



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail City Commission

Wednesday, September 3, 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

ROLL CALL

INVOCATION - Father Erik Zegeer, Basilica St. Mary's Star of the Sea Catholic Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PRESENTATIONS

1 Model Homeless Shelter - Mr. Keith Oropeza

Sponsors: City Manager Scholl

2 Smathers Beach Jetty - Lori Bervaldi Tucker

Sponsors: Commissioner Wardlow, Commissioner Weekley and Commissioner Yaniz

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 *July 23, 2014 (Special)
 Attachments: [Minutes](#)
- 4 *August 5, 2014 (Regular)
 Attachments: [Minutes](#)
- 5 *August 19, 2014 (Regular)
 Attachments: [Minutes](#)

RESOLUTIONS

- 6 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Clyde Joyce for an AIDS Fundraiser at The Restaurant Store, 1111 Eaton Street, during the hours of 5:00 P.M. to 9:00 P.M. on Friday, September 19, 2014.
 Sponsors: City Manager Scholl
 Attachments: [Resolution](#)
 [Application](#)
 [Advertisement](#)
- 7 *Authorizing the Key West Gator Club as an affiliate of the University of Florida Athletic Association to conduct a Full and 1/2 Marathon on Saturday, October 11, 2014; Authorizing the closure of Front Street from Duval Street and Simonton Street including Simonton Street Beach Area; Authorizing certain street closures thereof during the event; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances from 5:00 A.M. to 12:00 Noon; Pursuant to terms and conditions set forth by the City Manager.
 Sponsors: City Manager Scholl
 Attachments: [Resolution](#)
 [Application](#)
 [Advertisement](#)
- 8 *Authorizing JIATF South to hold the Annual Veterans Day Parade on Duval Street from 4:00 P.M. to 8:00 P.M. Tuesday, November 11, 2014; Authorizing the closure of certain streets or portions thereof for said parade from 4:00 P.M. to 8:00 P.M.; Waiving all fees for required City Services.
 Sponsors: City Manager Scholl
 Attachments: [Resolution](#)
 [Application](#)
 [Advertisement](#)

- 9 *Authorizing Visualize Entertainment, Inc. the use of Bayview Park to show free movies the first and third Friday of the month starting October 3, 2014 through May 29, 2015 (with the exception of events that are confirmed every year) from dusk till after movie; Pursuant to terms and conditions set forth by the City Manager.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Applications](#)
- [Signatures of no objection](#)
- [Advertisement](#)
- 10 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Just Save The Date, LLC for a wedding ceremony and reception at the Hemingway House on Whitehead Street during the hours of 5:30 P.M. to 12:00 Midnight on Saturday, November 8, 2014.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Application](#)
- [Advertisement](#)
- 11 *Approving transfer of Mobile Vendor License (MVL) #12788 from Ruth Boyette to Stuart Kemp due to hardship.
- Attachments:** [Resolution](#)
- [MVL Transfer Request](#)
- 12 *Awarding the Bid of Douglas N. Higgins, Inc., for construction of East Front Street Flood Mitigation Project No. ST-1201 in the amount of \$2,964,012.50.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [BID 14-016 Memo](#)
- [East Front St Flood Mit BID DN Higgins](#)
- [East Front St Flood Mit BID Toppino & Sons](#)
- [Bid Summary E Front St Flood Mitigation](#)
- [Front Street Bid Documents](#)
- [East Front Drawings - Part I](#)
- [East Front Drawings - Part II](#)
- [Resolution 14-065 - FDEM Subgrant Agreement](#)
- [FEMA Project #1539-47-R; East Front Street Phase II Contract](#)

- 13 *Approving the attached "Third Amendment to Contract" for Ambulance Services between the City of Key West and Lifestar Response of Alabama, now known as Care/America Ambulance.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[CARE Extention 7-7-14](#)

[CARE Contract scanned](#)

[Resolution 11-019](#)

[Resolution 12-094](#)

[Resolution 14-090](#)

[Resolution 14-168](#)

- 14 *Authorizing the purchase for the Fire Department of three (3) new Horton Ambulances from Hall-Mark Fire Apparatus, pursuant to Government Contract, pursuant to Section 2-797(3) of the Code of Ordinances in a total amount not to exceed \$387,291.00; Authorizing the purchase of one (1) used Ford E-450 Medtec Ambulance from Hall-Mark Fire Apparatus pursuant to Section 2-771(3)(a) of the Code of Ordinances in a total amount not to exceed \$8,209.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[8-13-14 Key West Fire Horton Proposal Page](#)

