



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, March 1, 2016

6:00 PM

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

#### CALL MEETING TO ORDER

6:01 P.M.

#### ROLL CALL

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

**INVOCATION:** Pastor Ozzie Vader, 5th Street Baptist Church

**PLEDGE OF ALLEGIANCE TO THE FLAG**

#### APPROVAL OF AGENDA

*The agenda was approved as changed without objection.*

#### PROCLAMATIONS

**1** International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade

**Sponsors:** Commissioner Kaufman, Commissioner Lopez and Mayor Cates

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

**Received and Filed**

**PRESENTATIONS**

- 2 State of the City - Mayor Cates
- Sponsors: Mayor Cates
- Attachments: [Report](#)
- Received and Filed
- 3 Florida Department of Health in Monroe County to City of Key West & #KWSKINNYCHICS - Healthiest Weight Community Champion Award
- Sponsors: Commissioner Lopez
- Received and Filed
- City Attorney's Report**
- City Manager's Report**  
- New City Hall Signage Options
- 4
- Attachments: [Signage](#)
- Received and Filed

**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 \*February 11, 2016 (Workshop)
- Attachments: [Minutes](#)
- Approved
- 6 \*February 17, 2016 (Regular)
- Attachments: [Minutes](#)
- Approved

**RESOLUTIONS**

- 7 \*Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a Keys Stock 2016 Musical Concert at the Truman Waterfront on Saturday, April 2, 2016 from 5:00 P.M. to 10:00 P.M.; Set up Friday, April 1, 2016 from 8:00 A.M. to 5:00 P.M. for a concert; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area; Granting an exemption from the Noise Control Ordinances pursuant to Section 6-86 of the Code of Ordinances during the event.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Application "Large File"](#)  
[Advertisement](#)

**Passed**

Enactment No: Res 16-071

- 8 \*Granting a Special Event Permit pursuant to Section 6-86 to Rona Younos for a wedding at the Key West Garden Club (West Martello Towers) 1100 Atlantic Boulevard between the hours of 7:00 P.M. to Midnight on Friday, June 24, 2016.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 16-072

- 9 \*Authorizing a \$4,000.00 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](#)  
[PeaceJam](#)

**Passed**

Enactment No: Res 16-073

- 10 \*Renewing for a period of two years the Professional Surveying Services Contracts originally awarded in Resolution 13-008 to Avirom & Associates, Inc. and to Florida Keys Land Surveying.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Florida Keys Land Surveying Extension Request](#)  
[Avirom Extension Request](#)  
[Resolution 13-008](#)  
[Signed Agreement Avirom](#)  
[Signed Agreement Florida Keys Land Surveying](#)

**Passed**

Enactment No: Res 16-074

- 11 \*Approving the attached "Third Amendment to Agreement" to the "Agreement for City of Key West Keys Overnight Temporary Shelter (KOTS)" between the City and the Southernmost Homeless Assistance League, Inc. (SHAL).

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Third Amendment to SHAL Agreement](#)  
[Resolution 12-096](#)  
[Resolution 13-195](#)  
[\\*Large File\\* Resolution 14-184](#)  
[\\*Large File\\* Resolution 14-289](#)  
[\\*Large File\\* Agreement](#)

**Passed**

Enactment No: Res 16-075

- 12 \*Approving a Task Order for Bermello Ajamil & Partners, Inc. for Design of a new bathroom facility at Smathers Beach in the amount of \$27,480.00; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Proposal](#)  
[Preliminary Site Plan](#)  
[Resolution 14-307](#)  
[\\*Large File\\* Tourist Development Council Application](#)

**Passed**

Enactment No: Res 16-076

- 13 \*Approving Task Order 01-2016-SW for Arcadis U.S., Inc. in an amount not to exceed \$37,400.00 to provide a Solid Waste Rate Study for preparation of the City's 2017 Solid Waste Billing; Authorizing budget transfers.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order](#)  
[Resolution 15-162](#)  
[Master Agreement](#)

**Passed**

Enactment No: Res 16-077

- 14 \*Approving Task Order 02-2016-STM for Arcadis U.S., Inc. in an amount not to exceed \$24,000.00 to provide a Rate Study for preparation of the City's 2017 Stormwater Billing.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order](#)  
[Resolution 15-162 Financial Consultants](#)  
[Master Agreement](#)

**Passed**

Enactment No: Res 16-078

- 15** \*Approving Task Order 03-2016-SWR for Arcadis U.S., Inc. in an amount not to exceed \$24,000.00 to provide a Rate Study for preparation of the City's 2017 Sewer Billing.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order](#)  
[Res 15-162 Financial Consultants](#)  
[Master Agreement](#)

**Passed**

Enactment No: Res 16-079

- 16** \*Authorizing the purchase of one Bobcat Track Loader with accessories in the total amount of \$62,493.92, from Clark Equipment Company dba Bobcat Company, including \$54,693.30 of the total amount pursuant to State of Florida Contract 22101000-15-1, and \$7,800.62, for related accessories and Felling Trailer pursuant to Section 2-797 (4)(b), Best Interests of The City.

