



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail - Final City Commission

Tuesday, September 16, 2014

6:00 PM

Old City Hall

Revised Agenda 9-16-2014

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 at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

CALL MEETING TO ORDER

ROLL CALL

INVOCATION - Kimberley Debus, M. Div, One Island Family

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

ORDINANCES - SECOND READING (Public Hearing)

- 1 An Ordinance of the City of Key West, Florida, Adopting an Ad Valorem Tax General Municipal Millage Rate for FY 2014-2015; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[E-mail from Rick Boettger](#)

Legislative History

9/4/14

City Commission

Passed to Second Reading

RESOLUTIONS (Public Hearing)

- 2 Adopting the Final Budget for FY 2014-2015 and providing appropriations in accordance therewith.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Personnel Allocations](#)
[10 Year staffing level](#)
[Proposed Reclassifications](#)
[General Fund - Revenues](#)
[City Commission](#)
[City Manager](#)
[City Clerk](#)
[Citizens Review Board](#)
[Parking](#)
[Finance](#)
[Human Resources](#)
[Information Technology/Channel 77](#)
[City Attorney](#)
[City Planner](#)
[Fleet Service Management](#)
[Non-Departmental](#)
[Engineering](#)
[Public Works](#)
[Facilities Maintenance](#)
[Disaster Recovery](#)
[Police Department](#)
[Fire Department](#)
[Building Services](#)
[Code Compliance](#)
[Emergency Preparedness](#)
[Emergency Medical Services](#)
[Tree Commission](#)
[Homeless Services](#)
[Port Operations](#)
[Truman Waterfront](#)
[Parks & Recreation](#)
[Cultural Preservation Society \(CPS\)](#)
[Infrastructure Surtax Fund](#)
[Gas Tax](#)
[Caroline Street Redevelopment Area Fund](#)
[Fort Taylor Surcharge Fund](#)
[Affordable Housing Fund](#)

[Capital Projects](#)
[Sewer Fund](#)
[Stormwater Utility Fund](#)
[Solid Waste Fund](#)
[Key West Bight Fund](#)
[Transit System Fund](#)
[Garrison Bight Fund](#)
[Insurance Fund](#)
[Bahama Village Redevelopment Area Fund](#)
[Navy Outer Mole payments](#)
[CIP Infrastructure Surtax](#)
[CIP Gas Tax](#)
[CIP Captial Projects](#)
[CIP Sewer](#)
[CIP Stormwater](#)
[CIP Solid Waste](#)
[CIP Key West Bight](#)
[CIP Transit](#)
[CIP Garrison Bight](#)

COMMENDATIONS

3 Recognizing Kevin Collins for serving on the Citizen Review Board.

Sponsors: Mayor Cates

Attachments: [Commendation](#)

PRESENTATIONS

4 Model Homeless Shelter - Mr. Keith Oropeza

Sponsors: City Manager Scholl

Attachments: [KOTS Relocation Site Plan](#)

[KOTS elevation](#)

Legislative History

9/3/14 City Commission Postponed

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 *September 4, 2014 (Special)

Attachments: [Minutes](#)

RESOLUTIONS

6 *ReAppointing David A. Jackson to the Tree Commission.

Sponsors: Mayor Cates

Attachments: [Resolution](#)

[Resume](#)

7 *Authorizing the Key West Parrot Head Club, Inc. to conduct a Welcome Street Party on Wednesday, October 29, 2014 from 9:00 A.M. to 9:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Charles Street; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 9:00 A.M. to 9:00 P.M.; Authorizing the sale and consumption of alcoholic beverages with the enclosed area.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[*Large File* Application](#)

[Advertisement](#)

8 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to We've Got the Keys for a wedding ceremony and reception at the Hemingway House on Whitehead Street during the hours of 5:30 P.M. to 12:00 Midnight on Sunday, March 29, 2015.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Application](#)

[Advertisement](#)

9 *Approving a Mural to be painted at 516 White Street.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Excecutive Summary](#)
[Agreement](#)
[HARC letter of approval](#)
[HARC staff report](#)

Legislative History

6/24/14 Historic Architectural Approved
 Review Commission

- 10** *Approving the attached Joint Participation Agreement (JPA) between the City and the Florida Department of Transportation (FDOT) for funding for a new Mooring Dolphin at the Mallory T-Pier in an amount not to exceed \$762,000.00 (Project FM 435035-1-94-01/Contract ARJ38); Authorizing necessary budget transfers; Authorizing the City Manager to execute the attached JPA.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Joint Participation Agreement](#)
- 11** *Approving Change Order Number one from Douglas N. Higgins in an amount of \$15,825.40 for tasks and materials related to increased scope of work on the Navy Mole Pier Fender Replacement project (OM 1302).
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Change Order 1](#)
[Change Directive](#)
[Resolution 14-195](#)
- 12** *Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow a change order for PO 76386 to Government Services Group in the amount of \$13,800.00 for mailing of Solid Waste and Stormwater notices as part of Annual Non-Ad Valorem Assessment process (amended Purchase Order total of \$26,300.15).
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Appendix A](#)
- 13** *Authorizing a Purchasing Exception pursuant to Section 2-797(1) of the Code of Ordinances, to allow an increase not to exceed \$16,150.00 in cumulative expenditures during FY13-14 to Metler Toledo on a sole

source basis (\$16,150.00 increase to Purchase Order 77037 to a total of \$30,704.00).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Appendix A](#)

