



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, December 6, 2016

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 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3731 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 Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

INVOCATION - Fr. John Baker, Basilica St. Mary's Star of the Sea

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The Agenda was approved as changed unanimously.

PROCLAMATIONS

1 National Homeless Persons Memorial Day

Sponsors: Mayor Cates, Commissioner Weekley and Commissioner Kaufman

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

2 Emergency Medical Services Annual Report - Eddie Perez

Sponsors: City Manager Scholl

Received and Filed

**City Attorney's Report
- Affordable Workforce Housing Compliance Update**

3

Attachments: [Report](#)

Received and Filed

**City Manager's Report
- Key West Police Department Promotion Jason Castillo to**

Sergeant

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

4

***November 15, 2016 (Regular)**

Attachments: [Minutes](#)

Approved

RESOLUTIONS

5

***Re-appointing Richard (Dick) Moody to the Art in Public Places Board.**

Sponsors: Mayor Cates

Attachments: [Resolution](#)
 [Resume](#)

Passed

Enactment No: Res 16-356

- 6 *Authorizing Marques Butler Memorial Scholarship, Inc. to conduct a fundraiser at the Clayton Sterling Complex and the DeWitt Roberts Field for their Annual Marques Butler Memorial Softball Tournament on Friday, February 17, 2017 through Sunday, February 19, 2017 from 7:00 A.M. to 11:00 P.M.; Pursuant to terms and conditions set forth by the Office of the City Manager; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 7:00 A.M. to 11:00 P.M during the event; Authorizing the sale and consumption of alcoholic beverages on the date and during the hours stated above.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 16-357

- 7 *Authorizing a purchase from Physio-Control, Inc. for one (1) Lifepak 15 Cardiac Monitor plus accessories as Brand Name Products, on a Sole Source Basis pursuant to Section 2-797(1) for Brand Name Items, pursuant to City Code Section 2-844(a) and (b) for the Key West Fire Department in an amount not to exceed \$30,663.58.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [LifePak 15 for Rescue 5 Quote](#)
 [Sole Source Physio Control LifePak 15](#)
 [Cardiac Monitor Purchasing Approval](#)

Passed

Enactment No: Res 16-358

- 8 *Authorizing a purchase from Stryker Sales Corp. for the purchase of one Performance Load Cot Fastening System, one Power Pro XT Stretcher and one Stair Pro Stair Chair with accessories as Brand Name Products, on a Sole Source Basis pursuant to Section 2-797(1) for Brand Name Items, pursuant to City Code Section 2-844(a) and (b), for the Key West Fire Department in an amount not to exceed \$24,376.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Stryker Quote](#)
 [Stryker Sole Source](#)
 [Stryker Purchasing Approval](#)

Passed

Enactment No: Res 16-359

- 9 *Approving a Blanket Purchase Order for the purchase of Medical Supplies from Bound Tree Medical, LLC pursuant to Section 2-797(3) of the Code or Ordinances, by Piggybacking on the City of Boynton Beach Contract No. 0521-2210-14/JMA, in a total amount not to exceed \$80,000.00 for the Key West Fire Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [*Large File* Boynton Beach ITB](#)
 [*Large File* Bound Tree Response to ITB](#)
 [Boynton Beach Award Letter](#)
 [Boynton Beach Approval to Piggyback](#)
 [Bound Tree Approval to Piggyback](#)

Passed

Enactment No: Res 16-360

- 10** *Authorizing the purchase of one (1) Ford Transit Utility Cargo Van in an amount not to exceed \$25,931.00 from Duval Ford Fleet Sales, through Piggybacking on the Florida Sheriff's Association Contract, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Key West Fire Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Duval Ford LLC Quote](#)
 [FSA Specification and Pricing](#)
 [FSA Award Summary](#)
 [ITB FSA16-VEL24.0](#)
 [FSA Cooperative Purchasing Program](#)

Passed

Enactment No: Res 16-361

- 11** *Approving Task Order No. 1-17-SWR from CH2M Hill Engineers, Inc. in an amount not to exceed \$58,472.00 for Preliminary Design and Permitting Services for Reclaimed Water Facilities at the Wastewater Treatment Plant.

