



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, March 6, 2018

6:00 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 FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

CALL MEETING TO ORDER - 6:00 PM

ROLL CALL

Absent 1 - Commissioner Payne

Present 6 - Commissioner Kaufman, Commissioner Lopez, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

INVOCATION - Rev. Denise McLeod, Trinity Presbyterian Church

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PROCLAMATIONS

1 Transit Operator Appreciation Day

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

2 Marine Maritime Day 2018

Sponsors: Mayor Cates

Postponed to May 1, 2018.

PRESENTATIONS

City Attorney's Report

City Manager's Report

DISCUSSION

3 Relocation of KOTS

Sponsors: Mayor Cates

Discussed

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

4 *February 21, 2018 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

- 5 *Urging the Florida Legislature to pass legislation substantially similar to that contained in Indiana Code Title 35-47-14-3, attached, which allows law enforcement officers to seize a firearm without a warrant, upon belief that the armed person is dangerous; Supporting the Monroe County School District's efforts to provide for a safe learning environment.

Sponsors: Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Attachments: [Resolution](#)
[Indiana Code 35-47-14-3](#)

Passed

Enactment No: Res 18-081

- 6 *Authorizing Mundaka, LLC dba Lucy's Retired Surfers Bar & Restaurant to conduct the St. Patrick's Day Celebration on March 17, 2018, from 12:00 P.M. to 9:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of James Street between Grinnell and Margaret Streets from 12:00 P.M. to 9:00 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 2:00 P.M. to 9:00 P.M.; Authorizing the sale and consumption of alcohol beverages within the enclosed area.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 18-082

- 7 *Authorizing Mote Marine Laboratory, Inc. to conduct a "Florida Keys Ocean Festival" at the Truman Annex, 38 East Quay Road (Eco-Discovery) on Saturday, April 14, 2018 from 10:00 A.M. to 6:00 P.M. (Set Up Friday, April 13, 2018); Pursuant to terms and conditions set forth by the City Manager; Authorizing the use of the Truman Waterfront next to Eco Discovery from 10:00 A.M. to 6:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 18-083

- 8 *Adopting and approving the attached City of Key West Department of Transportation Substance Abuse Management Policy (SAMS) (updated January 2018); Authorizing the City Manager or his designee to execute the SAMS and submit same to the U.S. Department of Transportation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [KWT Substance Abuse Management Policy](#)
 [Resolution 13-234](#)
 [2013 SAMS Policy](#)

Passed

Enactment No: Res 18-084

- 9 *Approving the purchase and installation of four Syncromatics Mobile Data Terminals with accessories, as described in the attached price quote dated February 13, 2018 from Syncromatics Corporation, in an amount not to exceed \$51,613.00 on a Sole Source Basis, and in the Best Interests of the City, pursuant to Section 2-797(1) and 2-797(4)(b) of the Code of Ordinances; Authorizing the City Manager or designee to execute any necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Quote \(4 MDT's\) FY18](#)
 [Sole Source](#)
 [Resolution 14-009](#)

Passed

Enactment No: Res 18-085

- 10 *Approving final closeout reconciliation to D.L. Porter Constructors, Inc. in an amount not to exceed \$93,758.88 for unforeseen conditions and additional work required for the Frederick Douglass Community Center Project; Authorizing a time extension of 130 calendar days for substantial completion of the project (to January 14, 2018); Authorizing necessary budget transfers/amendments; Authorizing the City Manager to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Change Order Request No. 8](#)
 [Change Order Request No.12](#)
 [Change Order 8 \(Final\)](#)
 [*Large File* Resolution 16-198](#)

Passed

Enactment No: Res 18-086

- 11 *Approving Task Order 13, Phase 1, under the City's Environmental Engineering Services Contract with Atkins North America, Inc. (Atkins) in a total amount not to exceed \$46,963.00 for site assessment and preliminary design for the South Beach Nourishment Project; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Task Order 13](#)
 [Resolution 17-299](#)
 [Executed Agreement](#)

Passed

Enactment No: Res 18-087

Approval of the Consent Agenda

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

- 12 Requesting that the Historic Architectural Review Commission (HARC) review the determination of the Chief Building Official regarding the demolition of certain structures at the Historic Diesel Energy Plant at 100 Angela Street/Geraldine Street, and make recommendations to the City Commission.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)
 [Supporting Ordinance and Statutes](#)
 [*Large File* Chief Building Official Documents](#)
 [HARC Report](#)

