



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Tuesday, November 19, 2013

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 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

6:01 P.M.

ROLL CALL

Absent 1 - Commissioner Lopez

Present 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

INVOCATION Reverend Dr. Lawrence Shenk, Peace Covenant Presbyterian Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 World AIDS Day

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

2 Gainey Maxwell Day

Sponsors: Commissioner Rossi and Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

3 Recognizing Fire Chief David Fraga for his 40 years of Service.

Sponsors: City Manager Vitas

Received and Filed

City Attorney's Report

City Manager's Report

- New City Hall Presentation

Attachments: [Presentation](#)

Received and Filed

- Potential Shelter Sites Presentation

Attachments: [Presentation](#)

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 *October 16, 2013 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

- 5 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Alana Whitlock and Daniel Hernandez for a wedding and reception at the Hemingway House at 907 Whitehead Street during the hours of 5:30 p.m. to 11:00 p.m. on Sunday, November 24, 2013.

Sponsors: City Manager Vitas

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

Passed

Enactment No: Res 13-289

- 6 *Sponsoring a Holiday Season Parade on Saturday, December 7, 2013 between 7:00 p.m. to 10:00 p.m.; Authorizing the closure of certain streets for the parade.

Sponsors: City Manager Vitas

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

Passed

Enactment No: Res 13-290

- 7 *Authorizing pursuant to Sections 2-797 (4)(b) of the Code of Ordinances the purchase of network server equipment and support from GovConnection, Inc. in the amount of \$23,923.08.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Exective Summary](#)
[GovConnect Quote](#)
[MidRange Quote](#)
[SHI Quote](#)

Passed

Enactment No: Res 13-291

- 8 *Authorizing a purchase from Fisher Safety, Inc. for five (5) Scott AP75 2.2 SCBA (self contained breathing apparatus) plus accessories, twenty-five (25) face pieces, and twenty (20) 30-minute carbon-fiber cylinders as brand name products, pursuant to City Code Section 2-797 (3), for the Key West Fire Department in an amount not to exceed \$40,137.25.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Fisher SCBA Quote](#)
[Participating Agreement](#)
[University of Florida Contract](#)
[Municipal Emergency Systems, Inc. Quote](#)
[Pro Am Safety, Inc. Quote](#)
[Air-Pack and Cylinder Comparison](#)
[2013 Air-Pak 75 SCBA Configurator](#)

Passed

Enactment No: Res 13-292

- 9 *Approving and authorizing the City Manager to execute the attached "Local Agency Program Supplemental Agreement (#2)" between the City of Key West and the Florida Department of Transportation (FDOT) for additional funding of \$223,154.00 for the design of the South Roosevelt Boulevard Reconstruction Project; Approving any necessary budget amendments.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Supplemental Agreement #2](#)
[Resolution 08-122](#)

Passed

Enactment No: Res 13-293

- 10 *Approving the attached Task Order from Metric Engineering for scope of supplemental services (#2) in an amount not to exceed \$223,154.00 for the design of reconstruction of approximately 4,800 linear feet of South Roosevelt Boulevard.

Sponsors: City Manager Vitas

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

Passed

Enactment No: Res 13-294

- 11 *Approval of a Task Order 12.0D01.B from Hayes Cumming Architects in the amount of \$199,720.00 for complete architectural services including concept development, environmental testing, program development, preparation of record drawings, selective demolition design, full design and construction documents, bidding, and construction oversight of the Frederick Douglass Community Center.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Task Order](#)
[Task Order Hour Breakdown](#)
[*Large File* Final Structural Report](#)

Passed

Enactment No: Res 13-295

- 12 *Awarding pursuant to Section 2-797 (4) (b) of the Code of Ordinances the bid of Duncan Ford in the total amount of \$79,008.00 for four Toyota Prius C vehicles with accessories for use by the Key West Code Compliance Department.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Duncan Bid Proposal](#)
[Alan Jay Fleet Sales Quote](#)
[Florida Sheriffs Bid Contract](#)

Passed

Enactment No: Res 13-296

- 13 *Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow cumulative expenditures during FY 13-14 to Certified Records Management (CRM) for records storage in a total amount not to exceed \$39,540.00.

Sponsors: City Manager Vitas

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

Passed

Enactment No: Res 13-297

- 14 *Approving four work orders under the City's General Services Contract with Douglas N. Higgins, Inc, in a total amount not to exceed \$77,938.37 for sidewalk replacement/installation.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[1000 Block Fleming Proposal](#)
[600 Block Greene Proposal](#)
[500 Block Greene Proposal](#)
[Botanical Gardens Proposal](#)
[Resolution 10-319](#)

Passed

Enactment No: Res 13-298

- 15 *Approving the attached "Temporary Use Agreement BOT #440346895" between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Key West Mooring Field.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Temporary Use Agreement](#)
[*Large file* Mooring Field Agreement](#)
[Letter from the Department of Environmental Protection](#)

Passed

Enactment No: Res 13-299

Approval of the Consent Agenda

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

16

Authorizing for the 16th Annual Key West Marathon to conduct their Annual Marathon and 5K on Sunday, January 19, 2014 at the Half Shell Raw Bar; Authorizing certain street closures thereof during the event; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Vitas

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

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Mark Rossi, that the Resolution be Passed as amended. The motion passed by an unanimous vote.

