



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, June 4, 2019

5:00 PM

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

**ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**CALL MEETING TO ORDER at 5:01 P.M.**

#### ROLL CALL

**Present** 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

**INVOCATION by Commissioner Clayton Lopez.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The agenda was approved unanimously without change.

#### COMMENDATIONS

1     [19-4153](#)     Key West High School Baseball and Softball

**Sponsors:**     City Commission

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

Received and Filed

#### PROCLAMATIONS

- 2     [19-4103](#)     Mila Demier Public Health and Environmental Awareness Day

**Sponsors:**     City Commission

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

Received and Filed

- 3     [19-4104](#)     Royal Poinciana Tree Month

**Sponsors:**     City Commission

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

Received and Filed

- 4     [19-4151](#)     Arlo Haskell Key West Poet Laureate 2019

**Sponsors:**     City Commission

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

Received and Filed

## PRESENTATIONS

- 5     [19-4173](#)     Recognizing Retirement for Senior Deputy City Clerk Sue Harrison

**Sponsors:**     City Manager Scholl

Received and Filed

- 6     [19-4174](#)     Sea Level Rise - Val Marmillion

**Sponsors:**     Commissioner Weekley

Received and Filed

- 7     [19-3944](#)     Keefe, McCullough & Company, LLP Fiscal Year 2018 Audit

**Sponsors:**     City Manager Scholl

Received and Filed

**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****RESOLUTIONS**

- 8     [Min 19-430](#)     \*May 21, 2019 (Regular)  
                                 Attachments:     [Minutes](#)  
                                 Approved
- 9     [19-4172](#)     \*Re-scheduling the regular City Commission Meeting for  
                                 July to July 16, 2019; Providing for an effective date.  
                                 Sponsors:     Commissioner Hoover  
                                 Attachments:     [Resolution](#)  
                                                     [Res 18-354 2019 Commission Meeting Schedule](#)  
                                 Enactment No: Res 19-167

- 10     [19-4081](#)     \*Approving a Task Order under the City's General Utilities Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$75,785.85 for Hazard Mitigation/Hurricane Irma repairs and Improvements to Facilities damaged by Hurricane Irma at the Richard A. Heyman Environmental Facility; Authorizing necessary budget transfers; Authorizing the City Manager to execute any necessary documents; providing for an effective date.

**Sponsors:**     City Manager Scholl

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Task Order Proposal](#)  
                              [Resolution 18-322](#)  
                              [Resolution 15-292](#)  
                              [Agreement CTS](#)  
                              [General Utility Services FEMA addendum](#)

**Passed**

Enactment No: Res 19-168

- 11     [19-4149](#)     \*Approving Change Order No. 2 to Pedro Falcon Electrical Contractors, Inc. for the Glynn Archer Gymnasium renovations, in an amount not to exceed \$135,057.83; authorizing any necessary budget adjustments; authorizing the City Manager to Execute any Necessary Documents, upon consent of the City Attorney; providing for an effective date.

**Sponsors:**     City Manager Scholl

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Change Order Request Binder "Large File"](#)  
                              [Resolution 18-251 Bid Award](#)  
                              [Spalling Repairs Log](#)

**Passed**

Enactment No: Res 19-169

- 12     [19-4155](#)     \*Approving award of the Bid of Kearns Construction Company, Inc. in response to ITB 19-012 in a total amount not to exceed \$173,892.00, for the installation of Navigation Aids Delineating Vessel exclusion zones at Fleming Key and Boca Chica (NAS Key West) as authorized by the Navy; approving necessary budget amendments; providing for an effective date.

**Sponsors:**     City Manager Scholl

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Navy Authorization Letter](#)  
                              [ITB 19-012 VE Buoys](#)  
                              [Ebsary Proposal](#)  
                              [Kearns Proposal](#)  
                              [Bid Memo](#)  
                              [Resolution 14-034](#)

**Passed**

Enactment No: Res 19-170

- 13     [19-4086](#)     \*A Resolution of the City Commission of the City of Key West, Florida; Approving the attached "Submerged Lands Lease" between the City and Key West Community Sailing Center, Inc. for Submerged Lands Adjacent to 705 Palm Avenue, as described in the attached Lease; pursuant to Section 2-941(c) of the Code of Ordinances; providing for an effective date.

**Sponsors:**     City Manager Scholl

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Submerged Land Lease](#)  
                              [Public Benefit Statement](#)  
                              [Corporate Filing](#)

**Passed**

Enactment No: Res 19-171

**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.

**ORDINANCES – FIRST READING**

- 14     [19-3553](#)     An Ordinance of the City of Key West, Florida amending Chapter 86 of the Land Development Regulations, entitled “General Provisions, Section 86-9, entitled “Definition of Terms” and Chapter 108, entitled “Planning and Development”, Section 108-997, entitled “Period of Allocation and Ranking/Review of Applications”; pursuant to Chapter 90, Article VI, Division 2; providing for severability; providing for Repeal of Inconsistent Provisions; providing for an effective date.

**Sponsors:**     City Manager Scholl

**Attachments:**     [Ordinance](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [PB Resolution](#)  
                              [Sustainability Board's Friendly Amendment to Cistern Demotion in BPAS](#)  
                              [Text Amendment Language Recommendation from the SAB](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez that the Ordinance be amended to remove the language "However, the use of the water from rainwater catchments shall be limited to irrigation of plants and the flushing of toilets and be strictly prohibited from any potable use including drinking, food preparation, or any other internal use." The Ordinance Passed to Second Reading on June 18, 2019, with the amendment as stated. The motion carried by the following vote:

**Yes:**    7 -    Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

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

- 15     [19-4106](#)     An Ordinance amending Chapter 78 of the Code of Ordinances entitled "Vehicles for Hire" by amending Section 78-4 to provide a revised definition of limousines; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

**Sponsors:**     Mayor Johnston

**Attachments:**     [Ordinance](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Hoover that the Ordinance be Adopted with the amendment striking the language "at least two hours." The motion passed by an unanimous vote.**

Enactment No: Ord 19-16

## **CITIZEN COMMENTS**

## **COMMISSION COMMENTS**

**ADJOURNMENT at 7:19 P.M.**