City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final
City Commission

Wednesday, January 23, 2013 | **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

6:00 P.M.

ROLL CALL

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

INVOCATION - Reverend Randy Becker, Unitarian Universalist Fellowship

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Wendy Coles Day

Sponsors: Mayor Cates

Attachments: Proclamation

Received and Filed

PRESENTATIONS

2 Florida Department of Transportation's Quarterly update on North Roosevelt Project - Mr. Dean Walters, Public Information Specialist

Sponsors: Mayor Cates

Received and Filed

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

3 *Pledging support for the reconstruction of the Florida Keys SPCA Animal Shelter; Directing staff to expedite review of space requirements on Stock Island.

Sponsors: Commissioner Yaniz

Attachments: Resolution

Passed

Enactment No: Res 13-013

4 *Authorizing the 22nd Annual Kelly McGillis Classic International Women's Flag Football Championship and World Challenge Games to hold a parade on Thursday, February 7, 2013 from 5:00 P.M. to 6:00 P.M.; Authorizing the closure of said streets for the parade starting at the Rum Barrell on Front Street to Duval Street and ending at United Street from 5:00 P.M. to 6:00 P.M.; Authorizing the Key West Women's Flag Football League the use of Wickers Field Complex for their tournament.

Sponsors: City Manager Vitas

Attachments: Resolution
Large File Application
Insurance
Advertisement

Passed

Enactment No: Res 13-014

5 *Authorizing the American Cancer Society to conduct their Annual Rocking Away Cancer Event on the 200 block of Duval Street on Saturday, February 16, 2013 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.

Sponsors: City Manager Vitas

Attachments: Resolution
Large File Applications
Site Map
Advertisement

Passed

Enactment No: Res 13-015

6 *Authorizing the Rotary Club of Key West to conduct a musical concert at the Truman Waterfront Southwest Field on Saturday, February 16, 2013 from 7:00 A.M. to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event.

Sponsors: City Manager Vitas

Attachments: Resolution
Large File Application
Advertisement

Passed

Enactment No: Res 13-016

7 *Authorizing the Key West Art Center to conduct an Art Show on Saturday, February 23, 2013 and Sunday, February 24, 2013 (street closed from February 23, 2013 6:00 A.M. through February 24, 2013 8:00 P.M.) during the hours of 10:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Street including Caroline on February 23, 2013 and February 24, 2013 from 10:00 A.M. to 5:00 P.M.

Sponsors: City Manager Vitas

Attachments: Resolution
Large File Application
Advertisement

Passed

Enactment No: Res 13-017

8 *Rejecting all Bids received in response to Invitation to Bid (ITB) #13-005, for Fuel Supply Contract.

Sponsors: City Manager Vitas

Attachments: Resolution
Executive Summary

Passed

Enactment No: Res 13-018

9 *Authorizing a month-to-month extension, not to exceed 90 days, of the Fuel Supply Contract with McKenzie Petroleum, Inc.

Sponsors: City Manager Vitas

Attachments: Resolution
Executive Summary

Passed

Enactment No: Res 13-019

10 *Approving Work Change Directive 8, in an amount not to exceed $83,408.00 to the Contract with Ebsary Foundation Company, Inc. for Navy Mole Bulkhead 497 Repairs, Project OM1201; Approving necessary budget transfers.

Sponsors: City Manager Vitas

Attachments: Resolution
Executive Summary
Work Change Directive No. 8
Ebsary Cost
Navy Email
Resolution 12-114
Resolution 12-258

Passed

Enactment No: Res 13-020

11 *Approving the attached First Amendment to Lease Agreement between Nadene Grossman Enterprises, Inc. d/b/a/ We've got the Keys and the City for property located at 922 Caroline Street.

Sponsors: City Manager Vitas

Attachments: Resolution
Executive Summary
First Amendment to Lease
Resolution 08-267
Exhibit A-1 Demised Premises
Exhibit B-1 Rent Schedule
Tenant Renewal Request

Passed

Enactment No: Res 13-021

12 *Authorizing an adjustment to the Traffic Lights at the intersection of Eaton Street, Palm Avenue and White Street in Key West.

