



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final - Final

### City Commission

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Wednesday, March 16, 2016

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

6:01 P.M.

#### ROLL CALL

**Present** 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

#### INVOCATION - Commissioner Clayton Lopez

#### PLEDGE OF ALLEGIANCE TO THE FLAG

#### APPROVAL OF AGENDA

*Agenda was accepted as amended.*

#### PROCLAMATIONS

**1** Child Sexual Abuse Prevention Day

**Sponsors:** Mayor Cates

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

**Received and Filed**

**2** Rotary 100 Year Anniversary

**Sponsors:** Commissioner Wardlow, Mayor Cates, Commissioner Romero, Commissioner Kaufman, Commissioner Weekley, Commissioner Payne and Commissioner Lopez

**Received and Filed**

**PRESENTATIONS**

**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** \*March 1, 2016 (Regular)

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

**Approved**

**RESOLUTIONS**

**4** \*Authorizing Zonta Foundation of Key West, Inc. to conduct an annual Radio Zonta Day on Friday, April 29, 2016 from 3:00 P.M. to 9:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of a portion of Catherine Street between Simonton Street and entrance to the Gato Building Parking Lot from 3:00 P.M. to 9:00 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 3:00 P.M. to 9:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 16-089

**5** \*Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a fundraiser at McCoy Indigenous Park and Fireworks on the White Street Pier July 4, 2016 (set up July 2, 2016 starting at 7:00 A.M. through July 5, 2016, 7:00 A.M.); Authorizing Fireworks display off the

White Street Pier on July 4, 2016 from 9:00 P.M. to 10:00 P.M.; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the July 4th Fireworks celebration; Authorizing the sale and consumption of Alcoholic Beverages at McCoy Indigenous Park.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 16-090

- 6 \*Authorizing the purchase of one (1) Ford F-150 in an amount not to exceed \$19,866.00 from Don Reid Ford, Inc., through piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. 15-23-0904, pursuant to Section 2-797 (3) of the Code of Ordinances for use by Key West Sewer Plant Operations.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Don Reid Quote](#)  
[\\*Large File\\* Florida Sheriff's Association \(FSA\) Contract](#)  
[Duncan Auto Sales Letter of decline](#)

**Passed**

Enactment No: Res 16-091

- 7 \*Authorizing the purchase of four (4) Ford F-250s and one (1) Ford F-350 in an amount not to exceed \$144,546.00 from Duval Ford Fleet Sales, through piggybacking on the Florida Sheriff's Association Contract, pursuant to Section 2-797 (3) of the Code of Ordinances for use by the Key West Public Works Department.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Quotes](#)  
[\\*Large File\\* Florida Sheriff's Association \(FSA\) Contract](#)  
[Duncan Auto Sales Letter of decline](#)

**Passed**

Enactment No: Res 16-092

- 8 \*Awarding pursuant to Sections 2-797 (4)(b) and 2-797 (3) of the Code of Ordinances the Bid of Duncan Ford in an amount not to exceed \$20,683.00 for one (1) Toyota Prius C Hybrid Vehicle with accessories, and in an amount not to exceed \$19,088.00 for one (1) Ford Transit connect with accessories (total amount of \$39,771.00).

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Florida Sheriff's Association \(FSA\) Contract Ford Prius C](#)  
[Florida Sheriff's Association \(FSA\) Contract Ford Transit Connect](#)  
[Duncan Auto Sales Toyota Prius quote](#)  
[Duncan Auto Sales Ford Connect quote](#)

**Passed**

Enactment No: Res 16-093

- 9 \*Authorizing the purchase of one (1) Ford F-350 in an amount not to exceed \$33,517.00 from Duval Ford Fleet Sales, through piggybacking on the Florida Sheriff's Association Contract, pursuant to Section 2-797 (3) of the Code of Ordinances for use by the Key West Fleet Services Department.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Quote](#)  
[\\*Large File\\* Florida Sheriff's Association \(FSA\) Contract](#)  
[Duncan Auto Sales Letter of decline](#)

**Passed**

Enactment No: Res 16-094

- 10 \*Authorizing the purchase pursuant to Section 2-797 (3) and 2-797 (4) (B) of the Code of Ordinances of a specialty Ford Police Transit Van from the Sirchie Acquisition Company, LLC - - Vehicle Division under GSA Contract #GS07F007DA in an amount not to exceed \$51,228.73 for the Key West Police Department.