Enactment No: Res 13-300

17

Authorizing Questor Multisport, LLC to conduct a Bone Island Iron Distance Triathlon on Saturday, January 25, 2014; Authorizing certain street closures thereof during the event and the use of Mallory Square for the finish line from 7:00 a.m. to 12:00 midnight; Granting an exemption from the Noise Control Ordinances pursuant to Section 6-86 of the Code of Ordinances during the festival; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[*Large File* Application](#)
[Advertisement](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Mark Rossi, that the Resolution be Passed as amended. The motion passed by an unanimous vote.

Enactment No: Res 13-301

18 Authorizing cumulative expenditures during FY 13-14 to entities listed in Attachment "A" in excess of \$20,000.00.

Sponsors: City Manager Vitas

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

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

Absent: 1 - Commissioner Lopez

Yes: 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 13-302

19 Authorizing the purchase of a 29' Fire Boat from Safe Boats International LLC in an amount not to exceed \$289,964.60 for the Fire Department.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[Fire Department Memo](#)
[Key West Fire Dept quote](#)
[General Services Administration Contract](#)
[General Services Administration Schedule 84 Cooperative Purchasing Program](#)
[Life Cycle Costs](#)

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

Absent: 1 - Commissioner Lopez

Yes: 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 13-303

20

Approving the award of bid to Operations Management International, Inc. (OMI), a subsidiary of CH2M Hill Companies, Ltd., in response to RFP 09-13, to operate, maintain and manage the City's Wastewater Treatment Plant, Wastewater Collection System and Lift/Pumping Stations, and Stormwater Collection System and Pumping Stations; Authorizing the City Manager to execute a contract in substantial conformance with the RFP documents.

Sponsors: City Manager Vitas

Attachments: [Resolution](#)
[Executive Summary](#)
[City Clerk's Bid Tabulation](#)
[Ranking Committee Scoring Summary](#)
[Black and Veatch Proposal Review Letters](#)
[*Large File* CH2M Hill/OMI Proposal](#)
[*Large File* U.S. Water Services Corp. Proposal](#)
[*Large File* Severn-Trent Environmental Services Proposal](#)
[City Bid Documents](#)
[OMI Proposed FY 2014 Budget](#)

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

No: 1 - Commissioner Rossi

Absent: 1 - Commissioner Lopez

Yes: 5 - Commissioner Johnston, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Res 13-304

21

Quasi-Judicial Hearing: Administrative Appeal

Granting/Denying the Appeal by C & D Properties of Key West, 1, LLC, and Upholding/Denying/Amending the Planning Department's Non-conforming Use Determination for 405 Fleming Street.

Sponsors: City Manager Vitas

Attachments: Letter requesting to withdraw Administrative Appeal
Resolution
Appeal 405 Fleming St
City of Key West Letter regarding Administrative Appeal

Withdrawn

ORDINANCES – FIRST READING

- 22** 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, 78-67 and Amending 78-198 to provide for the conversion of Contract Vehicle for Hire Licenses to Wheelchair Accessible Passenger Vehicle for Hire Licenses, 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](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Yaniz, that the Ordinance be Passed as amended to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Lopez

Yes: 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

- 23** An Ordinance of the City of Key West, Florida, Amending Chapter 26, Entitled "Environment", Division 3 Entitled "Use of Beaches Located on City Property" by Amending Section 26-62 to clarify prohibitions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

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

A motion was made by Commissioner Rossi, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Lopez

Yes: 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

24

An Ordinance of the City of Key West, Florida, Amending Chapter 26, entitled "Environment", Division 4 entitled "Use of Parks Located on City Property" by Amending Section 26-97 to clarify prohibitions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date

Sponsors: City Attorney Smith

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

A motion was made by Commissioner Mark Rossi, seconded by Commissioner Jimmy Weekley, that the Ordinance be Passed to Second Reading. The motion passed by an unanimous vote.

ORDINANCES - SECOND READING (Public Hearing)

25

An Ordinance of the City Commission of the City of Key West, Florida invoking the Zoning in Progress Doctrine; Declaring that the City is considering amendments to its Land Development Regulations to reduce the need for Parking Variances; Directing Planning Department Staff to defer the acceptance and processing of applications for Parking Variances; Continuing this policy until new or amended Land Development Regulations are adopted by the City Commission or until the passage of 360 days from the date of this Ordinance, whichever occurs first; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Vitas

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

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

Absent: 1 - Commissioner Lopez

Yes: 6 - Commissioner Johnston, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Ord 13-20

26

An Ordinance of the City of Key West, Florida, amending Chapter 18, entitled "Businesses", Division 3 entitled "Open Containers" by amending Section 18-87 to clarify prohibitions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

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

A motion was made by Commissioner Mark Rossi, seconded by Commissioner Tony Yaniz, that the Ordinance be Adopted. The motion passed by an unanimous vote.

Enactment No: Ord 13-21

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

8:25 P.M.