[Key West Fire Department Horton r2](#)

[FSA 11-10-1202 Fire Rescue](#)

[FSA 11-10-1202 Extension Memo for Purchasing Agencies-1](#)

[FSA BID SPEC 4 - TYPE III PERFORMANCE BOND](#)

[Ambulance Purchasing Approval](#)

- 15** *Approving Change Order No. 2 to the construction contract awarded under Resolution No. 13-154 to Burke Construction Group Inc. for Enhancements/Renovations to Nelson English/Willie Ward Parks (Purchase Order 74986) in an amount not to exceed \$62,826.14, due to a combination of unforeseen underground obstructions, site space limitations, and permitting requirements; Authorizing the use of Bahama Village TIF Funds allocated in Resolution 14-162; Authorizing the City Manager to execute necessary documents.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Construction Change Order No. 2 0814 *Large File*](#)
- [Construction Change Order No. 1 0614 *Large File*](#)
- [Res 14-162 BV1003 English Ward Park Addtnl Funding](#)
- [Res 13-154 BV1003 English Ward Park Construction Bid Award](#)
- 16** *Authorizing the purchase of one (1) 2015 Ford F250 with lift gate for \$27,536.50 from Alan Jay Ford Lincoln Mercury pursuant to Section 2-797(4)(b) of the Code of Ordinances; and Authorizing the purchase of one (1) Ford Econoline Cargo Van for \$37,607.00 from Duval Ford, for use by the Key West Utilities Department, through Piggybacking on the Florida Sheriff's Association Contract, pursuant to Section 2-797(3) of the Code of Ordinances.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Appendix A - Part 1](#)
- [Appendix A - Part 2](#)
- [Appendix B](#)
- [Appendix C](#)
- 17** *Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow an increase in cumulative expenditures during FY 13-14 to Roy's Auto Parts (\$4,000.00 increase to a total of \$39,600.00), Banner Tire (\$4,500.00 increase to a total of \$36,200.00), Gillig LLC (\$15,000.00 increase to a total of \$2,063,875.66), Flamingo Oil (\$11,500.00 increase to a total of \$33,500.00), and Thermo King (\$5,000.00 increase to a total of \$8,078.02).
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Original Blanket Purchase Order Amounts](#)
- [Resolution 13-302](#)

- 18 *Approving an expenditure not to exceed \$36,850.00 for Building/Electrical/Mechanical Inspection Services by M.T. Causley, Inc.; Authorizing a Waiver of Competitive Bidding; Authorizing necessary budget transfers and amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

- 19 *Approving the attached "Submerged Lands Lease" for City-owned submerged lands in Garrison Bight adjacent to 711-717 Eisenhower Drive between the City and Island Tranquility, Inc.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Submerged Land Lease](#)

[FDEP Audit](#)

[Non Compliance Notice](#)

[Corrective Procedures](#)

[Confirmation](#)

- 20 *Approving the attached "Submerged Lands Lease" for City-owned submerged lands in Garrison Bight adjacent to 719 Eisenhower Drive between the City and Paradise Harbor Condominium Association, Inc.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Submerged Land Lease](#)

[FDEP Audit](#)

[Non Compliance Notice](#)

[Corrective Procedures](#)

[Confirmation](#)

- 21 *Approving the attached “Submerged Lands Lease” for City-owned submerged lands in Garrison Bight adjacent to 833 Eisenhower Drive between the City and Harbor Lodge Condominium Owners Association, Inc.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Submerged Land Lease](#)
- [FDEP Audit](#)
- [Non Compliance Notice](#)
- [Corrective Procedures](#)
- [Confirmation](#)
- 22 *Approving the attached “Submerged Lands Lease” for City-owned submerged lands in Garrison Bight adjacent to 903 Eisenhower Drive between the City and Harborside Motel and Marine, Inc.
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Submerged Land Lease](#)
- [FDEP Audit](#)
- [Non Compliance Notice](#)
- [Corrective Procedures](#)
- [Confirmation](#)
- 23 *Approving the attached “Submerged Lands Lease” for City-owned submerged lands in Garrison Bight adjacent to 915 Eisenhower Drive between the City and Pelican Landing a Private Fishing Condominium, Inc.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Submerged Land Lease](#)
- [FDEP Audit](#)
- [Non Compliance Notice](#)
- [Corrective Procedures](#)
- [Confirmation](#)

