



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, December 2, 2014

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 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

6:02 P.M.

ROLL CALL

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

INVOCATION - Pastor Ozzie Vater, Fifth Street Baptist Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

1 Key West High School Conchettes

Sponsors: Mayor Cates

Attachments: [Commendation](#)

Received and Filed

PROCLAMATIONS

2 Team Lily Bow Day

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

- 3 National Homeless Persons' Memorial Day
 - Sponsors:** Mayor Cates and Commissioner Weekley
 - Attachments:** [Proclamation](#)
 - 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

- 4 *November 5, 2014 (Regular)
 - Attachments:** [Minutes](#)
 - Approved
- 5 *November 18, 2014 (Regular)
 - Attachments:** [Minutes](#)
 - Approved
- 6 *November 19, 2014 (Workshop)
 - Attachments:** [Minutes](#)
 - Approved

RESOLUTIONS

- 7 *Authorizing Free Bus Transportation on December 23 and 24, 2014; and Authorizing Free Metered Parking in Old Town from December 23 through and including December 25, 2014.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 14-352

- 8 *Authorizing the purchase and installation of a replacement 12,000 gallon unleaded fuel tank with two dispensing systems for Fleet Management by Containment Solutions, Inc. in the amount of \$64,993.68, via the General Services Administration (GSA) Contract #80576-B, without formal competitive procurement pursuant to Section 2-797(3) of the Code of Ordinances.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[GSA Quote](#)
[Purchasing Memo](#)
[Tank Specifications](#)
[Site Plan](#)

Passed

Enactment No: Res 14-353

- 9 *Approving the attached two-year Lease Agreement between the City and Chester's Ft. Lauderdale Harley Davidson for the lease of three (3) Harley-Davidson Police Motorcycles.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Brand Name Document](#)
[Peterson's Lease Proposal](#)
[Chester's Lease Proposal](#)

Passed

Enactment No: Res 14-354

10 *Accepting pursuant to Section 7-797(4)(b) of the Code of Ordinances the attached proposal of Chester’s Ft. Lauderdale Harley Davidson in the total amount of \$18,353.14 (inclusive of trade-in) for the purchase of two Harley Davidson Road King Motorcycles for use by the Key West Police Department Traffic Unit; Authorizing trade-in of two used 2011 Harley Davidson Road King Motorcycles pursuant to Section 2-771(c) of the Code of Ordinances.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Chester's Fort Lauderdale Quote](#)
[Peterson's Quote](#)

Passed

Enactment No: Res 14-355

11 *Authorizing pursuant to Sections 2-797(1) and 2-844(a) and (b) of the Code of Ordinances the purchase of twenty-four (24) Coban “Edge” In-Car Video Recording Systems from Coban Technologies in the amount of \$128,448.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Sole Source Memo](#)
[COBAN General Information](#)
[Video Recording System](#)
[Quote](#)

Passed

Enactment No: Res 14-356

- 12 *Approving the attached “Public Transportation Joint Participation Agreement” (JPA Contract Number ARN97) between the Florida Department of Transportation (FDOT) and the City of Key West for Section 5311 Grant Program Funding Assistance for FY 14-15 for Capital Funding to purchase replacement buses in an amount not to exceed \$331,261.00 (Local Match 20%); Authorizing the City Manager to execute necessary documents and necessary budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 14-203](#)
[JPA #ARN97](#)
[Resolution 14-150](#)
[Resolution 14-151](#)

Passed

Enactment No: Res 14-357

- 13 *Authorizing a Purchasing Exception pursuant to Section 2-797(4)b of the Code of Ordinances, to approve a two-year contract extension and allow an increase not to exceed \$4,776.00 in cumulative expenditures for City Marina at Garrison Bight to Beacon Wi-Fi Technologies, LLC (in conjunction with the increase of \$4,776.00 for the Key West Bight Historic Seaport, as set forth in concurrent CRA Resolution No. 14-365) to a total of \$23,880.00; Approving the attached First Amendment to Agreement.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[First Amendment to Agreement](#)
[Beacon 2 year Extension](#)
[Beacon Agreement](#)

