



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Wednesday, March 20, 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 FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**CALL MEETING TO ORDER at 5:00 P.M.**

#### ROLL CALL

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

**INVOCATION - Bishop Jonathan Carey, Glad Tidings Church**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA** The Agenda was approved without change unanimously.

#### PRESENTATIONS

1 Diane Glorie

Sponsors: Mayor Johnston

Received and Filed

#### PROCLAMATIONS

**2 National Vietnam War Veterans Day**

**Sponsors:** Mayor Johnston, Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

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

Received and Filed

**2 Winn Dixie Day in Key West**

**Sponsors:** Mayor Johnston

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

Received and Filed

**PRESENTATIONS**

**4 New Flood Maps Update by Floodplain Administrator and Fair Insurance for Monroe (FIRM).**

**Sponsors:** Mayor Johnston

**Attachments:** [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**

**5 \*March 5, 2019 (Regular)**

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

Approved

**RESOLUTIONS**

- 6 \*Urging the Florida Legislature to enact SB 158 and HB 71 titled "Vulnerable Road User Act" to provide enhanced criminal penalties for a person who commits a moving violation that causes serious bodily injury or death of a vulnerable road user; Urging the Florida Legislature to pass and enact HB 107 "Florida Ban on Wireless Communications Devices While Driving Law" and similar and SB 76 "Florida Driving While Distracted Law" to expand the definition of distracted driving and increase penalties; Directing the City Clerk to provide this resolution to certain members of the Florida Legislature.

**Sponsors:** Commissioner Kaufman

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

[HB 71](#)

[SB 158](#)

[HB 107](#)

[SB 76](#)

**Passed**

Enactment No: Res 19-090

- 7 \*Opposing Florida Senate Bill 1748, and House Bill 3, which would preempt regulation of businesses and business entities to the State; Authorizing the City Clerk to transmit Certified Copies of this Resolution.

**Sponsors:** Commissioner Weekley

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

[Proposed Florida Senate Bill 1748](#)

[Proposed Florida House Bill 3](#)

**Passed**

Enactment No: Res 19-091

- 8 \*Authorizing Bauer Restaurant, Inc. dba Key West Songwriters Festival for a street closure and free concert at the Truman Waterfront Amphitheatre starting with a street concert on the 100 and 200 block of Duval Street and Greene Street between Fitzpatrick and Ann Streets on May 11, 2019 from 5:00 p.m. to Midnight (set up at 6:00 a.m.) and a free concert at the Truman Waterfront Amphitheatre on Sunday, May 12, 2019 from 5:00 p.m. to 10:00 p.m. (set up starting at 6:00 a.m.); Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances for a concert on the 100 and 200 Block of Duval Street from 6:00 a.m. to 10:30 p.m.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages on Sunday, May 12, 2019 within an enclosed area.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 19-092

- 9 \*Authorizing Rams Head Promotions of Key West, LLC to conduct a concert at the Truman Waterfront Amphitheatre on Sunday, June 9, 2019 from 3:30 p.m. to 10:00 p.m. (access day prior and day after event); Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 19-093

- 10                   \*Authorizing the Key West Mermaid Festival, Inc. to conduct a Mermaid Parade on Saturday, July 6, 2019 from 8:00 a.m. to 11:30 p.m. starting at upper Duval Street, going down Duval, turning left on Front Street, left on Whitehead Street and right into the Truman Waterfront Park and a Festival on the grassy area surrounding the splash pad from 12:00 p.m. to 6:00 p.m.; Authorizing a party on Sunday, July 7, 2019 from 11:00 a.m. to 6:00 p.m. at the Simonton Street Beach parking lot; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

**Sponsors:**           City Manager Scholl

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

**Passed**

Enactment No: Res 19-094

- 11                   \*Authorizing a \$2,000.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds), pursuant to Florida Statutes Section 932.7055, to the Keys to be the Change, Inc. Program.

**Sponsors:**           City Manager Scholl

**Attachments:**       [Resolution](#)  
                                  [Executive Summary](#)  
                                  [Donation request](#)

**Passed**

Enactment No: Res 19-095

- 12 \*Authorizing an expenditure of Law Enforcement Trust Funds (Forfeiture Funds) in an amount not to exceed \$13,810.00 for tuition, lodging, fuel and per diem expenses for one KYPD Officer to attend the Southern Police Institute 84th Command Officers Development Course (CODC) between March and July, 2019.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Training Request](#)  
[CODC Registration](#)

**Passed**

Enactment No: Res 19-096

- 13 \*Authorizing the purchase of One (1) Ford F-250XL 4WD Diesel 4-door crew cab in a total amount not to exceed \$42,048.00 from Duval Ford Fleet Sales, through piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA18-VEL26.0 Contract, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Police Department.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[DUVAL - F-250 Sheriffs Quote](#)  
[Executive Summary](#)  
[Coggins Ford F-250 State Contract Quote](#)  
[DUVAL - F-250 State Quote](#)  
[State Contract Awarded Dealers](#)  
[Sheriff Contract Awarded Dealers](#)  
[State Contract F-250 Pricing](#)  
[Sheriff Contract Number](#)  
[Sheriffs Contract Effective Dates](#)

**Passed**

Enactment No: Res 19-097

- 14 \*Approving transfer of Mobile Vendor License (MVL) #12777 from Joe Sweeney to Keith Roberts due to hardship.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 19-098

- 15 \*Approving the attached "Exhibit A" (2019-20) to the "State of Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement, Contract ARU46"; Authorizing the City Manager to execute any necessary documents, upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Exhibit A 2019-20](#)  
[Resolution 15-224](#)

**Passed**

Enactment No: Res 19-099

- 16 \*Authorizing the City's Community Development Office to submit a grant application to the U.S. Department of Housing and Urban Development for renewal funding of Housing Opportunities for Persons with AIDS (HOPWA) Program with the City of Key West as "Applicant" and AIDS Help, INC. as "Sponsor".

