



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Wednesday, October 2, 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 (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

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

#### ROLL CALL

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

**INVOCATION - Rev. Mother Sarah Fowler, The National Catholic Church of North America**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA - The agenda was approved unanimously as amended.**

#### PROCLAMATIONS

**1** Mary Ann Campbell Day

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

Received and Filed

**2** National Community Planning Month

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

Received and Filed

**PRESENTATIONS**

3 Dangers of Electric Scooters - Dr. Norris

Attachments: [Presentation - Ebike](#)  
[Presentation - Bike](#)

Received and Filed

4 Florida Keys National Marine Sanctuary -  
Key West Charter Boat Association,  
Mr. Brice Barr and Mr. David Paul Horan

Received and Filed

5 POSTPONED: Mount Trashmore Report

Attachments: [Resolution - Stock Island Landfill Interim Report](#)  
[Interim Report for Stock Island Landfill](#)  
[FDEP Inspection 05-06-19](#)  
[Landfill Closure Documentation 2010](#)  
[Landfill Reclamation Evaluation 2019](#)  
[FDEP Certification of Completion of Long Term Care Report 2016](#)  
[History of Waste - Citizen Article 2019](#)  
[Stock Island Landfill Presentation](#)  
[Kaufman Landfill Letter](#)  
[Monica Haskell - Letter to board](#)

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**

6 \*September 3, 2019 (Special)

Attachments: [Minutes](#)

Passed

7 \*September 11, 2019 (Special)

Attachments: [Minutes](#)

Passed

8 \*September 17, 2019 (Regular)

Attachments: [Minutes](#)

Passed

**RESOLUTIONS**

9 \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Seacups, LLC D/B/A Dantes Key West for an Official Event of Fantasy Fest at 955 Caroline Street between the hours of 11:00 A.M. to 7:00 P.M. on Thursday, October 24, 2019.

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

Passed

Enactment No: Res 19-297

- 10                   \*Authorizing Multirace, LLC to conduct their annual Triathlon on Saturday, December 7, 2019 throughout city streets; Authorizing certain street closures thereof during the event from 4:00 A.M. to noon; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances from 5:00 A.M. to noon; Authorizing the closure of the 400 Block of Southard Street for the Awards Ceremony from 4:00 P.M. to 6:00 P.M.; Pursuant to terms and conditions set for the City Manager.

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

**Passed**

Enactment No: Res 19-298

- 11                   \*Approving the attached 2020 Meeting Schedule for the Key West City Commission.

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

**Passed**

Enactment No: Res 19-299

12

\*Awarding the bid of U.S. Fence & Gate, Inc. for Key West Amphitheater fencing (at Truman Waterfront Park), in accordance with the terms specified in ITB 19-024, in an amount not to exceed \$89,737.00; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute a contract in substantial conformance with the contract documents contained in the bid package and upon advice and consent of the City Attorney.

**Attachments:**[Resolution](#)[Executive Summary](#)[Bid Tabulation Memorandum](#)[\\*Large File\\* US Fence & Gate Bid](#)[\\*Large File\\* Design Center Bid](#)[\\*Large File\\* Invitation to Bid](#)[Fencing Specs](#)[TDC Grant](#)[TDC Grant Resolution](#)**Passed**

Enactment No: Res 19-300

- 13 \*Ratifying Emergency Change Order #1 pursuant to Section 2-845 of the Code of Ordinances to Charley Toppino & Sons, Inc. in an amount not to exceed \$19,759.40 for additional services under the pavement markings, striping and roadway signage project approved in Resolution 17-169; Authorizing necessary budget transfers/amendments; Authorizing the City Manager to execute necessary documents.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Change Order 1](#)  
                              [Resolution 17-169](#)  
                              [Contract](#)  
                              [Budget Transfer Form](#)

**Passed**

Enactment No: Res 19-301

- 14 \*Approving a mural titled "Spirit of Stonewall" on the south side facade at 711 Duval Street.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Photograph of The Spirit of Stonewall Mural](#)  
                              [Approved Certificate of Appropriateness](#)

**Passed**

Enactment No: Res 19-302

- 15                    \*Authorizing Key West Port Operations, with the Key West Police Department, to accept grant award no. EMW-2019-PU-00312-S01 in the amount of \$102,791.00 from the Department of Homeland Security Port Security Grant Program (PSGP) (City match \$34,264.00) for acquisition of an unmanned aircraft system and 3d laser scanner camera.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Award Package](#)  
                              [Application](#)

**Passed**

Enactment No: Res 19-303

- 16                    \*Approving the attached Mutual Aid Agreement between the City of Key West and the Monroe County School District (MCSD) for the Safe-School Officer Program at Key West High School, Horace O'Bryant School, Poinciana Elementary, Gerald Adams Elementary, Sigsbee Charter for the 2019-2020 School Year.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [SRO 2019-2020](#)