**Sponsors:** City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[SRT Van GSA Contract](#)  
[SRT Van Basic Specifications](#)  
[Sirchie quote](#)  
[Open Market Transit Van](#)

**Passed**

Enactment No: Res 16-095

- 11                    \*Approving the purchase of Two (2) Discflo Pumps from Gerber Pumps International, Inc., in an amount not to exceed \$59,100.00 on a Sole Source Basis pursuant to Section 2-797(1) of the Code of Ordinances for installation at the Richard A. Heyman Environmental Protection Facility.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Discflo Pump Quote](#)  
[Justification Memo from OMI](#)  
[2015 Discflo Sole Source Letter](#)

**Passed**

Enactment No: Res 16-096

- 12                    \*Approving the attached "Second Amendment to Agreement for the Transportation and Disposal of Solid Waste" between the City and Waste Management Inc. of Florida.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Amendment 2](#)  
[Resolution 04-082](#)

**Passed**

Enactment No: Res 16-097

- 13                    \*Approving the attached "Second Amendment to Contract" between the City and the United States of America, hereinafter called the Navy.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Second Amendment to Contract](#)  
                          [\\*Large File\\* Navy Utility Service Contract](#)  
                          [Email Correspondence](#)

**Passed**

Enactment No: Res 16-098

14

**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 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](#)

**Item was Postponed to be heard at the April 5 meeting.**

**Approval of the Consent Agenda**

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

15

Approving the Committee ranking of firms submitting responses to Request for Proposals (RFP) No. 16-005: Collection Services; Authorizing the City Manager or designee to negotiate a Contract in conformance with the RFP Documents; Authorizing the City Manager to execute a Contract upon consent of the City Attorney.

**Sponsors:**        City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[City's Request for Proposal #16-005](#)  
[Addendum 1](#)  
[Addendum 2](#)  
[Matrix Scoring Sheet](#)  
[\\*Large File\\* Penn Credit](#)  
[\\*Large File\\* Creditech Collection Solutions](#)  
[\\*Large File\\* Valley Collection Service, LLC](#)  
[Duncan Solutions](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed as Amended by including direction to the City Manager to not include the option of add-on fees in contract negotiations with other proposals other than Penn Credit. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-099

**16**

Approving the attached "Agreement to furnish Grant Writing Services to the City of Key West" between the City and Mary Casanova and Angie Brewer & Associates, LC; Authorizing the City Manager to execute the agreement on behalf of the City.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Agreement](#)  
[Agreement Exhibit A](#)  
[Agreement Exhibit B](#)  
[Certificate of Insurance Mary Casanova dba Writers at Large](#)  
[Certificate of Insurance Angie Brewer & Associates LC](#)  
[Resolution 16-056](#)

**A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Resolution be Passed. The motion passed by an unanimous vote.**

Enactment No: Res 16-100

**17**

Authorizing a Local Agency Program (LAP) agreement between the City of Key West and the Florida Department of Transportation (FDOT) in the amount of \$250,000.00 for a Bicycle and Pedestrian Master Plan (FM# 438687-1); Authorizing the City Manager to execute

necessary documents; Authorizing a budget amendment.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Local Agency Program \(LAP\) agreement](#)  
[Transportation Alternatives Program application](#)

**A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Resolution be Passed. The motion passed by an unanimous vote.**

Enactment No: Res 16-101

- 18** Approving Design Task Order No. 15-03 to William P. Horn, Architect, PA under the General Architectural Services Contract, for the Martin Luther King Community Center Roof Replacement and Solar System Project in an amount not to exceed \$35,067.50; Approving necessary budget transfers.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order 15-03](#)  
[Resolution 14-307](#)

**A motion was made by Commissioner Clayton Lopez, seconded by Commissioner Jimmy Weekley, that the Resolution be Passed. The motion passed by an unanimous vote.**

Enactment No: Res 16-102

- 19** 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](#)  
[First amendment to agreement](#)  
[\\*Large File\\* Resolution 11-166](#)  
[Letter from Gregory Lloyd](#)  
[Letter From Stephen Hatch](#)

*A Motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be passed. There was no action on the motion.*

**A motion was made by Commissioner Payne, seconded by Commissioner Weekley, that the Resolution be Postponed to April 5, 2016. The motion carried**



by the following vote:

**No:** 1 - Commissioner Kaufman

**Yes:** 6 - Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

20

Authorizing the execution of a Memorandum of Settlement in the case of Murphy et. al. v. City of Key West and Marc Siracuse (Case 15-CV-10044-JEM); Authorizing the City Manager and the City Attorney to execute necessary documents.

**Sponsors:** City Attorney Smith

**Attachments:** [Resolution](#)  
[City Attorney Smith's memorandum](#)  
[Letter from Michael Burke](#)  
[Memo of Agreement](#)

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

**Yes:** 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-103

**DISCUSSION**

21

Building Permit Allocation System (BPAS) units for Affordable Housing

**Sponsors:** Commissioner Kaufman

**Discussed**

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

7:48 P.M.