Passed

Enactment No: Res 14-358

14

*Approving Staff Ranking and authorizing the City Manager to negotiate and execute contracts on a Task Order basis to two firms in response to Request for Qualifications No. 14-004 for Environmental Engineering Services.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Request for Qualifications #14-004](#)
[City Clerk RFQ Tabulation memo](#)
[Ranking Summary](#)
[Criteria Matrix](#)
[*Large File* AirQuest Environmental, Inc. proposal](#)
[*Large File* AMEC Environmental & Infrastructure, Inc. proposal](#)
[*Large File* American Management Resource Corp. proposal](#)
[*Large File* Atkins North America, Inc. proposal](#)
[*Large File* Bureau Veritas North America, Inc. proposal](#)
[*Large File* CSA Central, Inc. proposal](#)
[*Large File* David Douglass Associates, Inc. proposal](#)
[*Large File* ESciences Incorporated proposal](#)
[*Large File* GLE proposal](#)
[*Large File* G.M. Selby, Inc. proposal](#)
[*Large File* Handex Consulting & Remediation-SE, LLC proposal](#)
[*Large File* Langan Engineerings & Environmental Svcs. proposal](#)
[*Large File* PM Environmental proposal](#)
[*Large File* Specco Environmental, Inc. proposal](#)
[*Large File* Sandra Walters Consultants, Inc. proposal](#)
[*Large File* Terracon Consultants, Inc. proposal](#)
[*Large File* Tetra Tech Inc. proposal](#)
[*Large File* Weston & Sampson Engineers, Inc. proposal](#)

Passed

Enactment No: Res 14-359

- 15** ***QUASI-JUDICIAL HEARING:** 716 - 718 South Street
Granting Major Development Plan and Landscape Modification / Waiver Approvals pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for the reconstruction of 17 transient residential units and for the reduction of required landscaping associated with the proposed hotel redevelopment on property located at 716-718 South Street (RE #00036870-000000, AK #1037681) in the Historic Residential / Office (HRO) Zoning District; Providing conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Planning Board Resolution No 2014-55](#)
[*Large File* Planning Board Package](#)
[Planning Board Public Comments](#)
[*Large File* Applicant Good Neighbor Documents](#)
[Final Landscape Plan Approval](#)
[HARC Approval](#)

Postponed to January 21, 2015

- 16** *Authorizing the execution of a Settlement Agreement in the case of Kia Scott v. City of Key West (Case 2011-CA-1269-K), in accordance with the attached release; Authorizing the City Manager to execute necessary documents.

Attachments: [Resolution](#)
[General Release](#)
[Correspondence](#)

Passed

Enactment No: Res 14-360

Approval of the Consent Agenda

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

17 Rescinding the acceptance of proposal issued under Resolution 14-348 to Burke Construction Group Inc. in response to RFP #001-15 for construction of the new city hall at Glynn Archer; Rejecting all bids for budgetary reasons.

Sponsors: Mayor Cates

Attachments: [Resolution](#)
[Letter From Martinez Burke Construction](#)

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

No: 4 - Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow and Commissioner Weekley

Yes: 3 - Commissioner Johnston, Commissioner Yaniz and Mayor Cates

18 Approving the City Attorney Performance Evaluation.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
[Performance Evaluation](#)
[Commissioner Johnston's Evaluation](#)
[Commissioner Lopez's Evaluation](#)
[Commissioner Rossi's Evaluation](#)
[Commissioner Wardlow's Evaluation](#)
[Commissioner Weekley's Evaluation](#)
[Commissioner Yaniz's Evaluation](#)
[Mayor Cates' Evaluation](#)

A motion was made by Commissioner Rossi, seconded by Commissioner Yaniz, 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 14-361

19 Approving the attached Second Amendment to Employment Agreement between the City of Key West and Shawn D. Smith for the position of City Attorney.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
[Executive Summary](#)
[Second Amendment to Agreement](#)
[First Amendment to Agreement](#)
[Employment Agreement](#)

A motion was made by Commissioner Rossi, 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 14-362

20 Approving the attached "Consulting Agreement" between the City of Key West and Donald Leland Craig d/b/a The Creative Edge for services specified in the contract.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Consulting Agreement](#)
[Exhibit A](#)

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

No: 3 - Commissioner Rossi, Commissioner Wardlow and Commissioner Yaniz

Yes: 4 - Commissioner Johnston, Commissioner Lopez, Commissioner Weekley and Mayor Cates

Enactment No: Res 14-363

ORDINANCES - SECOND READING (Public Hearing)

21

An Ordinance of the City of Key West, Florida, Amending Chapter 26, of the Code of Ordinances entitled "Environment" by amending Sec 26-96 "Definitions" to include the upland areas of Rest Beach; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Cates

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

A motion was made by Commissioner Rossi, seconded by Commissioner Lopez, that the Ordinance be Adopted. 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: Ord 14-20

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

7:50 P.M.