



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, February 7, 2017

6:00 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.

**CALL MEETING TO ORDER - 6:02 P.M.**

#### ROLL CALL

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

**INVOCATION - Pastor Antoinette McPherson Revelation House Ministries**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA - The Agenda was approved unanimously as changed.**

#### COMMENDATIONS

**1** 2016 Recycled Robot Art Contest Winners:

- Danielle Gould, The Basilica School of Saint Mary Star of the Sea
- Sally Zeman, Montessori Children's School of Key West
- Katie Holtkamp, Horace O'Bryant Middle School
- Elizabeth Liz, Poinciana Elementary School

**Sponsors:** Mayor Cates

**Attachments:** [Commendation - Danielle Gould](#)

[Commendation - Sally Zeman](#)

[Commendation - Katie Holtkamp](#)

[Commendation - Elizabeth Liz](#)

**Received and Filed**

2 Martha Fitch

**Sponsors:** Mayor Cates

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

Received and Filed

#### PROCLAMATIONS

3 Fran Ford Day

**Sponsors:** Commissioner Lopez, Commissioner Weekley and Mayor Cates

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

Received and Filed

4 Know Your Fisherman Month

**Sponsors:** Mayor Cates

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

Received and Filed

#### PRESENTATIONS

City Attorney's Report

City Manager's Report  
- 20 Year Service Award

Fire Department Lieutenant Gregory Gerez

#### RESOLUTIONS

- 5 Directing the use of all remaining proceeds of the Settlement Proceeds from the BP Deepwater Horizon Oil Spill exclusively for Youth and Recreational Activities in the City of Key West; Authorizing the use of \$500,000.00 of the funds received pursuant to the Deepwater Horizon Settlement for benefit of the Police Athletic League (PAL); Authorizing the use of up to \$300,00.00 of the funds received pursuant to the Deepwater Horizon Settlement for renovation and construction of athletic and recreational facilities in Key West, which may include any or all of the following projects: Construct Soccer Storage at Horace O'Bryant School, Construct LaCrosse Storage Building at Fort Street Field, Construct Hockey Storage Building at Southernmost Hockey Rink, Expand Soccer Field at Poinciana School, Install Artificial Turf at Rosa Hernandez Softball Field Warm-up Area, Install Outdoor Water Fountain/Bottle Filling Stations at various parks and recreation facilities, Renovate Blake Fernandez Skate Park at Wickers Sports Complex, Repair Field at Horace O'Bryant School, Replace Gymnasium Floor at Frederick Douglass Gym, and resod areas at Soccer Field at Poinciana School.

**Sponsors:** Commissioner Kaufman

**Attachments:** [Resolution](#)  
[Resolution 15-279](#)

**A motion was made by Commissioner Wardlow, seconded by Commissioner Lopez, 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 17-036

**Meeting Recessed at 6:58 P.M. and Reconvened at 9:28 P.M.**

#### **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 \*January 18, 2017 (Regular)

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

**Approved**

**RESOLUTIONS**

7 \*Urging the Monroe County Board of County Commissioners to amend Rules for Distribution of Tourist Development Council Bed-tax Funds.

**Sponsors:** Mayor Cates

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

**Passed**

Enactment No: Res 17-039

8 \*Urging the Florida Legislature to retain a total of Four County Judgeships for Monroe County; Urging the Florida Supreme Court to reconsider their recommendation to decertify one Judgeship, and remove from consideration the notion of decertifying a second Monroe County Court Judgeship in 2018.

**Sponsors:** Commissioner Payne

**Attachments:** [Resolution](#)  
[Supreme Court SC16-2127](#)

**Passed**

Enactment No: Res 17-040

9 \*Supporting Florida Senate Bill 162 and Florida House Bill 93, which, if passed, would allow certain municipalities to establish pilot programs for the regulation or ban of disposable plastic bags.