Sponsors: City Manager Scholl

Attachments: [Resoution](#)
 [Executive Summary](#)
 [Task Order 1-17 SWR](#)
 [Resolution 15-208](#)

Withdrawn

- 12 *Approving the attached 2016 Minor Transit Development Plan Update and Progress Report from the City of Key West for the Florida Department of Transportation (FDOT).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 09-320](#)
 [Resolution 14-248](#)
 [2016 Annual TDP Update](#)
 [FDOT Approval Letter](#)

Passed

Enactment No: Res 16-362

- 13 *Authorizing a Purchasing Exception pursuant to Section 2-797(1) and 2-797(4) of the Code of Ordinances, to allow an increase not to exceed \$8,397.00 in cumulative expenditures during FY 17 to Eddie Lopez Technologies, LLC d/b/a Stop Ocean Pollution on a Sole Source Basis (increase purchases from this vendor to a total of \$28,077.00).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Stop Ocean Pollution Quote](#)
 [Suntree OMI Email](#)

Passed

Enactment No: Res 16-363

14

*Ratifying an Emergency Procurement approved by the City Manager in excess of \$20,000.00 as allowed under Section 2-797(2) of the City's Code of Ordinances, for the procurement of Electrical System Infrastructure Upgrades for Wahoo and Kingfish Piers at City Marina at Garrison Bight to Keys Energy Services (Project GB1303) in an amount not to exceed \$45,142.00; Authorizing any necessary budget adjustments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[CM Approval Emergency Declaration](#)
[KES Wahoo Proposal](#)
[KES Kingfish Proposal](#)
[Work Change Directive #1](#)
[Resolution 16-144 Contract Award](#)

Passed

Enactment No: Res 16-364

15

*Rejecting all bids received in response to Initiation to Bid (ITB) #17-006 for Mole Pier Boat Wash Down Facility pursuant to Section 2-834(4) of the Code of Ordinances.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[In-kind Authorization \(Navy\)](#)
[DN Higgins Bid](#)
[SeaTech Bid](#)
[Navy Concurrence](#)

Passed

Enactment No: Res 16-365

16 *Approving the City Attorney Performance Evaluation.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Evaluation Form](#)
 [Commissioner Kaufman](#)
 [Commissioner Lopez](#)
 [Commissioner Payne](#)
 [Commissioner Romero](#)
 [Commissioner Wardlow](#)
 [Commissioner Weekley](#)
 [Mayor Cates](#)
 [Evaluation Calculation](#)

Passed

Enactment No: Res 16-366

Approval of the Consent Agenda

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

17 Affirming that the City Commission supports in concept that the continuation of all protections and rights of United States citizens and residents, individually and collectively, guaranteed under law and applicable on January 1, 2017, shall continue to apply to the citizens, residents and visitors of the citizens of Key West thereafter, without reduction or limitation; Urging residents and visitors of Key West to embody and express the City's Official Philosophy of "One Human Family" by actively caring about and supporting each other, affirming human rights and resisting any efforts to demonize neighbors, take political revenge, legislate discrimination or hate and fear of our fellow members of the World Community.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Kaufman, that the Resolution be Passed as amended to include two additional whereas clauses. The motion carried by the following vote:

No: 1 - Commissioner Romero

Yes: 6 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-367

18

Approving the attached Three-year Municipal Equipment Lease-purchase Agreement 24020 between the City and Motorola Solutions, Inc. as a Sole Source Provider, pursuant to City Code 2-797(1)(b), for Motorola Handheld Radios and Related Equipment, as described in the attached Lease Purchase Agreement 24020, in accordance with City Code Section 2-844 for Brand Name Purchases for the Key West Police and Key West Fire Departments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Exec Summary Motorola Radios](#)
[Lease Purchase Agreement 24020](#)