- 24 *Approving the attached "Submerged Lands Lease" for City-owned submerged lands in Garrison Bight adjacent to 1601-05 North Roosevelt Boulevard between the City and Garrison Bight Investors, Ltd.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Submerged Land Lease](#)

[FDEP Audit](#)

[Non Compliance Notice](#)

[Corrective Procedures](#)

[Confirmation](#)

- 25 *Approving the attached "Submerged Lands Lease" for City-owned submerged lands in Garrison Bight adjacent to 701 Palm Avenue between the City and A-1 Boat Services, Inc.

Attachments: [Resolution](#)

[Executive Summary](#)

[Submerged Land Lease](#)

[FDEP Audit](#)

[Non Compliance Notice](#)

[Corrective Procedures](#)

[Confirmation](#)

- 26 *Approving the attached "Submerged Lands Lease" for City-owned submerged lands in Garrison Bight adjacent to 705 Palm Avenue between the City and Key West Community Sailing Center, Inc.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Submerged Land Lease](#)

[FDEP Audit](#)

[Non Compliance Notice](#)

[Corrective Procedures](#)

[Confirmation](#)

- 27 *Approving the submission of the attached City of Key West Department of Transportation (KWDOT) Ten-year “Transit Development Plan Major Update (TDP 2015-2024)” from the City of Key West for review and approval by the Florida Department of Transportation (FDOT).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[KWDoT Summary PPT](#)

[KWT Draft TDP Transmittal](#)

[Resolution 09-320](#)

[Key West 2009 to 2018 TDP NEW 10 YEAR PLAN](#)

- 28 **QUASI-JUDICIAL HEARING:**
Approving the attached “Submerged Lands Lease” between the City and 3810 Flagler Avenue, LLC for use of approximately 900 square feet of City-owned submerged lands to construct a new dock, floating dock and boat lift adjacent to property located at 3810 Flagler Avenue; Providing conditions.

REQUEST POSTPONEMENT FROM THE APPLICANT

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[*LARGE FILE* Executive Summary & Attachments](#)

[Resolution Attachments \(Lease & Survey\)](#)

[*LARGE FILE* Applicant Request & Attachments](#)

- 29 Imposing Solid Waste Service Assessments against certain real residential property located within the City of Key West, Florida, approving the Solid Waste Assessment Roll for the Solid Waste Service Assessments; Confirming the initial assessment resolution.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Appendix A](#)

[Appendix B](#)

[Appendix C](#)

[Letter in Opposition - Ramsey](#)

- 30** Imposing Stormwater Service Assessments against certain real property within the City of Key West; Approving the Stormwater Assessment Roll for the Stormwater Service Assessments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Appendix A](#)

[Appendix B](#)

[Appendix C](#)

[Objection Letter Smith-Oropeza](#)

- 31** Approving the attached First Amendment to Contract for Solid Waste Collection and Processing Services between the City and Waste Management of Florida, Inc. (WMI); Authorizing the City Manager to execute the Amendment to Contract.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[First Amendment to Contract](#)

[Exhibit 1 - Service Rates](#)

[Waste Management Inc of Florida Annual Report](#)

[Solid Waste Contract](#)

[Letter in Support - Gallagher](#)

[Letter in Opposition - Tidball](#)

ORDINANCES – FIRST READING

- 32** An Ordinance of the City of Key West, Florida, amending Chapter 26 entitled “Environment”, by adding Article VI entitled “Unmanned Aircraft” to provide privacy and safety protections until such time as State or Federal Regulations preempt this Ordinance; Adding Section 26-300, Purpose and Intent; Adding Section 26-301, Definitions; Adding Section 26-302, Registration; Adding Section 26-303, Prohibitions; Adding Section 26-304, Exceptions; Adding Section 26-305, Penalty; Adding Section 26-306, Sunset Provisions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

[Executive Summary](#)

ORDINANCES - SECOND READING (Public Hearing)

33

An Ordinance of the City of Key West, Florida, amending Chapter 58 of the Code of Ordinances entitled "Solid Waste" by amending Section 58-65 to adjust Residential Solid Waste Rates; Amending Section 58-66 to adjust Dumping Fees for Commercial establishments and licensed businesses; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

Legislative History

8/19/14

City Commission

Passed to Second Reading

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT