



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, July 5, 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

6:01 P.M.

ROLL CALL

Absent 1 - Mayor Cates

Present 6 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Weekley

INVOCATION - Pastor Ozzie Vater, Fifth Street Baptist 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.

MINUTES

1 *May 17, 2011 (Regular)

Attachments: [Minutes](#)

Passed

2 *June 7, 2011 (Regular)

Attachments: [Minutes](#)

Passed

3 *June 21, 2011 (Regular)

Attachments: [Minutes](#)

Passed

4

RESOLUTIONS

5 *Encouraging the Department of Transportation (DOT) to provide funding for maintenance and repair of the Old Seven Mile Bridge.

Sponsors: Commissioner Gibson

Attachments: [Resolution](#)
[Letter from BOCC](#)

Passed

Enactment No: Res 11-195

6 *Authorizing JIATF South to hold the Annual Veterans Day Parade on Duval Street from 4:00 P.M. to 8:00 P.M. Friday, November 11, 2011; Authorizing the closure of certain streets or portions thereof for said parade from 4:00 P.M. to 8:00 P.M.; Waiving all fees for required City services.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)
 [Advertisement](#)

Passed

Enactment No: Res 11-196

7 *Authorizing cumulative expenditures during FY 10-11 to Pitney Bowes for postage in a total amount not to exceed \$32,292.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)

Passed

Enactment No: Res 11-197

8 *Awarding Invitation to Bid (ITB) #11-012 to Rexel, Inc. in the amount of \$31,985.63 for the purchase of 49 marine grade power pedestals for City Marina Wahoo and Kingfish Piers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [City Clerk Bid tabulation memo](#)
 [Rexel Bid proposal](#)
 [Sea Technology Bid proposal](#)
 [Sea Port Marine Bid proposal](#)
 [Accar Equipment Company Bid proposal](#)
 [Marine Power Company Bid proposal](#)
 [Norman Davison Bid Proposal](#)

Passed

Enactment No: Res 11-198

9 *Approving a two-year extension of the contract with Keefe, McCullough & Co., LLP for External Auditing Services.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [2011 Engagement Letter](#)
 [Audit Servies Contract](#)

Passed

Enactment No: Res 11-199

10

*Approving staff ranking of the top three companies responding to RFQ 11-002 for Design, Permitting and Construction Oversight for the Tarpon Pier Replacement Project; Authorizing staff to negotiate with the top ranked firm, Hans Wilson and Associates, Inc. and each firm thereafter as necessary in accordance with the Consultants' Competitive Negotiation Act until an acceptable contract is agreed upon; Authorizing the City Manager to execute a contract with the selected firm in an amount to be determined.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Consultant Agreement1](#)
[Hans Wilson and Associates proposal](#)
[SEA Diversified Inc proposal](#)
[Atkins North America proposal](#)
[Applied Technology & Management proposal](#)
[C3TS proposal](#)
[Taylor Engineer proposal](#)

Passed

Enactment No: Res 11-200

11

*Authorizing the Key West Police Department (KWPD) to apply for, and accept if awarded, the US Department of Justice Byrne Memorial Justice Assistance Grant - Local Solicitation, in the amount of \$15,722.00, to allow for continued expansion and enhancement of KWPD Information Technology Capabilities.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)

Passed

Enactment No: Res 11-201

12

*Authorizing a \$1,000.00 Grant from State Forfeiture Funds to a Positive Step of Monroe County, Inc.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Letter](#)

Passed

Enactment No: Res 11-202

- 13 *Approving pursuant to Section 50.91 of the Code of Ordinances an amendment to the Key West Civil Service Board Rules and Regulations.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
[Executive Summary](#)
[Amended Rules and Regulations](#)

Passed

Enactment No: Res 11-203

- 14 *Extending by an additional 180 days the moratorium declared in Ordinance No. 10-07, and extended in Resolution Nos. 10-235 and 11-023, on the issuance of any permit, license, business tax receipt, franchise or similar authorizations related to motorized and non-motorized commercial vehicles that make primary use of city streets in the operation of their businesses.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Ordinance 10-07](#)
[Resolution 11-023](#)
[Resolution 10-235](#)

Passed

Enactment No: Res 11-204

- 15 *Granting pursuant to Key West Code of Ordinances Section 10-16, an exception allowing Gloria Kimberly McGee to keep a total of eight dogs and four cats on premises at the residence located at 2812 Fogarty Avenue.

Sponsors: Commissioner Gibson

Attachments: [Resolution](#)

Postponed to July 19, 2011

Approval of the Consent Agenda

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

16

Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinance to the Rotary Club of Key West for an event to take place during the hours of 6:00 P.M. to 11:30 P.M. on Saturday, July 30, 2011 at Higgs Beach.

Sponsors: Commissioner Rossi and City Manager Scholl

Attachments: [Resolution](#)
 [Application](#)
 [Advertisement](#)

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

No: 1 - Commissioner Weekley

Absent: 1 - Mayor Cates

Yes: 5 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Rossi and Commissioner Wardlow

Enactment No: Res 11-205

17

Terminating the prior Easement granted in Resolution No. 10-136; and approving the attached Amended Easement of 3,200 square feet to address the encroachment of existing structures and surrounding property to a multiple-family residential structure located at 712, 714, 716 Eisenhower Drive (RE #00023300-000000); Providing fees and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Amended Easement Agreement](#)
[Recorded Easement Agreement](#)
[Specific Purpose Survey](#)
[Survey](#)
[Deed](#)
[DRC Minutes](#)

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

No: 1 - Commissioner Rossi

Absent: 1 - Mayor Cates

Yes: 5 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 11-206

ORDINANCES - SECOND READING (Public Hearing)

18

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Section 18-27(a) to allow consumption of alcoholic beverages between the hours of 7:00 A.M. and 4:00 A.M. and 12 Noon on Sundays; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Cates

Attachments: [Ordinance](#)

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

Recuse: 2 - Commissioner Rossi and Commissioner Weekley

Absent: 1 - Mayor Cates

Yes: 4 - Commissioner Gibson, Commissioner Johnston, Commissioner Lopez and Commissioner Wardlow

Enactment No: Ord 11-09

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

7:01 P.M.