

MINUTES

CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY (CRA)

OLD CITY HALL, 510 GREENE STREET
TUESDAY, JANUARY 8, 2013

A meeting of the Caroline Street Corridor and Bahama Village Community Redevelopment Agency of the City of Key West, Florida, was held in Commission Chambers, Old City Hall, on Tuesday, January 8, 2013.

Chairman Cates called the meeting to order at 7:32 p.m.

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

Commissioner Billy Wardlow was absent.

Also present were City Manager Bob Vitas, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, Port and Transit Director Jim Fitton, Senior Project Manager Doug Bradshaw, Senior Property Manager Marilyn Wilbarger, Senior Deputy Clerk Sue Harrison and City Clerk Cheri Smith.

CONSENT AGENDA

The Clerk read the title of the Resolution.

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

The Chairman acknowledged the motion and second and requested verbal approval. The response was unanimous to approve the minutes as read.

APPROVAL OF MINUTES:

November 20, 2012 (Regular)

December 4, 2012 (Regular)

SO ORDERED

RESOLUTIONS:

RESOLUTION NO. 13-011

A RESOLUTION OF THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING THE ATTACHED FIRST AMENDMENT TO LEASE, GRANTING AN ABATEMENT OF RENT IN A TOTAL OF \$4,839.00 FOR THE KEY WEST ICE CREAM FACTORY, INC.; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

Chairman Cates recused himself and handed the gavel to Vice-Mayor Rossi.

The following person spoke on the matter:

Marilyn Wilbarger, Senior Property Manager

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

The Vice-Chairman acknowledged the motion and second and requested verbal approval. The response was unanimous to pass the Resolution as read with Chairman Cates recused.

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

SO ORDERED

RESOLUTION NO. 13-012

A RESOLUTION OF THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING THE ATTACHED LEASE BETWEEN THE CRA AND WATERFRONT BREWERY, LLC FOR PREMISES AT 201 WILLIAM STREET; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Judy Martinez, 1020 Emma
Robert Cobb, 832 Caroline Street
Shawn Smith, City Attorney
Marilyn Wilbarger, Senior Property Manager
Joe Walsh
Bob Vitas, City Manager

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

The Chairman requested the Clerk call the roll.

Yeas: Commissioners Johnston, Lopez, Weekley, Yaniz and Chairman Cates

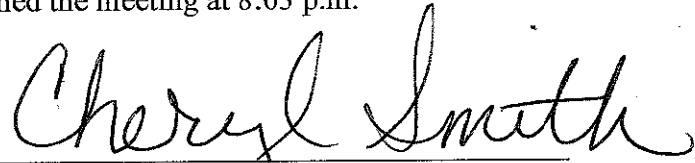
Nays: Commissioner Rossi

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

SO ORDERED

ADJOURNMENT

There being no further business the Chairman adjourned the meeting at 8:03 p.m.



Cheryl Smith, MMC, CPM
City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <p style="text-align: center;">Gates, Craig</p>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <p style="text-align: center;">Caroline St Corridor & Bahama Village CRA</p>
MAILING ADDRESS <p style="text-align: center;">P O Box 1409</p>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <p style="text-align: center;">Key West</p>	COUNTY <p style="text-align: center;">Monroe</p>
DATE ON WHICH VOTE OCCURRED <p style="text-align: center;">January 8, 2013</p>	NAME OF POLITICAL SUBDIVISION: <p style="text-align: center;">City of Key West</p>
MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Craig Cates, hereby disclose that on January 8, 20 13 :


(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, brother _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item #3: Approving the First Amendment to Lease, Granting an abatement of rent in a total of \$4,839.00 for the Key West Ice cream Factory, Inc.

January 9, 2013
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.