



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail

### City Commission

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Tuesday, April 5, 2016

6:00 PM

Old City Hall

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REVISED March 31, 2016

**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**

**ROLL CALL**

**INVOCATION - Fr. John Baker, Basilica St. Mary's Star of the Sea**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

**COMMENDATIONS**

- 1 Commendations for City of Key West Alpha Night Team and Emergency Medical Team, MCSO Deputy David Lariz and Citizen David Lee Smith  
**Sponsors:** Commissioner Payne and Mayor Cates  
**Attachments:** [Commendation](#)

**PROCLAMATIONS**

- 2 Fair Housing  
**Sponsors:** Mayor Cates  
**Attachments:** [Proclamation](#)
- 3 125th Anniversary of Custom House  
**Sponsors:** Commissioner Kaufman  
**Attachments:** [Proclamation](#)

- 4 Arbor Day
- Sponsors:** Commissioner Romero
- Attachments:** [Proclamation](#)

## PRESENTATIONS

### City Attorney's Report

### City Manager's Report

- Ambassadors 26th Graduating Class
- Affordable Housing

### Affordable Housing

**Attachments:** [BAHAMA VILLAGE CONCEPT SITE DESIGN](#)  
[Key West Affordable Housing](#)

- 5 Parking Garage Status
- Sponsors:** City Manager Scholl
- Attachments:** [Parking Garage Status](#)

## 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

- 6 \*March 16, 2016 (Regular)
- Attachments:** [Minutes](#)

## RESOLUTIONS

- 7 \*Re-appointing Suzanne Sullivan to the Tree Commission.
- Sponsors:** Mayor Cates
- Attachments:** [Resolution](#)  
[Resume](#)
- 8 \*Appointing Constance Gilbert to the Art in Public Places Board.
- Sponsors:** Commissioner Weekley
- Attachments:** [Resolution](#)  
[Resume](#)



- 13** \*Authorizing Hospice of Florida Keys, Inc. to conduct the Queen Mother Pageant on Monday, May 9, 2016 at La Te Da 1125 Duval Street from 12:00 Noon to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 1100 block of Duval Street from 12:00 Noon to 11:00 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 7:00 P.M. to 10:30 P.M. (sound check at 4:00 p.m. to 5:00 P.M.); Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager Scholl

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

[Application \\*Large File\\*](#)

[Advertisement](#)

- 14** \*Ratifying the attached Interlocal Grant Award Agreement with the Monroe County Tourist Development Council (TDC) for funding in the amount of up to \$2,000,000.00 for the Truman Waterfront Park Amphitheater and Public Parking Project; Approving a First Amendment to Agreement to approve an extension of the termination date to September 30, 2017.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Inter-local Grant Award Agreement](#)

[1st Amendment](#)

[Time Extension Request Letter](#)

[Resolution 15-344](#)

- 15** \*Authorizing a \$2,500.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds) to the Key West High School Operation Graduation Program, pursuant to Florida Statutes Section 932.7055.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Operation Graduation Donor Letter](#)

- 16                    \*Authorizing pursuant to Section 2-797(4)(b) of the Code of Ordinances the purchase of Back File Scanning Services from Advanced Processing and Imaging, Inc. (API) in an amount not to exceed \$47,726.32; Authorizing the City Manager to execute an agreement upon the advice and consent of the City Attorney.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
- [Executive Summary](#)
- [Advanced Processing & Imaging, Inc. \(API\) Proposal](#)
- [Docufree Proposal](#)
- [Resolution 13-079](#)
- 17                    \*Rejecting all bids received in response to Invitation to Bid (ITB) #012-16 for Replacement of Fencing at Clayton Sterling Baseball Complex, pursuant to Section 2-834(4) of the Code of Ordinances.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
- [Executive Summary](#)
- [City Clerk Bid Tabulation](#)
- [Island Fence Bid](#)
- [D N HIGGINS Bid](#)
- 18                    \*Approving issuance of a Task Order to Black & Veatch Corporation for financial consulting to develop wholesale wastewater agreements for the City of Key West in an amount not to exceed \$87,000.00; Authorizing necessary budget transfers.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
- [Executive Summary](#)
- [Task Order from Black & Veach](#)
- [Resolution 15-162](#)
- [Master Agreement](#)