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Grant Application Supporting Information](#)

**Passed**

Enactment No: Res 19-100

- 17                    \*Rescinding Resolution No. 18-122 for purchase of one Ford F250 XL from Keys Auto Sales; Authorizing the purchase of one (1) Ford F-250XL 4WD Diesel 4-Door Crew Cab in a total amount not to exceed \$42,048.00 from Duval Ford Fleet Sales, through piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA18-VEL26.0 Contract, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Police Department.

**Sponsors:**            City Manager Scholl

**Attachments:**        [Resolution](#)  
[Executive Summary](#)  
[Resolution 18-122](#)  
[DUVAL - F-250 quote State Contract](#)  
[Coggins Ford F-250 quote State Contract](#)  
[DUVAL F-250 quote Sheriffs](#)  
[State Contract F-250 Pricing](#)  
[State Contract awarded dealers](#)  
[Sheriff Contract awarded dealers](#)  
[Sheriff Contract Effective Dates](#)  
[Sheriff Contract Number](#)

**Passed**

Enactment No: Res 19-101

- 18                    \*Reappointing Bill Fortune to the Board of Trustees of the Police Officer's and Firefighter's Retirement Plan (retired Police position).

**Sponsors:**            Mayor Johnston

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

**Passed**

Enactment No: Res 19-102



19                   \*Reappointing Kevin Cates to the Board of Trustees of the Police Officer's and Firefighter's Retirement Plan (retired Firefighter position).

Sponsors:       Mayor Johnston

Attachments:    [Resolution](#)  
                          [Request Letter from KWPF](#)

**Passed**

Enactment No: Res 19-103

**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.**

20

Approving award of the Bid of Integrated Fire and Security Solutions, Inc. in response to ITB 19-008 in a total amount not to exceed \$398,220.00, for City of Key West Comprehensive CCTV Security System - Road Surveillance and Monitoring - Duval Street, Mallory Square and Outer Mole; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney; Approving necessary budget amendments.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Vetted Security Solutions](#)  
[Johnson Controls](#)  
[\\*Large File\\* IFSS](#)  
[FL Keys Electric](#)  
[Bid Totals Summary](#)  
[City Clerk Bid Summary](#)  
[ITB #19-008 DUVAL MALLORY OUTER MOLE](#)  
[ITB #19-008 Addendum #1](#)  
[ITB #19-008 Addendum #2](#)  
[Email communication requesting clarification](#)  
[Integrated Fire and Solutions Additional Info-Clarification Request](#)  
[City of Key West Request for Additional Info From IFSS](#)

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

Enactment No: Res 19-104

21

Approving the evaluation panel ranking of the proposals received for Key West Amphitheater Venue Management Services in response to RFQ No. 19-003; Authorizing the City Manager to negotiate and execute a contract in substantial conformance with the terms and conditions contained in RFQ No. 19-003 upon the advice and consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Evaluation Panel Ranking Sheet](#)  
[\\*Large File\\* Rams Head Promotions of Key West Proposal](#)  
["Large File" We've Got the Keys - AAG Live Proposal](#)  
[RFQ 19-003 KW Amphitheater Management](#)  
[Addendum 1](#)  
[Addendum 2](#)  
[Addendum 3](#)  
[Ranking Meeting Minutes](#)  
[Pre-Proposal Sign In Sheet](#)  
[Pre-Proposal Meeting Agenda](#)  
[Letters from We've Got the Keys - AAG Live](#)  
[Letters from Oh Wook Productions and Key West Songwriters Festival](#)

**A motion was made by Commissioner Wardlow, seconded by Commissioner Kaufman, that the Resolution be Passed.**

**After discussion a motion was made by Commissioner Kaufman, seconded by Commissioner Hoover, that the Resolution be Postponed to April 2, 2019. 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)**

- 22 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by amending Section 2-773, "Cone of Silence" to add a provision if only one vendor has responded to a solicitation; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. 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: Ord 19-08

- 23 An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Article VI entitled "Mobile Vendors", Section 18-325 "Transferability" to afford equal rights to Registered Domestic Partners as provided for spouses; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Mayor Johnston, Commissioner Wardlow, Commissioner Kaufman, Commissioner Davila, Commissioner Hoover, Commissioner Lopez and Commissioner Weekley

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

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

Enactment No: Ord 19-09

#### CITIZEN COMMENTS

#### COMMISSION COMMENTS

**ADJOURNMENT 7:02 P.M.**