



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail - Final City Commission

Wednesday, September 6, 2017

6:00 PM

City Hall

Meeting was cancelled due to Hurricane Irma

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 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

CALL MEETING TO ORDER

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

1 Jerika Eilzabeth Rudolph

Sponsors: Mayor Cates and Commissioner Payne

Attachments: [Commendation](#)

PROCLAMATIONS

2 2017 National Suicide Prevention Month

Sponsors: Mayor Cates and Commissioner Weekley

Attachments: [Proclamation](#)

PRESENTATIONS**City Attorney's Report****City Manager's Report**

- 20 Year Award – Brenda Sellers Key West Police Department
- FDOT HAWK System Implementation For Crosswalks
- Athletic Fields

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 *August 15, 2017 (Regular)

Attachments: [Minutes](#)

RESOLUTIONS

- 4 *Urging the Florida Legislature to enact legislation that would make texting while driving a primary offence; Directing the City Clerk to transmit copies of this resolution to the Governor of the State of Florida, President of the Florida Senate, Speaker of the Florida House of Representative, and the Monroe County Legislative Delegation.

Sponsors: Mayor Cates, Commissioner Weekley and Commissioner Kaufman

Attachments: [Resolution](#)

- 5 *Directing City Staff to prepare a report as to the feasibility of renovating the PAL Building.

Sponsors: Commissioner Payne

Attachments: [Resolution](#)

- 6 *Authorizing MultiRace, LLC & the Southernmost Marathon & Half Key West to conduct a Full and 1/2 Marathon on Friday October 6, 2017 from 8:00 A.M. to 10:00 P.M. & Saturday, October 7, 2017 from 4:00 A.M. to 2:00 P.M.; Authorizing the closure of Simonton Street from Front Street to Lagerheads including 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 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](#)

[Application](#)

[Release & Indemnification](#)

[Advertisement](#)

- 7 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Conch Republic Seafood Company at 631 Greene Street for the Parrot Head Kick Off during the hours of 7:00 P.M. to 11:00 P.M. on Wednesday, November 1, 2017.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Application](#)

[Advertisement](#)

- 8 *Authorizing the United States Coast Guard to hold the Annual Veterans Day Parade on Duval Street from 4:00 P.M. to 8:00 P.M. Saturday, November 11, 2017; 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](#)

- 9 *Authorizing MultiRace, LLC to conduct their Annual Triathlon on Saturday, December 9, 2017 throughout City Streets; Authorizing certain street closures thereof during the event and closing Atlantic Boulevard except residents 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 Noon; Authorizing the closure of the 400 block of Southard Street for the awards ceremony from 4:00 P.M. to 8:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

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

- 10 *Authorizing the Powerboat P1-USA LLC to conduct a Personal Watercraft World Championship Jet Ski Races off Smathers Beach on Saturday, December 9 and Sunday, December 10, 2017 (set up Friday, December 8) from 8:00 A.M. to 5:00 P.M. and the use of the White Street Pier for their VIP and Race Village during the event; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Release & Indemnification](#)
[Letter Key West Sailing Center](#)

- 11 *Approving a temporary exemption to certain provisions of the Sound Control Ordinance, pursuant to Section 26-199 of the Code of Ordinances, for CAL Development, Inc., for Bank of America Exterior ADA Upgrades at 3200 Flagler Avenue, Key West; Providing conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Request](#)
[Construction Plan](#)

- 12 *Approving the attached “Memorandum of Understanding Between Monroe County School District (MCSD) and the City of Key West” to enable the MCSD Fire Academy at the Key West High School and the Key West Fire Department to provide Fire Fighting Training to students during the 2017-2018 school year.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[2017 MOU Monroe County School District and City of Key West](#)

- 13 *Approving the attached Revocable License Agreement with Key West Woman’s Club, Inc. for use of property adjacent to 319 Duval Street.

