



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail City Commission

Tuesday, March 4, 2014

6:00 PM

Old City Hall

Revised - February 26, 2014

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

ROLL CALL

INVOCATION - Lt. Peter Dietz, Chaplain Coast Guard Sector Key West

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Be The Change Day

Sponsors: City Commission

Attachments: [Proclamation](#)

PRESENTATIONS

2 25 Year Service Award - Key West Fire Department Captain Wayne Owen

3 Brian LaPointe - "Effects of Everglades Restoration on Water Quality of the Florida Keys and Key West."

Sponsors: Commissioner Weekley

City Attorney's Report

City Manager's Report

- Truman Waterfront Park Project Historical Overview

PROPOSED TO BE POSTPONED TO MARCH 18, 2014

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

- 4 *Appointing Daniel E. Acevedo to the Key West Contractor's Examining Board.
Sponsors: Mayor Cates
Attachments: [Resolution](#)
[Resume](#)
- 5 *Appointing Richard J. Milelli to the Key West Contractors Examining Board.
Sponsors: Mayor Cates
Attachments: [Resolution](#)
[Resume](#)
- 6 *Approving the relocation of the Mallory Square Panhandling Zone.
Sponsors: Mayor Cates
Attachments: [Resolution](#)
[Executive Summary](#)
[Photos in Support of relocation](#)
- 7 *Approving the attached conceptual site plan for a proposed Vietnam Veteran's Memorial at Bayview Park and directing the City Manager to continue to work with the organizers to complete a suitable memorial; Supporting the use of City funds for up to one-third of the cost of constructing the Vietnam Veteran's Memorial.
Sponsors: Commissioner Wardlow and Mayor Cates
Attachments: [Resolution](#)
[Vietnam Memorial Conceptual Site Plan](#)
[Resolution 13-177](#)
[D.L. Porter Revised Budget Proposal](#)
[3 - Letters received in support of Memorial](#)

- 8 *Providing for a waiver of impact fees in the amount of \$14,094.32 for a lawful unit located at 326 Truman Avenue.
Sponsors: Commissioner Lopez
Attachments: [Resolution](#)
 [Executive Summary](#)
- 9 *Authorizing the Key West Film Society, Inc. to conduct their 10th Anniversary Celebration for the Tropic Cinema on Sunday, April 6, 2014 from 3:00 P.M. to 10:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 400 block of Eaton Street between Whitehead and Duval Streets from 3:00 P.M. to 10:00 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 3:00 P.M. to 10:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
Sponsors: City Manager Vitas
Attachments: [Resolution](#)
 [*Large File* Application](#)
 [Advertisement](#)
- 10 *Authorizing free use of Key West Public Transportation on March 17, 2014; Encouraging residents and visitors to use Public Transportation throughout the year.
Sponsors: City Manager Vitas
Attachments: [Resolution](#)
 [Executive Summary](#)
- 11 *Approving the attached "Lease Agreement" between the City and Key West Players, Inc. for the Waterfront Playhouse; Finding a public benefit.
Sponsors: City Manager Vitas
Attachments: [Resolution](#)
 [Executive Summary](#)
 [Lease](#)
 [Resolution 04-150](#)

- 12 *Authorizing the purchase of up to three (3) Clean Diesel (low sulfur) Gillig 30' Low Floor BRT Buses and one (1) Hybrid Clean Diesel (low sulfur) Electric Gillig 30' Low Floor BRT Bus in a total amount not to exceed \$1,990,393.00 pursuant to State contract, pursuant to Sections 2-797(1)(3) and 2-844(a) of the Code of Ordinances; Conditioning purchase authority upon the award and acceptance by the City Commission of funding through FDOT Grant and Federal Transit Administration (FTA) Toll Revenue Credits.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Bus Fleet Memo](#)
- [Backup Research](#)
- [Gillig Price Quote](#)
- [How to Use LYNX Contract 14-C09](#)
- [*Large File* Contract 13-C09](#)
- 13 *Authorizing a one-year extension, for the policy year 2014/2015, of the Broker Services Agreement with Brown & Brown - Public Risk Insurance Agency (PRIA) for the City's Property and Casualty Insurance Program.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Resolution 13-233](#)
- [Resolution 09-247](#)
- [RFP# 09-010 City Document](#)
- 14 *Extending the "Consulting Agreement" between the City of Key West and Langton Associates, Inc., and IN REM Solutions, Inc. for Grant Writing Services for a period of one year; Approving an increase of \$500.00 per month effective October 1, 2014 through March 5, 2015, not to exceed \$3,000.00.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [*Large File* Resolution 13-112](#)
- [Proposal Letter from Langton Associates, Inc.](#)