14

*Approving a Task Order under the City's General Services Contract with Douglas N. Higgins, Inc. in a total amount not to exceed \$42,008.01 for sidewalk replacement in the 300 Block of Whitehead Street and 400 Block of Eaton Street.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Proposal](#)

[Resolution 13-314](#)

15

*Authorizing the payment of insurance premiums from Preferred Governmental Insurance Trust (PGIT) as submitted by Public Risk Insurance Agency (PRIA) in the amount of \$1,026,883.00 for the City's Property and Casualty Insurance Premiums for Policy Year 2014/2015; Authorizing acceptance of the proposals received from Travelers, Hartford, Great American, Commerce & Industry, Illinois Union, Indian Harbor and the NFIP as submitted by Public Risk Insurance Agency (PRIA) for crime coverage (\$3,284.00), AD&D (\$5,801.00), Marine Coverage (\$62,544.00), Pollution Coverage (\$28,350.00) and Flood Coverage (\$68,211.00) respectively; Authorizing the City Manager to execute all documents consistent therewith.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Key West Proposal 2014-2015](#)

[Key West Premium Comparison 2014-2015](#)

[Resolution 14-061](#)

[Resolution 13-233](#)

[Resolution 09-247](#)

16

*Approving the attached Supplemental Joint Participation Agreement number two (SJPA #2) for contract ARB19 between the Florida Department of Transportation (FDOT) and the City of Key West, to amend the maximum participation or grant award from FDOT from \$433,406.00 542,452.00, reflecting an increase of \$109,046.00, to be used for operating expenses of the fixed route Bus Transit System.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement #2](#)
[Resolution 14-203](#)
[Resolution 14-124](#)
[Resolution 14-049](#)

- 17 *Authorizing the City Manager to enter into an agreement with Deutsche Bank National Trust Company, property owner(s) in Code Compliance file No. 11-121 (1721 Johnson Street) permitting a Release of Lien upon payment by the owners of the amount of \$3,300.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Support Documents](#)

- 18 Rescinding Resolution No. 14-214, regarding the nomination of property located at 1012 Fleming Street for acquisition by the Monroe County Land Authority.

Sponsors: Commissioner Johnston

Attachments: [Resolution](#)
[Resolution 14-214](#)
[*Large File* Habitat Project Proposal](#)
[Property Appraiser Information](#)
[*Large File* Building Analysis Report](#)
[Floor Plans](#)

- 19 **QUASI-JUDICIAL HEARING: EASEMENT & FEE WAIVER**
Approving an Easement of 129 square feet, more or less, to address the encroachment of existing brick pavers into City Right-of-Way abutting the property located at 951-955 Caroline Street, Key West, Florida (RE # 00002970-000000; AK # 1003069); Providing fees and conditions.

Proposed for Postponement

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement](#)
[*Large File* Easement Application](#)
[Site Photos](#)
[Fee Waiver Request](#)
[Mailing Labels](#)
[CC Resolution No 95-324 - Prelim Dev Agr](#)

Legislative History

2/27/14	Development Review Committee	Received and Filed
8/5/14	City Commission	Postponed
8/19/14	City Commission	Postponed

20

QUASI-JUDICIAL HEARING: MAJOR DEVELOPMENT PLAN, CONDITIONAL USE & LANDSCAPE WAIVER

Granting Major Development Plan, Conditional Use and Landscape Waiver approvals pursuant to Sections 108-91.A.2., 108-517, 122-62 and 122-718 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for the reconstruction of 2,500 or greater of gross floor area for the modification and continuation of public utility and parking lot uses and for the reduction of required Landscaping associated with the proposed renovation of the Keys Energy Office Building on property located at 1001 James Street (RE # 00001700-000000, AK # 1001767) in the Historic Residential Commercial Core - Key West Bight (HRCC-2) Zoning District; Providing conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*LARGE FILE* Revised Plans](#)
[Planning Board Resolution No. 2014-47](#)
[*LARGE FILE* Planning Board Package](#)

Legislative History

6/5/14	Development Review Committee	Passed
7/24/14	Planning Board	Passed

ORDINANCES – FIRST READING

21

An Ordinance of the City of Key West, Florida, amending Chapter 26 entitled “Environment”, by adding Article VI entitled “Unmanned Aircraft” to provide privacy and safety protections until such time as State or Federal Regulations preempt this Ordinance; Adding Section 26-300,

Purpose and Intent; Adding Section 26-301, Definitions; Adding Section 26-302, Registration; Adding Section 26-303, Prohibitions; Adding Section 26-304, Exceptions; Adding Section 26-305, Penalty; Adding Section 26-306, Sunset Provisions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

[Executive Summary](#)

[Letter from Michael Doyle](#)

[Letter from Rick Boettger](#)

Legislative History

9/3/14

City Commission

Postponed

RESOLUTIONS - CONTINUED

22

PROPOSED ADD-ON:

Approving the return of \$59,785.26 and to the Federal Emergency Management Agency through the State of Florida; Returning, an additional \$53,893.16 to the State of Florida regarding an unintentional duplication of benefits for a Disaster Recovery Grant from Tropical Storm Isaac for the restoration of Smathers Beach.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[FEMA policy](#)

23

PROPOSED ADD-ON:

Approving the Attached Stipulated Settlement Agreement in the Case of Matthew Klosowski v. City of Key West (Case 2007-CA-1642-K); Authorizing the City Manager and the City Attorney to execute necessary documents.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)

[City Attorney Memorandum](#)

[First Amended Complaint](#)

[Stipulated Settlement Agreement](#)

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