**Sponsors:** Commissioner Weekley

**Attachments:** [Resolution](#)  
[Senate Bill 162](#)  
[House Bill 93](#)  
[Resolution 13-077](#)

**Passed**

Enactment No: Res 17-041

- 10**                    \*Designating the wetland pond within the Key West Indigenous Park "The Fran Ford Wetland Pond."
- Sponsors:**        Commissioner Weekley, Commissioner Lopez and Mayor Cates
- Attachments:**    [Resolution](#)
- Passed**
- Enactment No: Res 17-042
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- 11**                    \*Rejecting the bid received in response to Invitation to Bid (ITB) #17-012 for Mole Pier Protective Electrical Relays pursuant to Section 2-834(4) of the Code of Ordinances.
- Sponsors:**        City Manager Scholl
- Attachments:**    [Resolution](#)
- [Executive Summary](#)
- [Florida Keys Electric Bid](#)
- [Navy Direction](#)
- [In-kind Endorsement Letter](#)
- Passed**
- Enactment No: 17-043
- 
- 12**                    \*Approving a Task Order for Building/Construction Services to Stantec Consulting Services, Inc. (Stantec) for the City Marina at Garrison Bight Dolphin Pier Replacement Project in an amount not to exceed \$30,737.00.
- Sponsors:**        City Manager Scholl
- Attachments:**    [Resolution](#)
- [Executive Summary](#)
- [Construction Services Proposal](#)
- [Resolution 16-194](#)
- [\\*Large File\\* Preliminary Design](#)
- [Army Corp Letter of Coordination](#)
- [Resolution 15-208 Contract Extension](#)
- [Resolution 13-111 Amending C3TS Contract](#)
- [Original Contract](#)
- Passed**
- Enactment No: Res 17-044

- 13**                    \*Authorizing Task Order No. 1 for Conceptual Design and Permitting Services to Stantec Consulting Services, Inc. (Stantec) for the 10th Street Pocket Park Project in an amount not to exceed \$27,942.00.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Task Order](#)  
                          [\\*Large File\\* Contract 2012](#)  
                          [Resolution 15-208 Contract Extension](#)

**Passed**

Enactment No: Res 17-045

- 14**                    \*Approving Task Order No. 2-17-SWR from CH2M Hill Engineering, Inc. in an amount not to exceed \$56,356.00 for Design, Permitting and Bid Phase Services for Effluent Pump FP-3-1 Control and VFD Replacement; Authorizing necessary budget transfers.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [CH2M Task Order 2-17 SWR](#)  
                          [\\*Large File\\* Resolution 15-208](#)  
                          [\\*Large File\\* Resolution 12-280](#)

**Passed**

Enactment No: Res 17-046

- 15**                    \*Authorizing pursuant to Sections 2-797(4)(b) - Best Interests of the City and 2-844(a)(b) - Brand Name Specifications, of the Code of Ordinances the purchase of eighteen (18) GETAC B300G6 Extreme Rugged Notebook Computers and related equipment from PCN Strategies in the amount of \$81,284.22.

**Sponsors:**            City Manager Scholl

**Attachments:**        [Resoution](#)  
                              [Executive Summary](#)  
                              [Sole Source Memo](#)  
                              [GETAC B300 18 Unit Purchase Pricing Memo](#)  
                              [PCN Strategies GETAC Computer Quote](#)  
                              [HP GETAC Updated Computer Quote](#)  
                              [Gov Connection Computer Quote](#)

**Passed**

Enactment No: Res 17-047

- 16**                    \*Supporting the Monroe County Land Authority execution of the attached Quit Claim Deeds conveying Parcel 107 and Parcel 109, commonly known as a portion of the Key West Bridle Path, to the State of Florida Department of Transportation (FDOT).

**Sponsors:**            City Manager Scholl

**Attachments:**        [Resolution](#)  
                              [Executive Summary](#)  
                              [Request from FDOT to MCLA](#)  
                              [Proposed Deed Parcel 107](#)  
                              [Proposed Deed Parcel 109](#)  
                              [Legal Description Parcel 107](#)  
                              [Legal Description Parcel 109](#)  
                              [Resolution 90-391](#)  
                              [Resolution 90-623](#)

**Passed**

Enactment No: Res 17-048

- 17                    \*Approving the attached Quit Claim Deed conveying certain upland fill area abutting 711-717 Eisenhower Drive to Island Tranquility, Inc.; Authorizing the Mayor to execute necessary documents.

**Sponsors:**            City Attorney Smith

**Attachments:**        [Resolution](#)  
                              [Spottswood Request](#)  
                              [PROPOSED Quit Claim Deed](#)  
                              [Exhibit A](#)  
                              [Exhibit B](#)  
                              [Exhibit C](#)  
                              [Exhibit D](#)  
                              [Exhibit E](#)

**Passed**

Enactment No: Res 17-049

#### **Approval of the Consent Agenda**

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

- 18                    Appointing Kevin Cates to the Board of Trustees of the Police Officer's and Firefighter's Retirement Plan.