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\*Awarding the bid of Douglas N. Higgins, Inc., in response to ITB 018-16 for White Street Pier Paving in the amount of \$137,600.00; Authorizing the City Manager to execute a contract upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[City Clerk's Bid Tabulation](#)

[D.N. Higgins Proposal \\*Large File\\*](#)

[Charlie Toppino Proposal](#)

[City Bid Documents ITB #018-16](#)

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\*Awarding the bid of Douglas N. Higgins, Inc. in response to ITB 010-16 For Sailfish Pier Replacement at the City Marina at Garrison Bight in the amount of \$1,042,000.00; Authorizing necessary budget transfers; Authorizing the City Manager to execute a contract upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[ITB #010-16 Project Manual](#)

[ITB #010-16 Plans](#)

[Addendum #1](#)

[Bid Tabulation](#)

[Higgins Proposal](#)

[Kearns Proposal](#)

[Shoreline Proposal](#)

[Mandatory Pre-Bid Sign in Sheet](#)

- 21 \*Awarding the bid of Shoreline Foundation, Inc. for repairs and improvements at Zero Duval Seawall and Mallory Square T-Pier, in an amount not to exceed \$1,418,469.00 in accordance with the terms specified in ITB 002-16; Authorizing the City Manager to execute a contract on behalf of the City of Key West in substantial conformance with documents contained in the bid package, upon advice and consent of the City Attorney; Authorizing a waiver of Code of Ordinances Section 2-845, to authorize the City Manager to allocate an unforeseen conditions allowance as necessary.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Bid Tabulation](#)

[Recommendation of Award](#)

[Cost Estimate](#)

[ITB-002-16 \(large file\)](#)

[Shoreline Proposal](#)

[DN Higgins Proposal](#)

[American Bridge Proposal](#)

[Inland Construction Proposal](#)

[Orion Marine Proposal](#)

[Resolution 12-168](#)

[Resolution 14-266](#)

[Resolution 15-138](#)

[Sec. 2-845](#)

- 22 \*Approving the attached "Second Amendment to Lease Agreement" between the City and the Florida Keys Mosquito Control District (formerly known as Monroe County Mosquito Control District) for the property located at 5224 College Road.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Second Amendment to Lease](#)

[Resolution 77-062 Lease and Extension](#)

- 23                    \*Approving the attached "First Amendment to Lease Agreement" between the City and Florida Keys Mosquito Control District for the Parking Lot on property adjacent to 5224 College Road.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
- [Executive Summary](#)
- [Lease Amendment](#)
- [Resolution 02-124 Lease](#)
- 24                    \*Authorizing the City Manager to enter into negotiations with the Monroe County Health Department (MCHD) to relocate the MCHD to the Douglass Band Room Property.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
- [Executive Summary](#)
- [Supporting Documents](#)
- [Minutes Except From January 20, 2016](#)
- [Black Educators Memorial Proposal](#)
- 25                    \*Confirming George B. Wallace as an Assistant City Attorney pursuant to the Key West City Charter.
- Sponsors: City Attorney Smith
- Attachments: [Resolution](#)
- [Resume](#)
- 26                    \*Approving the attached Report of Court Ordered Mediation in the case of Harmon v. FDOT, City of Key West et al (Case 2012-CA-437-K); Authorizing the City Manager and the City Attorney to execute necessary documents.
- Sponsors: City Attorney Smith
- Attachments: [Resolution](#)
- [Letter from Attorney Burke](#)
- [Court Ordered Mediation Agreement](#)
- 27                    \*Approving the Settlement Agreement and Release in the case of ADA 24 Hours Plus, LLC v. City of Key West (Case 14-CA-2005-000451); Authorizing the City Manager and the City Attorney to execute necessary documents.
- Sponsors: City Attorney Smith
- Attachments: [Resolution](#)
- [Summary by Michael Burke](#)
- [Settlement Agreement](#)
- [Release](#)