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

Absent: 1 - Commissioner Payne

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

Enactment No: Res 18-088

13 In Support of Students of Marjory Stoneman Douglas High School.

Sponsors: Commissioner Payne, Commissioner Wardlow, Commissioner Weekley, Commissioner Kaufman and Mayor Cates

Attachments: [Resolution](#)
[Letter from Commissioner Payne](#)

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

Enactment No: Res 18-089

14 Directing the City Manager to place a stop sign at the corner of Frances Street and Southard Street.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[Code Section 70-31](#)
[Petition](#)

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

No: 1 - Commissioner Wardlow

Absent: 1 - Commissioner Payne

Yes: 5 - Commissioner Kaufman, Commissioner Lopez, Commissioner Romero, Commissioner Weekley and Mayor Cates

Enactment No: Res 18-090

15

Authorizing the Key West Art & Historical Society to conduct the Papiro Kinetic Parade & Concert at the Truman Waterfront Amphitheatre on Saturday, May 5, 2018 from 5:00 P.M. to 9:00 P.M.; 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](#)

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

Absent: 1 - Commissioner Payne

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

Enactment No: Res 18-091

16

Approving the committee ranking of the proposals received for EMS Billing Agency Services in response to RFP No. 002-18; Authorizing the City Manager to negotiate and execute a contract in conformance with the terms and conditions contained in RFP 002-18 upon the advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[RFP #002-18 EMS Billing Services](#)
[RFP #002-18 Addendum #1](#)
[RFP #002-18 Ranking Meeting Notes](#)
[RFP #002-18 Scoring Sheets and Summary](#)
[*Large File* Proposal Intermedix](#)
[*Large File* Proposal Ambulance Medical Billing](#)
[*Large File* Proposal Change Healthcare](#)
[*Large File* LifeQuest](#)

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

Absent: 1 - Commissioner Payne

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

Enactment No: Res 18-092

- 17 Rejection of all bids received in response to Invitation to Bid (ITB) #18-015, for CCTV Surveillance System for Mallory Square and Outer Mole pursuant to Section 2-834(4) of the Code of Ordinances.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bid Tabulation](#)
[IFSS Proposal](#)
[HY-TECH Proposal](#)
[ITB #18-015](#)
[Addendum #1](#)
[Addendum #2](#)

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

Absent: 1 - Commissioner Payne

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

Enactment No: Res 18-093

- 18 Authorizing the City Manager to enter into a Contract, pursuant to City Code Section 2-797(4)(b), Best Interests of the City, between the City and Arnold's Towing & Marine Repair, Inc., for Towing Services; Authorizing the City Manager to execute the Contract upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Resolution 16-063](#)

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

No: 1 - Commissioner Kaufman

Absent: 1 - Commissioner Payne

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

Enactment No: Res 18-094

19

QUASI-JUDICIAL HEARING:

Easement 1126 Stump Lane

Approving an easement of 233 square feet, more or less, to address the encroachment of a one story framed structure with a loft, a front porch, wood entryway steps with railings, brick pavers, a fence within a planter, and a side fence which encroach onto the Stump Lane Right-of-Way located at 1126 Stump Lane, Key West, Florida (RE #00006800-000000); Providing fees and conditions.

Sponsors: City Manager Scholl

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

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

Enactment No: Res 18-095

ORDINANCES - SECOND READING (Public Hearing)

20

An Ordinance of the City of Key West, Florida, authorizing assignment of the Sightseeing Franchise granted in Key West Ordinance No. 17-06 from Cityview Trolley Tours of Key West, Inc. to Buggy Bus, Inc., pursuant to Section 6. of the Ordinance; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)
[Request for Assignment of Cityview Franchise](#)
[Ordinance 17-06](#)

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

Enactment No: Ord 18-05

21

An Ordinance of the City of Key West, Florida, authorizing assignment of all stock of Duck Tours Seafari, Inc. from Michael Thomas, Jr. to Buggy Bus, Inc., pursuant to Section 6. of the Franchise granted in Key West Ordinance No. 11-02; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)
[Request for Assignment](#)
[Ordinance 11-02](#)
[Ordinance 11-21](#)

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 18-06

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT 8:40 PM