



AGENDA
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
JUNE 5, 2007, 6:00 P.M.

1. **CALL MEETING TO ORDER – 6:04 P.M.**
2. **ROLL CALL – Commissioners Harry Bethel and Bill Verge Absent**
3. **INVOCATION – Pastor Charles Tigard, Metropolitan Community Church**
4. **PLEDGE OF ALLEGIANCE TO THE FLAG**
5. **APPROVAL OF THE AGENDA**
6. **PROCLAMATIONS:** (Mayor McPherson)

- (a) Elisa Levy Day
- (b) Juneteenth Freedom Celebration Day
- (c) **Key West High School 100th Graduating Class**

ADD ON:

7. **PRESENTATIONS:**
 - (a) Community Housing Committee – Richard Grusin (Mayor McPherson)
 - (b) Six-Month Budget Report – Roger Wittenberg (City Manager)
 - (c) City Attorney's Report
 - (d) City Manager's Report

8. **CONSENT AGENDA* - Unanimous Vote**

9. **RESOLUTIONS:**

Denied – Unanimous Vote

- ⊙(a) Authorizing the installation of a four-way stop sign at the intersection of Emma Street and Truman Avenue. (Commissioner Lopez)

07-182

- * (b) Adopting procedures for exercising Emergency Management Procedures pursuant to Florida Statute Section 252.38. (City Manager)

07-193 – Vote: 4/1; Commissioner Kolhage - No

- ⊙(c) Approving the Consulting Agreement between the City and Capital Alliance Group, Inc. for development of an Affordable Workforce Housing Plan. (City Manager)

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060507

07-183

- * (d) Authorizing Key West Gay and Lesbian Community Center to amend Resolution Number 07-146 to allow alcohol during the Festival on June 8 and 9, 2007; Authorizing the Gay & Lesbian Community Center to conduct numerous events starting with a street fair on Friday, June 8, 2007 and on Saturday, June 9, 2007 on Duval Street between Angela Street & Truman Avenue from 7:00 A.M. to 10:00 P.M.; A Pridefest Parade on Saturday, June 9, 2007 from 8:00 P.M. to 9:00 P.M. pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 700 & 800 blocks of Duval Street; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 7:00 A.M. to 10:00 P.M. (City Manager)

07-184

- * (e) Authorizing the Key West Little Conch Baseball League to conduct a fundraiser at Bayview Park on Saturday, June 9, 2007 from 12:00 Noon to 9:00 P.M. pursuant to terms and conditions set forth by the Office of the City Manager; Authorizing the sale and consumption of alcoholic beverages on the date and during the hours stated above; Waiving the thirty-day notice for a Special Event. (City Manager)

07-185

- * (f) Approving and authorizing the execution of the Agreement between the City of Key West, Florida and the Coral City Elks Lodge at Key West for its Goombay Summer Fest 2007 on June 29 & 30, 2007; Granting an exemption from the Sound Control Ordinance pursuant to Section 6-86 of the Code of Ordinances. (City Manager)

07-186

- * (g) Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to La Te Da for an event to take place at 1125 Duval Street during the hours of 2:00 P.M. to 7:00 P.M. on Sunday, June 10, 2007. (City Manager)

07-187

- * (h) Authorizing Clear Channel Radio, Hard Rock Café and Fat Tuesday to conduct a Miss Hawaiian Tropic Beauty Pageant and Concert to benefit the Police Athletic League on Saturday, August 25, 2007 from 7:45 P.M. to 11:50 P.M. pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 300 block of Duval Street from 7:45 P.M. to 11:50 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 7:45 P.M. to 11:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Authorizing a Rain Date of September 1, 2007. (City Manager)

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07-194 – Unanimous Vote

- ⊙(i) Awarding the bid of Industrial Cleaning Equipment & Supply, Inc. for the purchase of a Self Contained Diesel Pressure Washer Unit in the amount of \$29,914.00 in accordance with terms specified in Bid No. 07-009. (City Manager)

07-188

- *(j) Awarding the bid of Charley Toppino & Sons in the amount of \$2,236,264.86 for the construction of ten gravity stormwater injection wells. (City Manager)

07-195 – Unanimous Vote

- ⊙(k) Approving pursuant to Section 2-797(3) of the Code of Ordinances the purchase of two 35-foot buses from Gillig Corporation for use on the Lower Keys Shuttle Bus Service in a total amount not to exceed \$695,922.00. (City Manager)

07-189

- *(l) Authorizing the City Manager to execute and submit a Federal Transit Administration (FTA) Grant request for funding in the amount of \$250,000.00 per year for three years to provide extension of public transportation services to provide a Shuttle Bus in the Old Town/Historic District of Key West (50% City Match). (City Manager)

07-190

- *(m) Approving transfer of Mobile Vendor License (MVL) #12786 from Juan Nieves to Anthony Garcia due to hardship. (City Manager)

07-196 – Vote: 5/0

- ⊙(n) Authorizing purchases pursuant to Section 2-797(3) of the Code of Ordinances in accordance with the bid award of Collier County Florida, Contract #05-3796 entitled “Traffic Sign Materials and Related Items” in an amount not to exceed \$30,000.00. (City Manager)

07-191

- *(o) Authorizing a Trade-in Agreement for Ladder Truck No. 1 to Ten-8 Fire Equipment in exchange for a payment in the amount of \$65,000.00. (City Manager)

