



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, October 2, 2018

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.

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

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

#### ROLL CALL

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

**INVOCATION - Rev. Judith Elia, Unity of the Keys**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

#### PROCLAMATIONS

1 Fire Prevention Week

Attachments: [Proclamation](#)

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**

2 \*September 12, 2018 (Special)

Attachments: [Minutes](#)

Approved

3 \*September 20, 2018 (Regular)

Attachments: [Minutes](#)

Approved

**RESOLUTIONS**

4 \*Authorizing We Cycle, Inc. to conduct the Annual Zombie Bicycle Ride Event starting at East Martello Towers and ending on the 100, 200 & 300 blocks of Duval Street on Sunday, October 21, 2018 from 6:00 P.M. to Midnight; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 100, 200 & 300 blocks of Duval Street on Sunday, October 21, 2018 from 6:00 P.M. to Midnight.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Application](#)

Passed

Enactment No: Res 18-302

- 5 \*Authorizing Backdeck, LLC d/b/a Mary Ellen's Bar to conduct an event as a fundraiser for the Wesley House on Wednesday, December 5, 2018 from 8:00 A.M. to Midnight; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Appelrouth Lane between Duval Street and Whitehead on Wednesday, December 5, 2018 from 8:00 A.M. to Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to Midnight; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 18-303

- 6 \*Sponsoring a Holiday Season Parade on Saturday, December 8, 2018 between the hours of 7:00 P.M. and 10:00 P.M.; Authorizing the closure of certain streets for the parade.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 18-304

- 7 \*Accepting a Grant from the Florida Department of Health (DOH) under the “Helping Emergency Responders Obtain Support (HEROS)” Grant Program, for emergency opioid antagonist/Narcan doses; Authorizing necessary budget transfers; Authorizing the City Manager to execute necessary documents.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[HEROS Program Grant Award Letter](#)  
[MMCAP Agreement](#)  
[Narcan Pricing for HEROS Grant](#)

**Passed**

Enactment No: Res 18-305

- 8 \*Approving issuance of Task Order No. 2 (2018) to Black & Veatch Corporation for Detailed Design, Bid and Pre-award Services for the Dennis Street Pump Station near Key West High School in an amount not to exceed \$274,898.00.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order No.2 2018](#)  
[Task Order No.2 Budget](#)  
[Resolution 17-207](#)  
[Black & Veatch Engineering Services Agreement](#)

**Passed**

Enactment No: Res 18-306

- 9 \*Approving a purchase from Ten-8 Fire Equipment, Inc. in an amount not to exceed \$552,143.00 of a Pierce Pumper Truck, pursuant to Government Contract, Section 2-797(3) of the Code of Ordinances; Authorizing Sole Source Purchase of Hurst eDraulic Equipment for this Pumper Truck from MES, in the amount of \$31,920.00, pursuant to Section 2-797(1) of the Code of Ordinances.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Proposal Key West Impel PUC](#)  
[Key West PUC Impel SPECA709](#)  
[FSA 18-VEF13.0 Spec-19](#)  
[FSA Ten-8 Pierce Impel](#)  
[FSA terms-conditions-fire-2018-20-v5.1\[1\]](#)  
[KeyWest-Impel Changes](#)  
[KeyWest Options-709PPR](#)  
[KeyWest-Equipment Quote w discounts](#)  
[Performance Bond - SAMPLE](#)  
[Key West Hurst eDraulic Quote 8.27.18](#)  
[Hurst Dealer Verification Letter - NL4 - MES FL - eDRAULIC-Vetter](#)

**Passed**

Enactment No: Res 18-307

- 10 \*Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow an increase not to exceed \$5,000.00 in cumulative expenditures during FY 17-18 to Strunk Ace Hardware (from \$105,000.00 to \$110,000.00); Authorizing purchasing exceptions pursuant to Section 2-797 for Pat's Pump & Blower in an amount not to exceed \$30,000.00, and Keys Motors, LLC in an amount not to exceed \$26,000.00; Authorizing any necessary budget transfers.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Resolution 17-269](#)

**Passed**

Enactment No: Res 18-308

- 11 \*Ratifying an Emergency Procurement dated September 7, 2018 approved by the City Manager as provided for under Section 2-797(2) of the Code of Ordinances, authorizing the purchase of 12" Effluent Riser Pipe from Ferguson Waterworks in an amount not to exceed \$9,000.00, and a Task Order in an amount not to exceed \$41,344.80 for Charley Toppino & Sons, Inc. to install the Effluent Riser Pipes at Pump Station C (combined total \$50,344.80); Authorizing any necessary budget transfers.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Emergency Declaration](#)  
[Resolution 15-292](#)  
[Contract - Charley Toppino and Sons, Inc.](#)

**Passed**

Enactment No: Res 18-309

- 12 \*Approving the attached Collective Bargaining Agreement between City and the International Association of Firefighters Local 1424 (IAFF) for the period of October 1, 2018 through September 30, 2021.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[IAFF Ratification Notice](#)  
[IAFF Collective Bargaining Agreement](#)

**Passed**

Enactment No: Res 18-310

#### 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.

- 13 Authorizing the City Clerk to retain City Commission and Administrative Board audio and/or video recordings in perpetuity for a period of at least 10 years.