- 15 *Authorizing the approval of Task Order 02-2014-STM for Arcadis, d//b/a Malcolm Pirnie, Inc., in an amount not to exceed \$19,750.00 to provide a Rate Study for preparation of the City's 2015 Stormwater Billing.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Task Order 02-2014-STM](#)
[Resolution 13-053](#)
[Company Name Change Letter](#)
- 16 *Authorizing the approval of Task Order 03-2014-SWR for Arcadis, d//b/a Malcolm Pirnie, Inc. in an amount not to exceed \$19,750.00 to provide a Rate Study for preparation of the City's 2015 Sewer Billing.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Task Order 03-2014-SWR](#)
[Resolution 13-053](#)
[Company Name Change Letter](#)
- 17 *Authorizing the purchase of new Odor Control Units for Sewer Lift Stations R and S from Hayward, Inc., on a Sole Source Basis in accordance with the City Code Section 2-797(1), in the total amount of \$52,400.00.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Heyward, Inc. Quote](#)
[Heyward, Inc. Sole Source Letter](#)
- 18 *Accepting and authorizing the execution of the attached "Federally Funded Subgrant Agreement" Contract Number 14HM-2V-11-54-02-XXX (FEMA Number: 1539-47-R) with the State of Florida Division of Emergency Management (FDEM) for Phase II FEMA Funding for East Front Street Flood Mitigation Project, in the amount of \$2,454,440.00 (City Match 25% of project cost); Authorizing necessary budget amendments or transfers to accept the Grant.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Florida Dept. of Emergency Management Contract](#)
[City of Key West East Front St Drainage Project Presentation](#)

- 19 *Authorizing the City Manager to enter into an Agreement with Dr. Richard Walker, property owner(s) in Code Compliance File No. 10-1425 (2407 N. Roosevelt Boulevard) permitting a release of lien upon payment by the owners of the amount of \$10,000.00.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
- 20 *Awarding the Bid of Arnold's Towing & Marine Repair, Inc. in response to RFP 01-14, for Towing Services.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
[1 letter received in support of Award](#)
[RFP 01-14 Wrecker-Towing Services](#)
[Addendum 1 RFP 01-14](#)
[Addendum 2 RFP 01-14](#)
[Addendum 3 RFP 01-14](#)
[A-1 Redland Economy Towing Response to RFP 01-14](#)
[*Large File* Alex's Towing Response to RFP 01-14](#)
[*Large File* Anchor Towing Response to RFP 01-14](#)
[*Large File* ArnoldsTowing Response to RFP 01-14](#)
[Key West Towing Response to RFP 01-14](#)
[Correspondence RFP 01-14](#)
[City Clerk RFP Tabulation and Ranking Memos](#)
[Score Sheets RFP 01-14](#)
- 21 Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of 760.75 square feet of City property for parking, brick pavers and landscaping associated with an historic structure located at 4 Pinder Lane, pursuant to Section 2-939 of the Code of Ordinances; Providing conditions.
- Sponsors:** City Manager Vitas
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Exhibit 1 - Fire Department Request](#)
[Revocable License Agreement](#)
[Survey](#)
[Application](#)
[Site Photos](#)
- Legislative History**

9/26/13	Development Review Committee	Received and Filed
2/4/14	City Commission	Postponed

ORDINANCES – FIRST READING

22 An Ordinance of the City of Key West, Florida amending Chapter 42 of the Code of Ordinances entitled “Miscellaneous Offenses” by amending Section 42-9 to revise the Definition of Body Painting; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

[Letter in Opposition from Patti Biga](#)

[Letter in Opposition from Tony Gregory](#)

[Letter in Support from Harry Bethel](#)

[Letter in Support from Susan Cardenas](#)

[Letter in Support from Chris Stone](#)

[Letter in Support from Eileen Appelrouth Farr](#)

[Letter in Support from Barbara Ramey](#)

[Letter in Support from Michael Ritchie](#)

23 An Ordinance of the City of Key West, Florida amending Chapter 78 of the Code of Ordinances entitled “Vehicles For Hire” by adding Sections 78-65, 78-66 and 78-67 to provide for wheelchair accessible vehicles, operational requirements for such vehicles and a revocation process; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

[Letter in Support from Cindy McKnight](#)

ORDINANCES - SECOND READING (Public Hearing)

24

An Ordinance of the City of Key West, Florida, amending Chapter 62, Article V. of the Code of Ordinances entitled "Newsracks" by adjusting the spelling to 'News Racks' throughout the Ordinance; By amending Section 62-151 to amend Definitions; Adding Section 62-152 to State Purpose and Criteria; Amending Section 62-177 to set July 15 as the application for locations deadline; Amending Section 62-179 to Establish and Adjust Certain Fees; Amending Section 62-181, Denial; Amending Section 62-182 to amend the Replacement Procedure; Amending Section 62-183, to amend Location Requirements; Adding Section 62-186 to establish news rack mounting standards; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Yaniz

Attachments: [Ordinance](#)

[Executive Summary](#)

[Changes Recommended by Staff](#)

[Letter from Richard Tamborrino](#)

Legislative History

1/7/14	City Commission	Postponed
1/22/14	City Commission	Passed to Second Reading
2/4/14	City Commission	Postponed
2/19/14	City Commission	Postponed

25

An Ordinance of the City of Key West, Florida, amending Chapter 2 entitled "Administration", Article V entitled "Committees, Boards and Commissions", Division 8 entitled "Art in Public Places Board" of the Code of Ordinances by amending Section 2-487 entitled "Funding of Art in New Construction and Major Renovation Projects' by adding a purpose and intent statement, adding definitions, changing the method in which the amount representing 1% of construction costs is paid, clarifying and elaborating certain provisions of the program and establishing procedure for efficient implementation of the program; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

Attachments: [Ordinance](#)

[Executive Summary](#)

[Flowchart](#)

Legislative History

2/19/14	City Commission	Passed to Second Reading
---------	-----------------	--------------------------

26

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Article VI entitled "Mobile Vendors", Section 18-324 "Conditions of use"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

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

Legislative History

2/19/14	City Commission	Passed to Second Reading
---------	-----------------	--------------------------

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT