



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, November 19, 2019

5:00 PM

City Hall

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 - 5:01 P.M.

ROLL CALL

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

INVOCATION - Reverend Terri Hill, Key West United Methodist Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The agenda was approved unanimously as amended.

PROCLAMATIONS

1 Suicide Prevention Day

Attachments: [Proclamation](#)

Received and Filed

2 Homeless Hunger Awareness Week

Attachments: [Proclamation](#)

Received and Filed

3 Transgender Day of Remembrance

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

4 Health in All Policies - Community Health Improvement Plan
Monroe County Priority Issue
By: Bridget Kerner, MS

Attachments: [Presentation](#)

Received and Filed

5 Future of Solar in Key West - Keys Energy

Attachments: [CoKW Solar Presentation](#)

Received and Filed

6 2019 City of Key West Pavement Management Plan

Attachments: [KW Report Companion Memo](#)
[IMS Pavement Management Report \(Large File\)](#)
[2019 Pavement Management Plan Presentation](#)

Received and Filed

7 Adaptation Report

Attachments: [Climate Change and Adaptation](#)
[Adaptations Actions Ranked](#)
[Jose Marti Road Example](#)
[2019 Sea Level Rise in the Florida Keys \(Key West Special Commission Version - 2019OCT30\).pdf](#)

Received and Filed

8 Mount Trashmore Report

Attachments: [Mt Trashmore Interim Presentation](#)
[Resolution - Stock Island Landfill Interim Report](#)
[Interim Report for Stock Island Landfill](#)
[FDEP Inspection 05-06-19](#)
[Landfill Closure Documentation 2010](#)
[Landfill Reclamation Evaluation 2019](#)
[FDEP Certification of Completion of Long Term Care Report 2016](#)
[History of Waste - Citizen Article 2019](#)
[Stock Island Landfill Presentation](#)
[Kaufman Landfill Letter](#)
[Monica Haskell - Letter to board](#)
[Release](#)

This item was tabled at the request of Commissioner Kaufman when the agenda was approved. A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez to return the item and have it heard as the last presentation.

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**9 *October 30, 2019 (Workshop)**

Attachments: [Minutes](#)

Passed

10 *November 6, 2019 (Regular)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

- 11 *Awarding the bid of Charley Toppino & Sons, Inc. received in response to Invitation to Bid (ITB) #20-002 for Simonton Street improvements - Project II41021901 (2019 ADA Sidewalks) and Project II41021902 (2019 Repaving Program) in an amount not to exceed \$1,435,129.25; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute a contract in substantial conformance with the bid proposal, upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [ITB 20-002](#)
 [ADDENDUM #1](#)
 [ADDENDUM #2](#)
 [ADDENDUM #3](#)
 [ITB 20-002 Bid Tab](#)
 [ITB 20-002_CTS \(Large File\)](#)
 [ITB 20-002_DNH \(Large File\)](#)

Passed

Enactment No: Res 19-347

- 12 *Approving the attached “State of Florida Department of Environmental Protection Standard Grant Agreement No. LPA0077” between the State of Florida Department of Environmental Protection and the City of Key West, for Florida Keys Stewardship Act funding for Patricia and Ashby Neighborhood Piping Project in an up to maximum amount of \$480,000.00; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Agreement LPA0077](#)

Passed

Enactment No: Res 19-348

- 13 *Approving the attached Sovereignty Submerged Land Easement No. 42347 between the City of Key West and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for sewer and potable water lines and electrical conduits.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Easement 42347](#)
 [Lease Agreement U-0121](#)

Passed

Enactment No: Res 19-349

- 14 *Approving Task Order 2-20-Ports for CH2M Hill, Inc. in an amount not to exceed \$189,533.59 for Mallory Square Mooring Improvements permitting and design services; Authorizing necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Task Order](#)
 [CH2M Hill Contract](#)

Passed

Enactment No: Res 19-350

- 15 *Approving Task Order 1-20-Engineering for CH2M Hill, Inc. in an amount not to exceed \$243,312.00 for design services for pavement and right of way improvements to Whitehead, Duval and Front Streets; Authorizing necessary budget adjustments; authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Task Order 1-20 Nov 6](#)
 [Res 17-207 General Engineering Svcs](#)
 [CH2M Hill Eng Svcs Agreement](#)