**Sponsors:** Commissioner Kaufman

**Attachments:** [Resolution](#)  
[Resolution 01-158](#)  
[Florida Statutes Chapter 119 Public Records](#)  
[Florida General Records Schedule GS1-SL](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Wardlow, that the Resolution be Passed as amended to retain audio and/or video recordings "in perpetuity" and strike "for a period of at least 10 years." The motion passed by a unanimous vote.

Enactment No: Res 18-311

- 14 Approving a Task Order under the City's General Utilities Contract with Charley Toppino & Sons, Inc., in a total amount not to exceed \$67,014.18 for a new driveway cut at City Marina at Garrison Bight; Authorizing necessary budget transfers.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Driveway Cut](#)  
[Task Order Proposal](#)  
[\\*Large File\\* Resolution 15-292](#)  
[Toppino Contract](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, 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 Cates

Enactment No: Res 18-312

- 15 Accepting and ratifying the attached Grant Award Package for Grant No. EMW-2017-FO-04301 from the Department of Homeland Security/FEMA Assistance to Firefighters Grants (AFG) in the amount of \$72,131.00 for the purchase of four power lift cots for City Ambulances (City match - \$7,213.00); Authorizing any necessary budget amendments and transfers; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Grant Award Package](#)  
[FY 2017 AFG Application](#)

**A motion was made by Commissioner Wardlow, seconded by Commissioner Weekley, that the Resolution be Passed. The motion passed by a unanimous vote.**

Enactment No: Res 18-313



16

**QUASI-JUDICIAL HEARING:****EASEMENT 618-620 DUVAL STREET**

Approving an easement of 76.9 ± square feet along the Duval Street Right-of-Way, to address a portion of the building including: two existing second floor balconies, stepped parapets, cornices, and a one story canvas awning located at 618-620 Duval Street (RE #00012510-000000), Key West, Florida; Providing fees and conditions.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Easement Agreement](#)  
[\\*Large File\\* Application Package](#)  
[Specific Purpose Survey](#)  
[Liability Insurance](#)  
[Application Package](#)

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

Enactment No: Res 18-314

17

**PROPOSED TO BE POSTPONED  
QUASI-JUDICIAL HEARING:  
VACATION OF CITY PROPERTY**

Approving the vacation of an alleyway in the dimensions of 10 feet in width and 133 feet in depth and continuing for a distance of 5 feet in width and 14.9 feet in depth, at 225 Olivia Street, between Thomas Street and Baptist Lane; Providing conditions.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[\\*Large File\\* Application](#)  
[Boundary Survey](#)  
[Utilities Email 6.20.18](#)  
[Floodplain Comments](#)  
[Keys Energy Comments](#)  
[Utilities Comments](#)  
[PICTURES - TO VACATE ALLEYWAY](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Resolution be Postponed to October 16, 2018. The motion passed by a unanimous vote.

18

**PROPOSED TO BE POSTPONED  
QUASI JUDICIAL HEARING:  
MAJOR DEVELOPMENT PLAN - MALLORY SQUARE**

Granting a Major Development Plan pursuant to Section 108-91.a.2(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida and adjacent property on property located at Mallory Square (RE #00072082-001100, #00072082-001400 and #0072082-003700) within the Historic Public and Semipublic Services (HPS) Zoning District.

**Sponsors:** City Manager Scholl

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Postponed to October 16, 2018. The motion passed by a unanimous vote.

**ORDINANCES – FIRST READING**

- 19** 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 provide permit holders the right to park in the City's metered parking lots located at the Truman Waterfront for a period of time not to exceed four hours per day free of charge; Providing for severability; Providing for inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley and Commissioner Kaufman

**Attachments:** [Ordinance](#)  
[Executive Summary](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading on October 16, 2018. The motion passed by a unanimous vote.**

**CITIZEN COMMENTS****COMMISSION COMMENTS****ADJOURNMENT - 7:06 P.M.**