City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final
City Commission

Tuesday, March 19, 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

Absent 1 - Commissioner Rossi

Present 6 - Commissioner Johnston, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

INVOCATION - Father John Baker, Basilica of St. Mary Star of the Sea Catholic Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

1 Extra Mile Award to Mrs. Martha Fitch, School Crossing Guard

Sponsors: City Manager Vitas

Received and Filed

PROCLAMATIONS

2 Transportation Month

Sponsors: Mayor Cates

Received and Filed

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

3 *February 20, 2013 (Regular)

Passed

4 *March 5, 2013 (Regular)

Passed

RESOLUTIONS

5 *Approving the attached Lease Agreement between the City and Peterson's Harley Davidson of Miami, LLC for the lease of three (3) Harley Davidson Police Motorcycles.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-073

6 *Approving the attached "Interlocal Agreement between the Florida Keys Aqueduct Authority and City of Key West, Florida" (the "ILA") concerning the transition plan for the City's water rate; Authorizing the City Manager to execute the ILA on behalf of the City.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-074

7 *Approving a Budget Transfer of $414,000.00 from the 103 Fort Taylor Surcharge Fund to 101 Infrastructure Surtax Fund to fully fund the Rest Beach Renourishment Project.

Sponsors: City Manager Vitas

Passed

Enactment No: Res 13-075

8 *Approving the City Clerk Performance Evaluation.

Sponsors: City Manager Vitas

Postponed to April 2, 2013.

Approval of the Consent Agenda

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

9 Supporting Florida Senate Bill 74 which, if passed, would prohibit the use of hand-held wireless communications devises while driving.

Sponsors: Commissioner Yaniz

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 13-076

10 Supporting Florida Senate Bill 722 and House Bill 957, which, if passed, would prohibit stores from providing disposable plastic bags, and provide municipalities with authority to require retail stores to provide recyclable paper bags, to collect certain fees for recyclable bags, and to provide quarterly reports.

Sponsors: Commissioner Yaniz

A motion was made by Commissioner Wardlow, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 13-077

11 Authorizing cumulative expenditures during FY 12-13 to entities listed in Attachment “A” in excess of $20,000.00.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Rossi

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

Enactment No: Res 13-078

12 Authorizing pursuant to Section 2-797(3) of the Code of Ordinances the purchase of Electronic Document Scanning Management System Equipment from Advanced Processing & Imaging, Inc. (API) in the amount of $83,612.00; Authorizing the City Manager to execute a contract between the City and API upon advice and consent of the City Attorney.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Rossi

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

Enactment No: Res 13-079

13 Approving the Award of Bid to D. N. Higgins for the Design-Build of the Public Transit Facility and the demolition and closure of the Solid Waste to Energy Site in an amount not to exceed $8,536,327.00; Authorizing necessary budget transfers and amendments; Authorizing the City Manager to execute a contract in accordance with the bid documents.

Sponsors: City Manager Vitas

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

No: 1 - Commissioner Johnston

Absent: 1 - Commissioner Rossi

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

Enactment No: Res 13-080

ORDINANCES – FIRST READING

14 An Ordinance of the City of Key West, Florida, amending Chapter 66 of the Code of Ordinances entitled "Taxation" by amending Section 66-56 to provide for an additional Homestead Exemption, equal to the property's assessed value, from taxes levied by the City of Key West for persons who have legal or equitable title to real estate with a just market value less than $250,000.00 that is and has been their permanent residence for at least 25 years, and who have attained the age of 65, and have a household income that does not exceed $27,030.00; Directing the Clerk to deliver a copy of this Ordinance to the Property Appraiser; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

A motion was made by Commissioner Lopez, seconded by Commissioner Yaniz, that the Ordinance be Passed to Second Reading on April 2, 2013. The motion carried by the following vote:

Absent: 1 - Commissioner Rossi

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

ORDINANCES - SECOND READING (Public Hearing)

15 An Ordinance of the City of Key West amending the City of Key West Code of Ordinances by repealing current Chapter 14, Sections 14-391 through and including 14-407; Repealing Chapter 34, Sections 34-26 through and including 34-121; And repealing Chapter 108, Sections 108-821 through and including 108-927 in their entirety; By replacing the Flood Management Provisions by adding new sections to Chapter 34, beginning with Section 34-122 through 34-149 establishing a Floodplain Management Ordinance; To adopt Flood Hazard Maps, to designate a Floodplain Administrator, to adopt procedures and criteria for development in Food Hazard Areas, and for related purposes; Adopting local administrative and technical amendments to Florida Building Code Sections 104, 107, 117, 1612 and 202; Providing for applicability; Providing for repeal of inconsistent provisions; Providing for severability; Providing for an effective date.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Rossi

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

Enactment No: Ord 13-05

16 An Ordinance of the City Commission of the City of Key West, approving an amendment to the Historic Architectural Review Commission Guidelines for minimum requirements for submittals for a Certificate of Appropriateness as referenced in Section 90-142 of the City of Key West Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

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

Absent: 1 - Commissioner Rossi

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

Enactment No: Ord 13-06

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

7:16 P.M.