Sponsors: Commissioner Lopez and Commissioner Weekley

Attachments: Resolution

Passed

Enactment No: Res 13-022

13 *Rejecting the proposed Florida Keys Aqueduct Authority (FKAA) Water Agreement; Directing the City Manager and City Attorney to propose a counter proposal consistent with the City/FKAA Distribution System Lease as detailed in the attached memorandum.

Sponsors: City Manager Vitas

Attachments: Resolution
Executive Summary
Water Rate Increase Financial Summary
May 2012 Summary of Water Rates Fees Charges
Large File May 2011 Summary of Water Rates Fees Charges
Large File Lease Agreement
Large File Interlocal Agreement
1952 Lease Affirmation for Refinancing
1976 FKAA Enabling Legislation FS 76-441

Passed

Enactment No: Res 13-023

14 An Ordinance of the City of Key West amending Chapters 14, 34 and 108 of the Code of Ordinances and amendments to local Sections 104, 107, 117, 202, 1612 of the 2010 Florida Building Codes for the purpose of updating the City's Flood Damage Protection Ordinances and related building codes; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

Attachments: Executive Summary
Planning Board Resolution 2012-24
2012 Building Codes
Florida Model Floodplain Ordinance
Frequently Asked Questions on New Model Ordinance & Code Amendments

The Ordinance for First Reading was Postponed to February 5, 2013

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.

15 Urging Congress to enact Legislation banning assault style weapons and high capacity magazines; Urging Congress to enact Legislation to require mandatory background checks and training in conjunction with every firearm purchase in the United States.

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

Attachments: Resolution

A motion was made by Commissioner Weekley, seconded by Commissioner Johnston, 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

Enactment No: Res 13-024

16 Approving a Release of Lien for the property located at 2500 Patterson Avenue; Providing conditions.

Sponsors: City Manager Vitas

Attachments: Resolution
Executive Summary
Resolution 11-147
Bank of America - Short Sale Terms
Sale and Purchase Agreement
HUD - 1
Affidavit of Partial Compliance
1st Mortgage
Warranty Deed
2nd Mortgage
Line of Credit
Release 1st Mortgage
Lis Pendens
Assignment of Mortgage
City Lien

A motion was made by Commissioner Yaniz, seconded by Commissioner Wardlow, 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

Enactment No: Res 13-025

17 Urging cooperation and collaboration by and between the City of Key West, Monroe County School Board and Local Law Enforcement Agencies for the safeguarding of Monroe County School Children.

Sponsors: Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Attachments: Resolution

A motion was made by Commissioner Wardlow, seconded by Commissioner Lopez, 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

Enactment No: Res 13-026

18 Directing the Key West Bight Management District Board to schedule regular meetings after 5:00 P.M., to encourage and facilitate public and tenant attendance and participation.

Sponsors: Mayor Cates

Attachments: Resolution

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

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

Enactment No: Res 13-027

19 Authorizing Bazaar Productions, Inc. the use of the Truman Waterfront for the weekly open air market place starting from 10:00 A.M. to 4:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Vitas

Attachments: Resolution
Application
Waste Management Quote
Corporation Documentation
Checklist
Premium Quote

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

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

Enactment No: Res 13-028

ORDINANCES – FIRST READING

20 An Ordinance of the City of Key West granting an Amendment to Section 9, and adding a related Exhibit A-1 to the Franchise Agreement between the City and CityView Trolley Tours of Key West, Inc. to amend the type of Sightseeing Vehicle(s) permitted by the Franchise Agreement; Providing for severability; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: Ordinance
Ordinance 10-01
Exhibit A-1
Supporting Documents

A motion was made by Commissioner Yaniz, seconded by Commissioner Rossi, that the Ordinance be Passed as amended to Second Reading. The motion carried by the following vote:

No: 1 - Commissioner Weekley

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

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:30 P.M.