



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final - Final

City Commission

Tuesday, February 2, 2016

6:00 PM

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

CALL MEETING TO ORDER

6:04 P.M.

ROLL CALL

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

INVOCATION - Pastor Steve Torrence, Metropolitan Community Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Robert D. Harvey Ambassador to Cuba

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

City Attorney's Report
- Mosquito Control District Offer to Purchase Property

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 *January 20, 2016 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

3 *Re-appointing J. Jon Ashby to the Key West Bight Management District Board.

Sponsors: Mayor Cates

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

Passed

Enactment No: Res 16-042

4 *Re-appointing Daniel “Danny” Hughes to the Key West Bight Management District Board.

Sponsors: Mayor Cates

Attachments: [Resolution](#)
[Letter from Daniel Hughes](#)
[Daniel Hughes Resume](#)

Passed

Enactment No: Res 16-043

5 *Re-appointing Michael Knowles to the Key West Bight Management District Board.

Sponsors: Mayor Cates

Attachments: [Resolution](#)
[Michael Knowles Bio](#)

Passed

Enactment No: Res 16-044

- 6 *Re-appointing Kathryn A. Ovide to the Key West Bight Management District Board.

Sponsors: Mayor Cates

Attachments: [Resolution](#)
[Letter from Kathy Ovide](#)
[Resume](#)

Passed

Enactment No: Res 16-045

- 7 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Justin Donoghue for a wedding at the Key West Garden Club (West Martello Towers) between the hours of 6:30 P.M. to 12:00 A.M. on Saturday, February 20, 2016.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 16-046

- 8 *Granting a Special Event Permit pursuant to Section 6-86 of the Code or Ordinances to the Rotary Club of Key West, Inc. for a Moon Splash Reggae Concert at the East Martello Towers 3501 South Roosevelt Boulevard between the hours of 8:00 A.M. to 11:00 P.M. on Saturday, February 27, 2016.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 16-047

- 9 *Approving the attached "Second Amendment to Contract" including Exhibit 4(A), between the City and Waste Management, Inc. of Florida ("WMI").

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Second Amendment](#)
[Resolution 14-134](#)
[Resolution 14-254 First Amendment to Waste Management Contract](#)

Passed

Enactment No: Res 16-048

10

*Approving the purchase and installation of a mobile data terminal upgrade from Syncromatics Corporation for the Real Time Passenger Information System (RTPI) Management/Hosting as set forth in the attached "Syncromatics Corporation and City of Key West Department of Transportation Hardware Addendum" for use in Key West Department of Transportation Buses 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.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Original Agreement](#)
[Agreement Renewal](#)
[Syncromatics 2008 Proposal](#)
[Key West Hardware Upgrade Addendum](#)
[New Quote - Hardware](#)
[Resolution 14-009](#)

Passed

Enactment No: Res 16-049

11

*Approving the purchase of \$34,378.00 of Flexi-Pave Material from K.B. Industries, Inc. on a Sole Source Basis pursuant to Section 2-797(1) for brand name items in accordance with 2-844 of the Code of Ordinances for installation in areas as described in the attached executive summary.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Material Quote](#)
[Resoution 09-220](#)
[Resolution 09-263](#)

Passed

Enactment No: Res 16-050

12

*Authorizing the purchase of three (3) marked Ford Police Interceptor Sedan Vehicles (\$30,739.00 each) from Don Reid Ford Fleet sales, pursuant to Section 2-797(3) of the Code of Ordinances (Florida Sheriff's Bid Award 15-23-0903) in the total amount of \$92,217.00 for use by the Key West Police Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Florida State Contracat-Awarded Dealers](#)
[Florida State Contract-Effective Dates](#)
[Ford Police Interceptor-Factory Specs](#)
[Interceptor Sedan-Don Reid- State Contract Quote](#)
[Interceptor Sedan-Don Reid Sheriff's Ford Qoute](#)
[Interceptor Sedan-Duval-Sheriff's quote](#)
[Florida Sheriffs Association Ford Interceptor](#)
[Sheriff's Bid-Effective dates-awarded dealers](#)
[Resolution 15-316](#)
[Duncan Letter](#)

Passed

Enactment No: Res 16-051

13

*Awarding the Bid of Pedro Falcon Electrical Contractors, Inc. for the design and build of a Pre-engineered Steel Building and Foundation on Fleming Key adjacent to the Richard A. Heyman Environmental Protection Facility, in an amount not to exceed \$167,509.00 in accordance with the terms specified in ITB 007-16; Authorizing the City Manager to execute a contract on behalf of the City of Key West.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bid Summary](#)
[City Clerk Bid tabulation](#)
[City Bid #007-16](#)
[Addendum 1](#)
[Addendum 2](#)
[*Large File* Pedro Falcon Contractors proposal](#)
[*Large File*PJ Callaghan Co. proposal](#)
[Sea Tech of FL Keys proposal](#)
[Charley Toppino & Sons proposal](#)

Passed

Enactment No: Res 16-052

- 14** *Approving the attached form of “Charterboat Dockage Agreement - City Marina at Garrison Bight” (five-year term); Approving an annual rent adjustment of CPI.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Charterboat Agreement 2016 Final](#)
[Previous Lease as Amended](#)
[Rate Comparison](#)

Item Postponed to February 17, 2016 meeting.