Postponed to December 3rd Meeting

16

*Authorizing pursuant to Section 2-797(3) and (4)(b) of The Code of Ordinances, the purchase of 89 HP Desktop Computers (\$60,253.00) and 37 HP Elitebook Laptop Computers (\$22,966.00) plus accessories (\$2,655.00) from MRA International in an amount not to exceed \$96,874.00 through the State of Florida Contract - Computer Equipment, Peripherals and Services (FL - NASPO VALUEPOINT 43211500-WSCA-15-ACS); Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Desktops-MRA](#)
 [Desktops-GCI](#)
 [Desktops-SHI](#)
 [Laptops-GCI](#)
 [Laptops-MRA](#)
 [Laptops-SHI](#)
 [Dock-GCI](#)
 [Dock-MRA](#)
 [Dock-SHI](#)

Passed

Enactment No: Res 19-351

- 17 *Authorizing pursuant to Section 2-797(3) the purchase of a 12 yard dump truck from Lou Bachrodt Freightliner in an amount not to exceed \$112,610.00 through the Florida Sheriff's Association and Florida Association of Counties Contract for Cab & Chassis Trucks #FSA18-VEH16.0; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Sherrifs Contract](#)
 [Sherrifs Contract Pricing](#)
 [Lou Bachrodt Quote](#)

Passed

Enactment No: Res 19-352

- 18 *Authorizing pursuant to Code of Ordinances Section 2-797(4)(b), best interests of the City, the purchase of an automated closed captioning appliance form Castus Corporation, in an amount not to exceed \$64,400.00.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Link Electronics Quote](#)
 [SHI Quote-17931256](#)
 [Adorama](#)
 [ACE Auto Closed Captioning Quote CASTUS key west 10-8-2019hl.](#)

Passed

Enactment No: Res 19-353

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.

19

Authorizing proposed funding for the Guidance/Care Center, Inc (GCC) for security upgraded to the Central Receiving Facility for Monroe County in the amount of \$25,000; Authorizing necessary budget adjustments.

Attachments:[Resolution](#)[Guidance Care Center Request](#)[1. GCC 2019 Board of Directors and Officers](#)[2. WCGCC 02-09-2019 BOD Minutes FINAL](#)[3. Resolution WCGCC 2019-01](#)[4. GCC Marathon Renovation Budget](#)[5-6 GCC FY 20 Budget revised 2019-06-20](#)[7. FY 19-20 Sliding Fee Scale Schedule](#)[8. Form 990 06-30-18](#)[9. GUIDESTAR Printout 2019](#)[9b IRS Letter of Determination](#)[10 a Occupational License_marathon exp 2020](#)[10b Occupational License KW exp 2020](#)[11. GCC DCF Licenses All Sites FY20](#)[12. 2018 ACHA GUIDANCE CARE CENTER 17910036 CSU through 2021](#)[12. GUIDANCE CARE CENTER 32960240 RTF 2018-2020](#)[13a 091119 MAR Biomed Waste Operating Permit - exp 093020](#)[13b 091119 MAR CSU Food Operating Permit - exp093020](#)[14. GCC AR Bylaws 10-20-2012](#)[15. EEOC Policy from Handbook](#)[17. accreditation letter 117996](#)[17. accreditation report 117996](#)[17. DCF Monitoring 2019](#)[17. GCC Contract Monitoring Report FY 18-19 including CAP & Cover Letter](#)[City of KW Special Request Application](#)

This item was tabled at the request of Commissioner Kaufman when the agenda was approved. A motion was made by Commissioner Weekly, seconded by Commissioner Lopez to return the item and have it heard as the first item after Consent Agenda.

A motion was made by Commissioner Lopez, seconded by Commissioner Weekly, that the Resolution be Passed. The motion carried by the following vote:

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

Enactment No: Res 19-354

20

Granting a Special Event Permit Pursuant to Section 6-86 of the Code of Ordinances for a wedding ceremony and reception at the Hemingway House at 907 Whitehead Street during the hours of 5:30 P.M. to ~~11:00 P.M.~~ 10:00 P.M. on Sunday, March 8, 2020.

