDS PURSUANT TO THE TERMS AND CONDITIONS DESCRIBED HEREIN AND IN THE COMMITMENT; DESIGNATING SUCH BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS WITHIN THE MEANING OF THE INTERNAL REVENUE CODE; ESTABLISHING THE RESERVE REQUIREMENT FOR SUCH BONDS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

It was moved by Commissioner Yaniz and seconded by Commissioner Johnston that the Resolution to be postponed indefinitely.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Johnston, Rossi, Weekley, Yaniz and Mayor Cates

Nays: None

SO ORDERED

RESOLUTION NO. POSTPONED INDEFINITELY

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING PAYMENT TO THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) IN THE AMOUNT OF \$6,268,629.48 TO RESOLVE STAFFORD ACT FUNDS OWED FROM THE SEWER AND SOLID WASTE FUND FROM HURRICANE IRENE; APPROVING BUDGET TRANSFERS AS NEEDED TO FACILITATE PAYMENT; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

It was moved by Commissioner Rossi and seconded by Commissioner Yaniz that the Resolution be postponed indefinitely.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read.

SO ORDERED

ORDINANCES - FIRST READING:

ORDINANCE NO. WITHDRAWN

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, CREATING CHAPTER OR AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION" BY ADDING SECTION 2-799 TO PROVIDE FOR A PREFERENCE IN COMPETITIVE SOLICITATIONS WHERE THE VENDOR DOES NOT DISCRIMINATE IN THE PROVISION OF BENEFITS TO DOMESTIC PARTNERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE NO. WITHDRAWN

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 38, "HUMAN RELATIONS", ARTICLE V "DOMESTIC PARTNERSHIPS" OF THE CODE OF ORDINANCES ENTITLED "HUMAN RELATIONS" BY ADDING SECTIONS 38-297, 38-298, 38-299 AND 38-300 TO PROVIDE FOR HEALTH CARE SURROGATE DESIGNATION, VISITATION TO LICENSED FACILITIES, PRENEED GUARDIAN DESIGNATION, AND NOTIFICATION OF FAMILY MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

CITIZEN COMMENTS:

There were no comments from the public.

COMMISSION COMMENTS:

Commissioner Yaniz expressed his condolences at the passing of Commission Lopez' mother. Mr. Yaniz commended City Staff, especially Greg Veliz and Chief Lee, on improvements to the Staples Avenue bridge.

Commissioner Rossi thanked Commissioner Johnston for volunteering her services to work with the hurricane evacuation group. Commissioner Rossi also expressed his condolences to Commissioner Lopez.

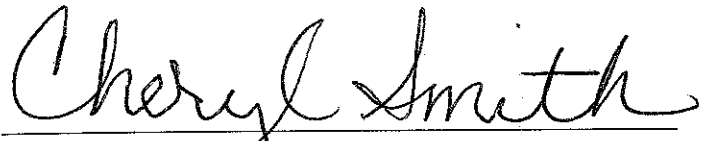
Commissioner Johnston added her condolences to Commissioner Lopez and his family. She said this is a tremendous loss to the community and she hoped everyone could come to the celebration of life for Mrs. Lopez on Friday and Saturday.

Mayor Cates also expressed his condolences to Commissioner Lopez.

Mayor Cates thanked Chief Lee and Greg Veliz for the clean up after New Year's Eve. He said there were no major problems and CNN was here again to broadcast live from Duval Street.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 7:49 p.m.


Cheryl Smith, MMC, CPM
City Clerk