Approval of the Consent Agenda

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

- 15** Requesting the U.S. Congressional Delegation for the City of Key West to intercede on behalf of the City of Key West to regain full use of properties taken in Truman Harbor; Authorizing the City Clerk to provide certified copies of this resolution to Senators Bill Nelson, Marco Rubio and Congressman Carlos Curbelo.

Sponsors: Commissioner Payne

Attachments: [Resolution](#)
[Truman Waterfront Paper](#)

A motion was made by Commissioner Payne, seconded by Commissioner

Weekley, that the Resolution be Passed. 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 16-053

16

Approving the location and placement of a fountain and plaque donation to the City of Key West at Jose Marti Pond located at the southeast corner of Roosevelt Boulevard and Eisenhower Drive, Key West, Florida.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Donation Agreement](#)
[Application Package](#)

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

Enactment No: Res 16-054

17

Approving the attached Second Amendment to Employment Agreement between the City and the City Manager providing for an extension of the term under the same terms and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Resolution 14-309](#)
[Resolution 14-175](#)

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

No: 1 - Commissioner Wardlow

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

Enactment No: Res 16-055

18

Ranking the respondents to City of Key West Request for Proposals (RFP) No. 16-003 for Grant Writing Services; Directing the City Manager to negotiate a contract with the highest ranked firm for City Commission approval.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[RFP 16-003 Grant writing services](#)
[Addendum](#)
[City Clerk's bid memo](#)
[Sheila Griffin proposal](#)
[*Large File* Government Services Group Proposal](#)
[*Large File* Langton Associates/In Rem Solutions Proposal](#)
[*Large File* Thomas P. Miller and Associates Proposal](#)
[*Large File* Writers at Large / Angie Brewer Associates Proposal](#)
[*Large File* Committee Ranking Forms](#)
[Ranking Committee Matrix](#)
[Langton Appeal Letter](#)
[City and Langton E-mail Communication](#)
[City Clerk's Conversation with Mr. Langton](#)
[Correspondence](#)

A motion was made by Commissioner Clayton Lopez, seconded by Commissioner Richard Payne, ranking and selecting Writers at Large/Angie Brewer and Associates, LC and that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 16-056

19

**QUASI-JUDICIAL HEARING: MINOR DEVELOPMENT PLAN
 420-422 APPELROUTH LANE**

Approving a Minor Development Plan for Real Property located at 420-422 Appelrouth Lane; Providing for conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Application Package](#)
[Survey](#)
[Noticing Package](#)

A motion was made by Commissioner Weekley, 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 16-057

20

**QUASI-JUDICIAL HEARING: MAJOR DEVELOPMENT PLAN
410-414 SIMONTON STREET and 411-418 BAHAMA STREET**

Granting Major Development Plan approval pursuant to Section 108-91.A.2.(a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for reconstruction and relocation of 14 existing transient units and 3 non-transient units on property located at 410 Simonton, 414 Simonton, 411 Bahama Street and 418 Bahama Street (RE #00006470-000000; AK #1006700, RE #00006460-000000; AK #1006696, RE #00006390-000200; AK #8613482, RE #00006520-000000; AK #1006751), within the Historic Neighborhood Commercial - Truman/Simonton (HNC-1) and Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) Zoning Districts.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Planning Board Resolution 2015-50](#)
[*Large File* Application package](#)
[Mailing labels](#)

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 Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Enactment No: Res 16-058

ORDINANCES – FIRST READING

The Mayor Recessed the meeting at 8:25 pm

The Mayor Reconvened the meeting at 8:40 pm

21

An Ordinance of the City of Key West, Florida, amending Chapter 26, entitled "Environment," Article III, entitled "Litter," by amending Section 26-161 entitled "Definitions," by adding a definition of public or semi-public areas; Adding Section 26-165 entitled "Unlawful Deposit of Cigarette Butts"; Adding Section 26-166 entitled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Kaufman and Mayor Cates

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

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

Yes: 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

22

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; Adding Section 26-300, Purpose and Intent; Adding Section 26-301, Definitions; Adding Section 26-302, Prohibitions; Adding Section 26-303, Penalty; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)
[Executive Summary](#)
[*Large File* Exhibit A](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading. 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

23

An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled "Environment" by amending Article IV, entitled "Sound Control" by amending Section 26-191 to amend the definition of the term "Commercial District" by adding the HNC-3 Zoning District; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

A motion was made by Commissioner Weekley, seconded by Commissioner Payne, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Yes: 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:15 P.M.