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

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Resolution be Passed with an amendment to end the Special Event Permit at 10:00 P.M. The motion carried by the following vote:

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

Enactment No: Res 19-355

21

Extending the Duval Promenade Pilot Program, also known as Mall on Duval, through February 17, 2020; Authorizing the City Manager to execute any necessary documents upon review and consent of the City Attorney.

Attachments: [Resolution](#)
 [Resolution 19-252](#)
 [Summary responses of the October 4&5 weekend](#)
 [November Summary Survey Pilot Program Duval Street](#)
 [Public Comment](#)
 [Memorandum DJD 11 18 2019 r2](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Kaufman, that the Resolution be Passed with an amendment to only extend the Mall on Duval program twice a month beginning in December and continuing through February 17, 2019 at which point the program will be suspended until survey data is received from the RFQ designated urban planner. The motion carried by the following vote:

No: 3 - Commissioner Hoover, Commissioner Lopez and Commissioner Wardlow

Yes: 4 - Commissioner Davila, Commissioner Kaufman, Commissioner Weekley and Mayor Johnston

Enactment No: Res 19-356

22

Authorizing the City Manager to enter into an Agreement with Rishi and Reshma Gidwani, as property owners of 3609 Northside Drive, through their authroized representative Gary the Carpenter, permitting a Release of Lien (upon payment by the owners in the amount of \$_____); Rescinding prior Resolution 19-238.

Attachments:[Resolution](#)[Executive Summary](#)[Special Magistrate's Findings and Orders](#)[Lien](#)[Lien Mitigation Form](#)[Special Magistrate's Findings and Orders](#)[Lien](#)[Lien Mitigation Form](#)[Special Magistrates Findings and Orders](#)[Amended Findings and Orders](#)[Lien](#)[Lien Mitigation Form](#)[Res. 19-238](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed with an amendment to provide a Release of Lien upon receipt of payment from owners in the amount of \$50,000 certified funds on or before February 19, 2020. The motion carried by the following vote:

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

Enactment No: Res 19-357

ORDINANCES – FIRST READING

23

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending section 70-265, to add the Jackson Square Parking Lot, and the 500 Block of Thomas Street after courthouse business hours and on weekends to the non-resident Truman Waterfront Parking Permit Program; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
 [Executive Summary](#)
 [Jackson Square](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Sam Kaufman, that the Ordinance be Postponed until December 3, 2019. The motion passed by an unanimous vote.

24

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - "Parking Stopping and Standing", Division 5, "Residential Parking Permit Program", Section 70-249, to add the Jackson Square Parking Lot and 500 Block of Thomas Street after business hours and on weekends to the Residential Parking Permit Program; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
 [Executive Summary](#)
 [Jackson Square](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Ordinance be Postponed until December 3, 2019. The motion passed by an unanimous vote.

ORDINANCES - SECOND READING (Public Hearing)

25

An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code of Ordinances entitled “Traffic and Vehicles,” Division 3 entitled “Parking Rates,” by adding Section 70-189 to establish parking rates for the Jackson Square parking lot and the 500 block of Thomas Street; Renumbering existing Section 70-189 as Section 70-190; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
 [Executive Summary](#)
 [Res 01-127 Jackson Sq Parking Agmt](#)
 [Res 15-341](#)
 [Ord 18-28](#)
 [Ord 18-22](#)
 [Ord 19-21](#)
 [800 feet radius from Courthouse](#)
 [Duval Loop Route](#)
 [Parking lot sample courthouse lot](#)
 [Jackson Square](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Ordinance be Postponed until December 3, 2019. The motion passed by an unanimous vote.

26

An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code of Ordinances entitled “Traffic and Vehicles” by amending Article IV - “Parking Stopping and Standing”, Division 7, “Employee Parking Lot Permit Program in Historic District”, Amending Section 70-261 to adjust the designated lots for this permit program by adding the Jackson Square Parking Lot; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
 [Executive Summary](#)
 [Jackson Square](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Gregory Davila, that the Ordinance be Postponed until December 3, 2019. The motion passed by an unanimous vote.

DISCUSSION

- 27 Admiral's Cut
 Withdrawn

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 9:54 P.M.