07-192

- *(p) Ratifying an expenditure in the amount of \$23,090.24 to the Florida Keys Community College (FKCC) for the Police Academy Training Program. (City Manager)

07-197 – Vote: 4/1; Commissioner Kolhage - No

- ⊙(q) Authorizing a one-year extension of the Major Development Plan and Conditional Use approval for the project located at 2319-2401 North Roosevelt Boulevard (Banana Bay/Fairfield Inn). (City Manager)

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07-198 – Vote: Unanimous Vote

- Ⓞ(r) Approving a one-year extension of the Major Development Plan granted for 716-718 South Street in Resolution No. 06-212. (City Manager)

Postponed – Vote: 3/2; Commissioners Menendez and Rossi - No

- (s) Directing the City Manager to ensure the Florida Department of Environmental Protection (FDEP) submits a Development Plan for the proposed redevelopment of Fort Zachary Taylor State Park for review by the City and the Florida Department of Community Affairs. (Commissioner Rossi)

07-199 – Vote: 5/0

- (t) Approving the Employment Agreement between the City of Key West and James Scholl for the position of City Manager. (Commissioner Bethel)

07-200 – Vote: 4/1; Commissioner Kolhage - No

- (u) Awarding pursuant to Section 2-797(3) of the Code of Ordinances the bid of Duval Ford in the total amount of \$47,255.00 for two vehicles for use by the Key West Fire Department (KWFD). (City Manager)

07-201 – Vote: 5/0

- (v) Awarding pursuant to Section 2-797(3) of the Code of Ordinances the bid of Duval Ford in the total amount of \$29,739.00 for two vehicles – one for use by the Code Compliance Division and one for use by the Building Department. (City Manager)

07-202 – Unanimous Vote

- (w) Awarding pursuant to Section 2-797(4)(b) ~~2-798(a-b)~~ of the Code of Ordinances the bid of Duncan Ford in the amount of \$14,870.45 for one vehicle for use by the Key West Code Compliance Division. (City Manager)

07-203 – Vote: 5/0

- (x) Awarding pursuant to Section 2-797(4)(b) ~~2-798(a-b)~~ of the Code of Ordinances the bid of Duncan Ford in the total amount of \$16,682.26 for one vehicle for use by the Key West Public Works Department (KWPD). (City Manager)

07-204 – Unanimous Vote

- (y) Awarding pursuant to Section 2-797(4)(b) of the Code of Ordinances the bid of Duncan Ford in the amount of \$14,870.45 for one vehicle for use by the Key West Community Services Department. (City Manager)

Postponed – Unanimous Vote

- (z) Authorizing a Deductive Change Order for Design/Build Services for the new Class 1 Solid Waste Transfer Station at Rockland Key by reducing the award to an amount not to exceed \$7,943,000.00. (City Manager)

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10. ORDINANCES – FIRST READING

Postponed For Workshop – Date To Be Determined

- (a) An Ordinance of the City of Key West, Florida, amending Section 122-418 “Conditional Uses” in the Commercial General (CG) Zoning District; Amending Section 122-688 “Conditional Uses” in the HRCC-1 Duval Street Gulfside Zoning District; Amending Section 122-748 “Conditional Uses” in the HRCC-3 Duval Street Oceanside Zoning District; Creating division 13 “Tattoo Establishments”; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

Second Reading June 19, 2007 – Vote: 4/0 – Commissioner Rossi Recused

- (b) An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled “Businesses” by amending Article VIII, “Off-Premises Canvassing”, Section 18-412 “Definitions” to amend the definition of Off-Premises Canvassing and to add the definition of Traditional Costumed Presentations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

Second Reading June 19, 2007 – Vote: 3/2 – Commissioners Lopez and Menendez - No

- (c) An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled “Environment” by amending Article III, “Litter”, Section 26-164 “Presumptions as to Discarded Solid Waste; Procedure for Removal of Certain Solid Waste; Enforcement, Penalties, Lien” to provide for the immediate removal of improperly discarded solid waste; further amending Section 26-164(c) to provide for alternative enforcement measures; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

Second Reading June 19, 2007 – Unanimous Vote

- (d) An Ordinance of the City of Key West, Florida, amending Chapter 58 of the Code of Ordinances entitled “Solid Waste” by amending Section 58-1 “Definitions” to repeal the use of plastic bags as acceptable garbage receptacles; Amending Section 58-34 “Unlawful Disposal”, Subsection C, to add Rubbish, Refuse and Solid Waste to the list of unlawfully discarded items; Adding Section 58-34(E) to prohibit disposal of certain waste in City owned receptacles; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. (City Manager)

11. ORDINANCE – SECOND READING (Public Hearing)

Postponed to July 15, 2007

- (a) An Ordinance providing for the Voluntary Annexation into the City of Key West of certain real property commonly known as Wisteria Island; Providing for an amendment to Article II of the Charter of the City of Key West by redefining the prescribed boundaries to include real property commonly known as Wisteria Island; Providing for an effective date. (City Manager)

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- 12. CITIZENS COMMENTS**
- 13. COMMENTS BY THE COMMISSION**
- 14. ADJOURNMENT – 10:45 P.M.**

⊗Removed from Consent Agenda

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