**Sponsors:**            Mayor Cates

**Attachments:**        [Resolution](#)  
                              [Resume Kevin Cates](#)  
                              [Email From City Attorney Smith](#)  
                              [Letter of Interest From Raymond Casamayor](#)  
                              [Resume Raymond Casamayor III](#)

*A motion was made by Commissioner Wardlow and seconded by Commissioner Romero to appoint Ramond Casamayor. The motion failed by the following vote:*

*Yes: 3 - Commissioner Lopez, Commissioner Romero and Commissioner Wardlow*

*No: 4 - Commissioner Kaufman, Commissioner Payne, Commissioner Weekley and Mayor Cates*

**A motion was made by Commissioner Payne, seconded by Commissioner Weekley, that the Resolution be Passed approving the appointment of Kevin Cates. The motion carried by the following vote:**

**No: 3 -** Commissioner Kaufman, Commissioner Romero and Commissioner Wardlow



**Yes:** 4 - Commissioner Lopez, Commissioner Payne, Commissioner Weekley and Mayor Cates

Enactment No: Res 17-050

**19**

Directing the City Manager to develop a Request For Proposals (RFP) for Development of Affordable Housing on College Road (The Mosquito Control Property and FKSPCA Property) and at the Truman Waterfront.

**Sponsors:** Commissioner Kaufman

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

**A motion was made by Commissioner Kaufman, seconded by Commissioner Payne, 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 17-051

**20**

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

**Sponsors:** Commissioner Payne

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

**A motion was made by Commissioner Payne, seconded by Commissioner Wardlow, 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 17-052

- 21 Approving the attached Second Amendment to Agreement ID #1212 (the Interlocal Grant Award Agreement with the Monroe County Tourist Development Council (TDC) for the Truman Waterfront Park Amphitheater and Public Parking Project) to extend the termination date to March 31, 2018.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[2nd Amendment](#)  
[Resolution 16-121](#)

**A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez, 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 17-053

- 22 Authorizing the City Manager to explore the feasibility of repurposing the Gymnasium at the Josephine Parker City Hall at Historic Glynn R. Archer School to construct a Senior Citizen Center; Directing the City Manager to report periodically to the Commission about cost, potential funding sources and other concerns related to the use of the property for such purpose.

**Sponsors:** Commissioner Kaufman

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

**A motion was made by Commissioner Kaufman, seconded by Commissioner Payne, that the Resolution be Passed as ammended providing direction to staff to look at other options or purposes as well. The motion carried by the following vote:**

**No:** 1 - Commissioner Romero

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

Enactment No: Res 17-054

**A Motion was made by Commissioner Kaufman, seconded by Commission Romero to extend the meeting to Midnight. The motion passed by the following vote:**

**Yes: 5 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero and Commission Wardlow**

**No: 2 - Commissioner Weekley and Mayor Cates**

**23**

Recommending the current Roadway Design Option to the Florida Department of Transportation (FDOT) for the South Roosevelt Boulevard Reconstruction Project; Authorizing FDOT to proceed with the currently designed four-lane project on SR A1A/South Roosevelt Boulevard between Bertha Street and the east end of Smathers Beach.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[FDOT Public Workshop Summary](#)  
[Letter - Petition From Evan Haskell](#)  
[Letter From Gloria Balbontin](#)

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

**No: 2 - Commissioner Kaufman and Commissioner Weekley**

**Yes: 5 - Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow and Mayor Cates**

Enactment No: Res 17-055

24

Appointing one member to the Citizen Review Board (CRB).

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Timothy Crowe Application](#)  
[Crowe's Sponsor Letter](#)  
[Nelson Jimenez Application](#)  
[Jimenez's Sponsor Letter](#)  
[Richard Wagner Application](#)  
[Richard Wagner Sponsor Letter](#)  
[Wagner's Sponsor Letter](#)

Ballots provided to the City Commission were tallied as follows:

Commissioner Kaufman	-	Richard B. Wagner
Commissioner Lopez	-	Richard B. Wagner
Commissioner Payne	-	Timothy J. Crowe
Commissioner Romero	-	Timothy J. Crowe
Commissioner Wardlow	-	Richard B. Wagner
Commissioner Weekley	-	Timothy J. Crowe
Mayor Cates	-	Richard B. Wagner
4 - Richard B. Wagner		
3 - Timothy J. Crowe		

A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed appointing Richard B. Wagner to the CRB. The motion passed by a unanimous vote.

Enactment No: Res 17-056

The meeting recessed at 12:04 A.M. February 8, 2017 to reconvene at 6:00 P.M. on February 8, 2017.

**ORDINANCES – FIRST READING**

- 25** An Ordinance of the City of Key West, Florida amending Chapter 42 of the Code of Ordinances, entitled "Miscellaneous Offenses," by creating Section 42-18, entitled "Sexual Orientation or Gender Identity Change Efforts," to prohibit licensed professionals from engaging in counseling efforts, practices, or treatments with the goal to change a minor's sexual orientation or gender identity; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Letter From Tara Hooper](#)  
[Letter From Dakin Weekley](#)

**DISCUSSION**

- 26** Truman Waterfront Advisory Board Commission Liaison

**Sponsors:** Commissioner Kaufman

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