



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final City Commission

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Tuesday, August 19, 2014

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 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

### CALL MEETING TO ORDER

6:00 P.M.

### ROLL CALL

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

### INVOCATION - Father Tom Sterner, First Congregational Church

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

### PRESENTATIONS

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

- 1 \*Amending the Term of the Historic Architecture Review Commission - Fair Insurance Rates Monroe County Task Force (HARC-Firm Task Force) to sunset nine months after the first meeting of the Task Force; Providing for a sunset date.

**Sponsors:** Commissioner Johnston

**Passed**

Enactment No: Res 14-218

- 2 \*Authorizing Parrot Heads in Natural Settings, Inc. to conduct Parrot Heads in Paradise Street Party on Friday, October 31, 2014 from 8:00 A.M. to 6:00 P.M. pursuant to terms and conditions set by the City Manager; Authorizing the closure of the 400 & 500 Blocks of Duval Street; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to 6:00 P.M; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 14-219

- 3 \*Authorizing "Key West Half Marathon, Inc." to conduct their 17th Annual Half Marathon and 5K Run on Saturday, January 17, 2015 from 12:00 Noon to 7:00 P.M. and Sunday, January 18, 2015 from 6:00 A.M. to 12:00 Noon at the Half Shell Raw Bar, 231 Margaret Street; Authorizing certain street closures thereof during the event; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Pursuant to the terms and conditions set forth by the City Manager.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 14-220

- 4 \*Authorizing and approving the location and placement on Smathers Beach of a memorial plaque to commemorate Diana Nyad's Historic Swim from Cuba to Key West.

**Sponsors:** City Manager Scholl

**Passed**

Enactment No: Res 14-221

- 5                    \*Approving an exemption to competitive bid requirements for the purchase and installation of Fire Suppression Systems for Three Concession Stands from Atlantic Coast Restaurant and Mechanical Services, pursuant to Section 2-797(4) of the Code of Ordinances, in a total amount not to exceed \$38,134.00.
- Sponsors:        City Manager Scholl
- Passed**
- Enactment No: Res 14-222
- 6                    \*Supporting the proposed activities, including Local Cost Share, outlined in the 2015/2016 Local Government Funding Request (LGFR) to Florida Department of Environmental Protection (FDEP) for Rest Beach Renourishment activities; Authorizing the City to act as a local sponsor, and to regionalize with the State Division of Parks and Recreation.
- Sponsors:        City Manager Scholl
- Passed**
- Enactment No: Res 14-223
- 7                    \*Approving the attached Mutual Aid Agreement between the City of Key West and the Monroe County School District regarding a School Resource Officer at Key West High School and Horace O'Bryant School for the 2014-2015 school year.
- Sponsors:        City Manager Scholl
- Passed**
- Enactment No: Res 14-224
- 8                    \*Ratifying the acceptance of the attached grant award for Tourist Development Council (TDC) tax funding in the amount of up to \$243,475.00 for construction of the Vietnam Veteran's Memorial Project; Authorizing necessary budget amendments and transfers to accept the funding; Authorizing the City Manager to execute the grant award agreement and related paperwork.
- Sponsors:        City Manager Scholl
- Passed**
- Enactment No: Res 14-225

### Approval of the Consent Agenda

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

- 9 Authorizing a Design Task Order to Stantec Consulting Services, Inc. for the Bahama Village Connectivity Project - Geraldine Street Enhancements in an amount not to exceed \$38,982.00.

**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:**

**No:** 1 - Commissioner Wardlow

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

**Excused:** 0

Enactment No: Res 14-226

- 10 **QUASI-JUDICIAL HEARING: EASEMENT & FEE WAIVER**  
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

**A motion was made by Commissioner Weekley, seconded by Commissioner Rossi, that the Resolution be Postponed to September 16, 2014. The motion passed by a unanimous vote.**

- 11 **QUASI-JUDICIAL HEARING: REVOCABLE LICENSE**  
Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of City property to maintain an existing wood fence located on City Right-of-Way abutting the property located at 1119 Olivia Street (RE # 00022290-000000, AK # 1023078) 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:**

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

**Excused:** 0

Enactment No: Res 14-227

**ORDINANCES – FIRST READING**

- 12** An Ordinance of the City of Key West, Florida, amending Chapter 58 of the Code of Ordinances entitled "Solid Waste" by amending Section 58-65 to adjust Residential Solid Waste Rates; Amending Section 58-66 to adjust Dumping Fees for Commercial establishments and licensed businesses; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Yaniz, seconded by Commissioner Lopez, that the Ordinance be amended by inserting the word "maximum" before the word "solid" in Sections 58-65 and 58-66 and Passed to Second Reading on September 3, 2014. The motion carried by the following vote:**

**No:** 2 - Commissioner Johnston and Commissioner Weekley

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

**Excused:** 0

**ORDINANCES - SECOND READING (Public Hearing)**

- 13** An Ordinance of the City of Key West, Florida, pursuant to Section 1.05(a) of the Charter of the City of Key West, Florida, proposing a Referendum to permit an Amendment to the Land Development Regulations to provide an exception to Building Height Regulations for the specific purpose(s) of protecting homes and possessions during flood events; To mitigate rising insurance rates; Facilitate potential flood insurance rate discounts Citywide by improving the City's Community Rating System standing; And in response to Comprehensive Plan Policies related to adaption; Setting the General Election of November 4, 2014, as the date of Referendum; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Johnston, Commissioner Lopez and Commissioner Wardlow

**A motion was made by Commissioner Yaniz, seconded by Commissioner Wardlow, that the Ordinance be Adopted. The motion carried by the following vote:**

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

**Excused:** 0

Enactment No: Ord 14-15

14

An Ordinance of the City of Key West, Florida, pursuant to Section 1.08 of the City Charter, calling for a Referendum authorizing the City of Key West to accept title to approximately 8.87 acres of land located at 1801 North Roosevelt Blvd., and commonly referred to as City Marina at Garrison Bight from the State of Florida without cost for continued use for public parking, public boat ramps, public dockmaster facility, and a commercial and live-abroad marina; Authorizing the City Clerk to take all necessary action to place this measure on the Ballot for November 4, 2014; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:**

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

**Excused:** 0

Enactment No: Ord 14-16

**DISCUSSION**

15

Peary Court

**Sponsors:** Commissioner Weekley

**Discussed**

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

**8:02 P.M.**