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 16-368

19

Approving Change Order No. 3 to D. L. Porter Constructors, Inc. in an amount not to exceed \$119,412.66 to address unforeseen conditions encountered during construction of the Frederick Douglass Community Center Project; Authorizing the City Manager to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Change Order No. 3](#)
[Change Order Request #6](#)
[ITB 022-16 Douglass Gym Bid Document](#)
[ITB 022-16 Douglass Gym Bid Document Set Vol 2](#)
[Resolution 16-198](#)

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

Enactment No: Res 16-369

20

Awarding the Bid of A-1 Property Services, Inc. for the Martin Luther King Jr. Community Center Roof Repair Project in an amount not to exceed \$177,037.00 in accordance with the terms specified in ITB 17-010, inclusive of three additive alternates (installation of Solar Heat/Cooling System for \$14,449.00; Installation of Sealoflex Liquid on Entry Roof for \$4,500.00; Installation of lightning protection for \$7,250.00); Authorizing the City Manager to execute a contract on behalf of the City of Key West; Authorizing necessary budget amendments and transfers.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [ITB 17-010](#)
 [Addendum # 1](#)
 [A-1 Addendum acknowledgement](#)
 [A-1 Proposal](#)
 [MLK Roof - Bid Recommendation](#)
 [Pedro Falcon Proposal](#)

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

Enactment No: Res 16-370

ORDINANCES - SECOND READING (Public Hearing)

21

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Section 70-187 to adjust Old Town Garage parking rates, rescind the lost ticket fee and establish the allocation of additional parking revenue; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

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

No: 2 - Commissioner Romero and Commissioner Wardlow

Yes: 5 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Weekley and Mayor Cates

Enactment No: Ord 16-25

22

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by adding Section 70-188 to establish the parking rate for the Key West Bight; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

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

No: 1 - Commissioner Wardlow

Yes: 6 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Weekley and Mayor Cates

Enactment No: Ord 16-26

23

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - "Parking Stopping and Standing", Division 5, "Residential Parking Permit Program", section 70-249, to provide permit holders the right to park in the City's metered parking lots located at the Key West Bight (Caroline Street), Old Town Parking Lot and the Fire Station Lot on Angela Street for a period of time not to exceed four hours per day free of charge; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

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

No: 2 - Commissioner Romero and Commissioner Wardlow

Yes: 5 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Weekley and Mayor Cates

Enactment No: Ord 16-27

DISCUSSION

24

Legislative Agenda

Sponsors: City Manager Scholl

Recommendations from the Commission for State and Federal Lobbyists including suggestions put forth by Last Stand with specificity toward passage of the Water Resources Reform and Development Act, passage of a bill that allows local option pilot programs to ban single use plastic bags, legislation that allows State Critical Area of Concern Municipal and County changes in restriction on transient rental of residential units, support proposal to fund acquisition of land for water storage south of Lake Okeechobee; National Flood and Windstorm Insurance; The Key West Ferry Terminal at the Key West Bight with regard to immigration and customs; Sigsbee Housing and the use of existing housing stock for Workforce Housing; Transportation and Transit dollars; Sustainability issues including the Florida Keys Water Quality Initiative, Stewardship Act, Infrastructure Hardening, sea level rise, and alternative energy sources; Tourist Tax Dollars, increase and distribution; Support for changes in the Sunshine Laws; Preservation and Development of Affordable Housing; Historic Preservation and Restoration; Sustainability within the CRA and grant opportunities; Restoration of the Sadowski Funds; Monitoring of State Legislation in the coming year; and explore the option of seeking proposals for Federal Lobbyist.

CITIZEN COMMENTS**COMMISSION COMMENTS****ADJOURNMENT - 8:31 P.M.**