



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final City Commission

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Wednesday, October 7, 2015

6:00 PM

Old City Hall

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**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

6:02 P.M.

### ROLL CALL

**Absent** 1 - Commissioner Wardlow

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

### INVOCATION - Pastor Jonathan Carey, Glad Tidings Church

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

*The agenda was approved as changed without objection.*

### CITY COMMISSION RECOGNITION AWARDS

### PROCLAMATIONS

#### 1 Fire Prevention Week

**Sponsors:** Mayor Cates

**Attachments:** [Proclamation](#)

Received and Filed

**2** Keys Federal Credit Union Day

**Sponsors:** Mayor Cates

**Attachments:** [Proclamation](#)

Received and Filed

**PRESENTATIONS****3** Key West Police Department 20 Year Service Awards -  
Sergeant Donald Barrios  
Lieutenant Kathleen Ream-Fisher

**Sponsors:** City Manager Scholl

Received and Filed

**City Attorney's Report**

**City Manager's Report  
- 25th Ambassador Class**

**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** \*September 8, 2015 (Special)

**Attachments:** [Minutes](#)

Approved

**5** \*September 15, 2015 (Regular)

**Attachments:** [Minutes](#)

Approved

**6** \*September 22, 2015 (Special)

**Attachments:** [Minutes](#)

Approved

**RESOLUTIONS**

- 7                    \*Appointing Glenn Kapsch to the Tree Commission.
- Sponsors:**       Mayor Cates
- Attachments:**    [Resolution](#)
- [Resume](#)
- Passed**
- Enactment No: Res 15-285
- 
- 8                    \*Authorizing We Cycle, Inc. to conduct the Annual Zombie Bicycle Ride starting at East Martello Towers and ending on the 100, 200 & 300 blocks of Duval Street on Sunday, October 25, 2015 from 6:00 P.M. to Midnight; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 100, 200 & 300 blocks of Duval Street on Sunday, October 25, 2015 from 6:00 P.M. to 12:00 Midnight.
- Sponsors:**       City Manager Scholl
- Attachments:**    [Resolution](#)
- [\\*Large File\\* Application](#)
- Passed**
- Enactment No: Res 15-286
- 
- 9                    \*Authorizing United States Coast Guard to hold the Annual Veterans Day Parade on Wednesday, November 11, 2015 from 4:00 P.M. to 8:00 P.M.; 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](#)
- [Parade Map](#)
- [Application](#)
- Passed**
- Enactment No: Res 15-287

- 10                   \*Authorizing MultiRace, LLC to conduct the Annual Triathlon on Saturday, December 5, 2015 at Higgs Beach; Authorizing certain street closures thereof during the event and closing Atlantic Boulevard except for residents during the event; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances from 4:00 A.M. to 2:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

**Sponsors:**           City Manager Scholl

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

**Passed**

Enactment No: Res 15-288

- 11                   \*Approving the attached Mutual Aid Agreement for Fire Rescue and Emergency Services between the City of Key West and the City of Marathon, Florida.

**Sponsors:**           City Manager Scholl

**Attachments:**       [Resolution](#)  
                          [Executive Summary](#)  
                          [City of Marathon Request for Fire and Emergency Services](#)  
                          [Mutual Aid Agreement](#)

**Passed**

Enactment No: Res 15-289

12

\*Awarding the bid of Ten-8 Fire Equipment, Inc. in an amount not to exceed \$577,657.00 for the purchase of a Pierce Pumper Truck, pursuant to Section 2-797(3) of the Code of Ordinances; Authorizing sole-source purchase of radio equipment for this pumper truck from Motorola Solutions, in the amount of \$5,468.00, pursuant to Section 2-797(1) of the Code of Ordinances.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[FSA 15-11-0116 Award Memo](#)  
[Key West Proposal Page 462PUC-A-B](#)  
[Key West Velocity PUC-SPEC](#)  
[FSA 15-11-0116 Specification 19](#)  
[FSA 15-11-0116 Pierce Velocity](#)  
[Motorola Radios New E-7](#)  
[Motorola Sole Source Specifications](#)  
[Performance Bond - Sample](#)

**Passed**

Enactment No: Res 15-290

13

\*Approving and authorizing the purchase of seven (7) Remington 12 Ga. Shotguns in the amount of \$4,654.70 for the KWPd SRT Team, using funds from a 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) - Local Solicitation.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Resolution 15-243](#)  
[Controlled Expenditure Letter](#)  
[Shotgun Quote - Carbone's Custom Firearms](#)  
[Shotgun Quote - Lou's](#)  
[Shotgun Quote - Thermo Arms](#)

**Passed**

Enactment No: Res 15-291

- 14** \*Awarding contracts on a Work Order basis to two bidders in response to Invitation to Bid (ITB) No. 15-021 for General Utilities Services; Authorizing the City Manager to negotiate and execute contracts upon advice of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[ITB 15-021](#)  
[Bid Tabulation](#)  
[Charley Toppino & Sons proposal](#)  
[Douglas N. Higgins Proposal](#)  
[Bid Matrix](#)  
[Correspondence](#)

**Passed**

Enactment No: Res 15-292

- 15** \*Ratifying the attached Interlocal Grant Award Agreement with the Monroe County Tourist Development Council (TDC) for funding in the amount of up to \$520,000.00 annually for Smathers Beach and Rest Beach Maintenance Services Project (City cost share 50%), including an option for an extension of up to five (5) years.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Inter-local Agreement](#)

Enactment No: Res 15-293

- 16** \*Approving and authorizing the City Manager to execute the attached "Local Agency Program Supplemental Agreement (#3)" between the City of Key West and the Florida Department of Transportation (FDOT) to receive \$60,288.00 for additional survey and right-of-way mapping to support the South Roosevelt Boulevard Reconstruction Project; Approving any necessary budget amendments and transfers.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[LAP Supplemental Agreement #3](#)

**Passed**

Enactment No: Res 15-294

**Approval of the Consent Agenda**

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

**17**

Authorizing a Sole Source Purchasing Exception pursuant to Section 2-797(1) of the Code of Ordinances, for the purchase of Technical Services for the City's Records Management Plan from SML, Inc. for the City of Key West in a total amount not to exceed \$112,000.00; Authorizing the City Manager to execute the attached Consulting Agreement.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Consulting Agreement](#)  
[Steve M. Lewis Resume](#)  
[Email from Steve M. Lewis](#)

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

**Absent:** 1 - Commissioner Wardlow

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

Enactment No: Res 15-295

**18**

Approving a Task Order under the City's General Services Contract with D.N. Higgins, Inc. in a total amount not to exceed \$35,225.15 to repair sewer lateral trench settlement along Eaton Street.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[D. N. Higgins Task Order](#)  
[General Services Contract Resolution](#)

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

**Absent:** 1 - Commissioner Wardlow

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

Enactment No: Res 15-296

- 19 Authorizing the naming of new streets constructed within the Truman Waterfront area in honor of historically significant African-American residents and families of the City of Key West.

**Sponsors:** Commissioner Lopez

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

A motion was made by Commissioner Lopez, seconded by Commissioner Johnston, that the Resolution be Passed as amended in Section 2 to include "after criteria has been established". The motion carried by the following vote:

**No:** 1 - Commissioner Rossi

**Absent:** 1 - Commissioner Wardlow

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

Enactment No: Res 15-297

#### **ORDINANCES – FIRST READING**

- 20 An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles", Article XI "Wreckers and Towing Service", Division 3 "Non-consensual Private Towing Services", Sections 70-707, 70-708, providing for the setting of rates and requirements for non-consensual tows; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley

**Attachments:** [Ordinance](#)

Withdrawn

#### **ORDINANCES - SECOND READING (Public Hearing)**



21

An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances by amending Article V, entitled "Sightseeing Vehicles Pursuant to Franchise" by adding Section 78-253 to provide for temporary extension of existing Franchise Agreement during pendency of consideration of application for new or renewal of Franchise Agreement; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Attorney Smith

**Attachments:** [Ordinance](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Johnston, that the Ordinance be Adopted as amended by the City Attorney. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Wardlow

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

Enactment No: Ord 15-14

#### **CITIZEN COMMENTS**

#### **COMMISSION COMMENTS**

#### **ADJOURNMENT**

**7:40 P.M.**