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Approving a one-year extension of the agreement between the City of Key West and the Key West Tourist Development Association, Inc. ("Association"); Authorizing the City Manager to negotiate and execute a one-year extension upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Powerpoint on Financials](#)

[First Amendment to Agreement](#)

[\\*Large File\\* Resolution 11-166](#)

[2015 Fantasy Fest TDC Application - District I-2](#)

[2 Letters from Gregory Lloyd](#)

[Letter From Stephen Hatch](#)

[Letter From Jennifer Lloyd](#)

[Letter From Bob Goldman](#)

[Letter From Virginia Panico](#)

[Letter From Florida Restaurant & Lodging Assoc](#)

**Legislative History**

3/16/16

City Commission

Postponed

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**QUASI-JUDICIAL HEARING:EASEMENT 917 FRANCES STREET**

Approving an easement of 532 square feet, more or less, to address the encroachment of an existing commercial building, storage shed and fence which encroach onto the Havana Avenue right-of-way located at 917 Frances Street, Key West, Florida (RE #00021680-000000); Providing fees and conditions.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Agreement](#)

[Application](#)

[Survey](#)

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**QUASI-JUDICIAL HEARING:EASEMENT 903 FRANCES STREET**

Approving an easement of 462 square feet, more or less, to address the encroachment of an existing back yard concrete slab, an underground cistern, wood decks and fence which encroach onto the Havana Avenue right-of-way located at 903 Frances Street, Key West, Florida (RE #00021710-000000); Providing fees and conditions.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Agreement](#)

[Application](#)

[Survey](#)

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**QUASI-JUDICIAL HEARING:EASEMENT 907 FRANCES STREET**

Approving an easement of 461 square feet, more or less, to address the encroachment of an existing principal structure eaves, a detached bedroom, two existing cisterns, a shed, a wooden fence, a concrete wall, brick pavers and landscaping which encroach onto the Havana Avenue right-of-way located at 907 Frances Street, Key West, Florida (RE #00021700-000000) Providing fees and conditions.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Agreement](#)

[Application](#)

[Survey](#)

32

**QUASI-JUDICIAL HEARING:  
ADMINISTRATIVE APPEAL OF PLANNING BOARD RESOLUTION  
2015-62**

(Granting/Denying) the Appeal by Attorney Dustin S. Hunter as representative for property owner Natividad Villa (Upholding/Amending/Denying) the Planning Board's denial in Resolution No. 2015-62 of an after-the fact Variance for 1324 20th Terrace.

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

[Planning Board Resolution 2015-62](#)

[Filed Appeal letter](#)

[Transcript from Planning Board Meeting](#)

[\\*Large File\\* Planning Board Packet](#)

[Mailing Labels](#)

**Legislative History**

3/16/16

City Commission

Postponed

**ORDINANCES – FIRST READING**

- 33** An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled “Traffic and Vehicles”, Article III, “Speed Limits,” Division 2, “School Zones,” by amending Section 70-87, to amend and update the designated school zones; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Florida Statutes 316.1895](#)

[Florida Department of Transportation Index 17344](#)

**RESOLUTIONS CONTINUED:****PROPOSED ADD-ON:**

- 34** Authorizing the City’s Community Development Office to submit a Grant Application to the U.S. Department of Housing and Urban Development for renewal funding of Housing Opportunities for Persons with AIDS (HOPWA) Program with the City of Key West as “Applicant” and AIDS Help, Inc. as “Sponsor”.

**Sponsors:** City Manager Scholl

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

[Community Development Office Memo](#)

[HUD Notice](#)

**CITIZEN COMMENTS****COMMISSION COMMENTS****ADJOURNMENT**