Attachments: [Resolution](#)
[Executive Summary](#)
[Revocable License Agreement](#)
[Resolution 12-178](#)
[Resolution 06-147](#)
[Correspondence](#)

- 14 *Approving the attached “Addendum to Purchase and Sale Agreement” between the City of Key West and the Utility Board of the City of Key West d/b/a Keys Energy Services (“KEYS”), to accept a Disclaimer of Fort Street Right-Of-Way and approve an Ingress, Egress and Utility Easement Agreement for a strip of land adjacent to the Diesel Energy Plant; Authorizing the City Manager to execute necessary documents on behalf of the City, upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Agreement Addendum](#)

[Boundary Survey](#)

[Resolution 17-164](#)

- 15 *Authorizing its option to renew the Agreement for Administrative Services with Employers Mutual, Inc. (EMI)/Ascension, as the City's Insurance Program Third Party Claims Administrator for the policy period of 10/1/2017 - 9/30/2018; Authorizing the City Manager to execute all documents consistent therewith, upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 09-246](#)

[Resolution 10-113](#)

[Resolution 13-232](#)

[Resolution 14-085](#)

[Resolution 15-184](#)

[Resolution 16-254](#)

[First Amendment to Agreement](#)

[Base Contract Agreement](#)

- 16 *Authorizing the expenditure of an additional \$30,000.00, pursuant to the Agreement between the City and M.T. Causley, Inc. for Florida DBPR Licensed Professional Substitute Staffing on a Sole-Source Basis, pursuant to Section 2-797(1) of the Code of Ordinances; Authorizing necessary budget transfers and amendments to increase funding by \$30,000.00; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[*Large File* MT Causley Agreement](#)

[Resolution 17-109](#)

- 17 *Awarding the bid of D. L. Porter Constructors, Inc. in response to ITB #17-018 for Smathers Beach Bathroom Construction in an amount not to exceed \$655,850.00, including Bid Alternate No. 1 (Deduct); Authorizing the City Manager to execute necessary documents in substantial conformance with the Bid Documents, upon consent of the City Attorney; Authorizing necessary budget transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Bid Tabulation](#)

[Porter Proposal Form](#)

[Porter Proposal Complete](#)

[Toppino Proposal Form](#)

[ITB 17-018](#)

[Addendum 1](#)

- 18 *Waiving the City's right to pursue Attorney Fees and Costs in the case of David Fernandez v. City of Key West (Case No. 2014-CA-1062-K) in exchange for Plaintiff's Dismissal of all claims and appeals; Authorizing the City Manager and the City Attorney to execute necessary documents.

Attachments: [Resolution](#)

- 19 **PUBLIC HEARING:**
Imposing Stormwater Service Assessment against certain real property within the City of Key West; Approving the Stormwater Assessment Roll for the Stormwater Service Assessments for Fiscal Year 2017-2018.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

- 20 **PUBLIC HEARING:**
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 preliminary Assessment Resolution for Fiscal Year 2017-2018.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

21

QUASI-JUDICIAL HEARING - SECOND READING:**Development Agreement 3900 South Roosevelt Boulevard**

Pursuant to Sections 90-676 through 90-692 of the Land Development Regulations of the Code of Ordinances of the City of Key West, recommending approval of a Development Agreement on property located at 3900 South Roosevelt Boulevard (Re #00066180-000200) within the High Density Residential (HDR) Zoning District between Ocean Walk Key West Owner, LLC and the City of Key West for the construction of 56 New Market Rate Units and 24 New Affordable Units, for eighty (80) New Residential Dwelling Units.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Development Agreement](#)

[Executive Summary](#)

[*Large File* Exhibit A - Legal Description](#)

[Exhibit B - Special Warranty Deed](#)

[Exhibit C - Site Plan Approved 6-15-17 Planning Board Meeting](#)

[Exhibit D - Site Data Table](#)

[Exhibit E - Planning Board Resolutions 2015-26 & 2017-06](#)

[Exhibit F - Planning Board Resolution 2017-24](#)

[Exhibit G - Planning Board Resolution 2017-25](#)