**Sponsors:** City Manager Scholl

**Attachments:** [Resoution](#)  
[Executive Summary](#)  
[\\*Large File\\* State of Florida Department of Management Services State Purchasing Certification](#)  
[\\*Large File\\* Bobcat Brochure](#)  
[\\*Large File\\* State of Florida Contract Pricing](#)  
[Quote from Bobcat of Miami](#)

**Passed**

Enactment No: Res 16-080

- 17 \*Authorizing pursuant to Sections 2-797(4)(b) of the Code of Ordinances the purchase of Cisco Data Center Connectivity Equipment and related products from CDW-Government (CDW-G) for Glynn Archer City Hall, in an amount not to exceed \$119,798.38.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Cisco Quote](#)  
[GovConnection Quote](#)  
[CDW-G Quote](#)  
[Presidio Quote](#)  
[Side-By-Side Comparison](#)

**Passed**

Enactment No: Res 16-081

- 18 \*Authorizing pursuant to Sections 2-797(4)(b) of the Code of Ordinances the purchase of ShoreTel VOIP Phone System Equipment from GovConnection, Inc. for Glynn Archer City Hall and other City locations, in an amount not to exceed \$228,947.43.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Blackbox](#)  
[GovConnection Quote-Part 1](#)  
[GovConnection Quote-Part 2](#)  
[Key West ShoreTel Quote](#)  
[14-1943220000-WSCA-14-ACS](#)  
[DataComm 1419 ShoreTel AR627 Master Agreement](#)  
[Request for Quote from pcusa.net](#)  
[Request for Quote from Teleswitch](#)

**Passed**

Enactment No: Res 16-082

- 19                   \*Approving the purchase of pump repair services from Kaman Industrial Technologies Corporation in an amount not to exceed \$26,710.00, pursuant to Section 2-797(4)(b) of the Code of Ordinances.

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Kaman quote](#)  
                          [OMI Justification Memo](#)

**Passed**

Enactment No: Res 16-083

#### **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.**

- 20                   Authorizing the naming of the new City Hall at 1300 White Street as the "Josephine Parker City Hall at Historic Glynn R. Archer School".

**Sponsors:**       Commissioner Kaufman and Mayor Cates

**Attachments:**    [Resolution](#)  
                          [Resolution 12-127 Agreement for Conveyance of Property](#)

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

**No:** 2 - Commissioner Romero and Commissioner Wardlow

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

Enactment No: Res 16-084



- 21 Setting forth the intention of the City Commission that, in the event the Peary Court Referendums are approved by the voters of Key West, and the City acquires the Peary Court Property, any excess revenue from the rent collected from that property shall be placed into the Affordable Housing Trust Fund for the purpose of funding future workforce housing.

**Sponsors:** Commissioner Kaufman and Commissioner Weekley

**Attachments:** [Resolution](#)  
[Sample Ballot for 3-15-16 Election Including Peary Court Referendums](#)

**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 Romero

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

Enactment No: Res 16-085

- 22 Approving Change Order No. 4 in the amount of \$205,490.85 from Burke Construction Group, Inc. for construction of the New Key West City Hall at Glynn Archer construction project; Authorizing the use of project contingency funds; Extending the project substantial completion date by 90 days to May 16, 2016; Authorizing the City Manager to execute necessary documents.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Change Order #4](#)  
[Change Order #4 Documentation](#)  
[Resolution 14-348](#)  
[Resolution 15-369](#)  
[Resolution 15-169](#)  
[Bender Recommendation](#)

**A motion was made by Commissioner Romero, 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 16-086

23

Approving the purchase of Residential 96-Gallon Trash Carts from Toter, LLC. 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 of \$586,279.20, as described in the attached Executive Summary.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Toter Cart Brochure](#)  
[Toter 12 Year Warranty](#)  
[Toter Quote](#)  
[Toter Sole Source](#)  
[Sample Contract](#)  
[Brand Name Determination](#)  
[Waste Management Contract 2014](#)  
[Resolution 14-254](#)  
[Rehrig Pacific Quote](#)  
[Otto Quote](#)

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

**No:** 1 - Commissioner Kaufman

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

Enactment No: Res 16-087

### **ORDINANCES - SECOND READING (Public Hearing)**

24

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:** [Memorandum](#)  
[Executive Summary](#)  
[Ordinance](#)  
[Letter from Bobby Moore](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Adopted. 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: Ord 16-04

#### CITIZEN COMMENTS

#### COMMISSION COMMENTS

#### ADJOURNMENT

7:42 P.M.