**Passed**

Enactment No: Res 19-304

- 17 \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 915 Eisenhower Drive between the City and Pelican Landing, A Private Fishing Condominium, Inc.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[2019 Submerged Land Lease Renewal](#)  
[14-244 Submerged Lands Lease 915 Eisenhower Drive Pelican Landing](#)

**Passed**

Enactment No: Res 19-305

- 18 \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 903 Eisenhower Drive between the City and Harborside Motel and Marina, Inc.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[2019 Submerged Land Lease Renewal](#)  
[14-243 Submerged Land Lease 903 Eisenhower Drive Harborside Motel and Marina](#)

**Passed**

Enactment No: Res 19-306

- 19 \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 815-833 Eisenhower Drive between the City and Harbor Lodge Condominium Owners Association, Inc.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[2019 Submerged Land Lease Renewal](#)  
[14-242 Submerged Lands Lease 833 Eisenhower Drive Harbor Lodge Condominium Owners Assoc.](#)

**Passed**

Enactment No: Res 19-307



- 20 \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 801 Eisenhower Drive between the City and Old Town Trolleys of Washington DC, A District of Columbia Corporation, to become effective January 1, 2020.

**Attachments:**     [Resolution](#)  
                                  [Executive Summary](#)  
                                  [2019 Submerged Land Lease Renewal](#)  
                                  [15-152 Lease assignment 801 Eisenhower 5.15](#)  
                                  [15-068 Submerged Land Lease 801 Eisenhower](#)

**Passed**

Enactment No: Res 19-308

- 21 \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 719 Eisenhower Drive between the City and Paradise Harbor Condominium Association, Inc.

**Attachments:**     [Resolution](#)  
                                  [Executive Summary](#)  
                                  [2019 Submerged Land Lease Renewal](#)  
                                  [14-241 Submerged Lands Lease 719 Eisenhower Drive Paradise Harbor Condominium Assoc](#)

**Passed**

Enactment No: Res 19-309

- 22 \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 711-717 Eisenhower Drive between the City and Garrison Bight Marina, Inc.

**Attachments:**     [Resolution](#)  
                                  [Executive Summary](#)  
                                  [2019 Submerged Land Lease Renewal](#)  
                                  [14-251 Submerged Lands Lease 711-717 Eisenhower Drive Island Tranquility](#)  
                                  [2017-10-05- Lease Assignment 711-717 Eisenhower Submerged Lands Lease](#)

**Passed**

Enactment No: Res 19-310

- 23                    \*Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 701 Palm Avenue between the City and A-1 Boat Services, Inc.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [2019 Submerged Land Lease](#)  
                              [14-246 Submerged Lands Lease 701 Palm Avenue A-1 Boat Service](#)

**Passed**

Enactment No: Res 19-311

#### **Approval of the Consent Agenda**

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

- 24                    Approving the attached “Submerged Lands Lease” for City-Owned submerged lands in Garrison Bight adjacent to 1601-05 North Roosevelt Boulevard between the City and Garrison Bight Investors, Ltd.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [2019 Submerged Land Lease Renewal](#)  
                              [14-245 Submerged Lands Lease 1601-05 N Roosevelt Blvd Garrison Bight Investors](#)

**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 19-312

#### **ORDINANCES - FIRST READING**

25

An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles," Division 3 entitled "Parking Rates," by adding Section 70-189 to establish parking rates for the Jackson Square parking lot and the 500 block of Thomas Street; Renumbering existing Section 70-189 as Section 70-190; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                          [Executive Summary](#)  
                          [Res 01-127 Jackson Sq Parking Agmt](#)  
                          [Res 15-341](#)  
                          [Ord 18-28](#)  
                          [Ord 18-22](#)  
                          [Ord 19-21](#)  
                          [800 feet radius from Courthouse](#)  
                          [Duval Loop Route](#)  
                          [Parking lot sample courthouse lot](#)

**A motion was made by Commissioner Kaufman, seconded by Commissioner Hoover, that the Ordinance be Passed to Second Reading with the intent to also expand the Residential Parking Permit and Monroe County Truman Waterfront Park Parking Permit to the Jackson Square parking lot. The motion carried by the following vote:**

**No:** 3 - Commissioner Davila, Commissioner Wardlow and Commissioner Weekley

**Yes:** 4 - Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez and Mayor Johnston

26

An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - "Parking Stopping and Standing", Division 7, "Employee Parking Lot Permit Program in Historic District", Amending Section 70-261 to adjust the designated lots for this permit program by adding the Jackson Square Parking Lot; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

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

**No:** 1 - Commissioner Wardlow

**Yes:** 6 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

#### **CITIZEN COMMENTS**

#### **COMMISSION COMMENTS**

**ADJOURNMENT - 7:17 P.M.**