[Exhibit J - Deed Restriction](#)

[Exhibit K - Traffic Study - February 2017](#)

[Exhibit L - Form of Avigation Easement](#)

[Planning Board Meeting June 15 - Staff Report](#)

[Planning Board Meeting June 15 Noticing Package](#)

Legislative History

4/28/16	Development Review Committee	Received and Filed
5/18/17	Planning Board	Postponed
6/15/17	Planning Board	Passed
8/15/17	City Commission	Passed

ORDINANCES - SECOND READING (Public Hearing)

22

An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled "Sound Control," by amending Section 26-191 entitled "Definitions," by adding HRCC-4 to the Core Commercial District, and amending Section 26-192 of the Code of Ordinances entitled "Unreasonably Excessive Noise Prohibited" by providing for sound measurement requirements; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

Legislative History

8/15/17

City Commission

Passed to Second Reading

23

An Ordinance of the City of Key West, Florida, amending Chapter 1 of the Comprehensive Plan entitled "Future Land Use Element" by amending Policy 1-1.16.1, entitled "Maintain a Building Permit Allocation Ordinance," amending Policy 1-1.16.2, entitled "Building Permit Allocation Ordinance and Affordable Housing," amending Policy 1-1.16.3, entitled "Permit Allocation System Ratio by Structure Type," and by adding Policy 1-1.16.5 entitled "Transfer Of Building Permit Allocations;" by amending Chapter 2 entitled "Transportation Element," by amending Policy 2.16.4 to properly reflect as Policy 2-1.6.4, and revising the reference to the number of allocated units; Amending Chapter 3 of the Comprehensive Plan entitled "Housing," by amending Policy 3-1.1.4, entitled "Building Permit Allocation System;" Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Comprehensive Plan Report](#)

Legislative History

5/18/17

Planning Board

Passed

6/6/17

City Commission

Passed to Second Reading

24

An Ordinance of the City of Key West, Florida, amending the Comprehensive Plan Future Land Use Map (FLUM) category of the City of Key West for the promotion of Affordable Housing for property located at 5220, 5224, 5228 & 5230 College Road (RE #00072082-002200, AK #8757883; RE #00072082-002100, AK #8757875; RE #00072080-002200, AK #1076155; RE #00072082-002400, AK #8757905); Amending the Future Land Use Map legend from Public Service (PS) to High Density Residential (HDR) and applying such designation to said property; Amending Chapter 1 of the Comprehensive Plan entitled Future Land Use Element by Amending Table 1-1.1.5 under the High Density Future Land Use District to include the High Density Residential College Road (HDR-1) Zoning District it's density, intensity, uses and limitations; Pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State and for an effective date; and Providing for the inclusion into the City of Key West Comprehensive Plan.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution 2017-23](#)

Legislative History

5/18/17	Planning Board	Passed
6/20/17	City Commission	Passed to Second Reading
8/15/17	City Commission	Postponed

25

An Ordinance of the City of Key West, Florida, amending the Official Zoning Map Public Service (PS) to High Density Residential College Road (HDR-1) on property located at 5220, 5224, 5228 & 5230 College Road (RE #00072082-002200, AK #8757883; RE #00072082-002100, AK #8757875; RE #00072080-002200, AK #1076155; RE #00072082-002400, AK #8757905) pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for permitted uses, conditional uses, prohibited uses and dimensional requirements; Amending Chapter 122, Article IV, Division 1, providing amendments to the tables of uses and dimensional requirements for High Density Residential College Road (HDR-1) District; Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan Amendments; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution 2017-22](#)

Legislative History

5/18/17	Planning Board	Passed
6/20/17	City Commission	Passed to Second Reading
8/15/17	City Commission	Postponed

DISCUSSION

26

Emergency Medical Service

Sponsors: Commissioner Kaufman

Attachments: [Letter From Omar Garcia](#)

27

Affordable Housing Change of Percent of AMI

Sponsors: Commissioner Kaufman

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT