



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Tuesday, August 7, 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

ROLL CALL

INVOCATION - Pastor Rochelle Pearson, Cornish Memorial AME Zion Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

COMMENDATIONS

1 Jennifer Averette

Sponsors: Mayor Cates, Commissioner Lopez and Commissioner Payne

Attachments: [Commendation](#)

PRESENTATIONS

2 25 Year Service Recognition - Cheri Smith, City Clerk

Sponsors: Mayor Cates

City Attorney's Report

City Manager's Report

- Introduction of Summer Interns

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

- 3 *July 3, 2018 (Regular)
 Attachments: [Minutes](#)
- 4 *July 23, 2018 (A.M. Workshop)
 Attachments: [Minutes](#)
- 5 *July 23, 2018 (P.M. Workshop)
 Attachments: [Minutes](#)
- 6 *July 24, 2018 (A.M. Workshop)
 Attachments: [Minutes](#)
- 7 *July 24, 2018 (P.M. Workshop)
 Attachments: [Minutes](#)

RESOLUTIONS

- 8 *Appointing Felix Pradas-Bergnes to the Art in Public Places Board (Commissioner Wardlow).
 Sponsors: Commissioner Wardlow
 Attachments: [Resolution](#)
 [Resume](#)

- 9 *Approving and authorizing the Bahama Village Community Coalition Inc. to conduct a Goombay Festival on October 19 & 20, 2018 from 10:00 A.M. to Midnight; Authorizing the closure of Petronia Street between Duval Street and Fort Street including the Truman Waterfront Recreational Fields; Authorizing the consumption of alcoholic beverages within the barricaded area of the Festival; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the Festival.

Sponsors: City Manager Scholl

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

- 10 *Authorizing Lone Palm Foundation, Inc. and IMCMV Key West Cafe, LLC to conduct the Annual Parrot Heads in Paradise Street Party on Friday, November 2, 2018 from 8:00 A.M. to 6:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 400 & 500 blocks of Duval Street; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to 6:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Release & Indemnification](#)
[Letter From Non Profit](#)

- 11 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Conch Republic Seafood Company for a Florida Power Boat Club Fashion Show and Awards Ceremony during the Florida Power Boat event at the Conch Republic Seafood Company, 631 Greene Street between the hours of 7:00 P.M. to 11:00 P.M. on November 8-10, 2018.

Sponsors: City Manager Scholl

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

- 12 *Authorizing "Key West Half Marathon LLC" to conduct their 21st Annual Key West Half Marathon and 5K Run on Saturday, January 18, 2019 12:00 Noon to 6:00 P.M. and Sunday, January 19, 2019 from 6:00 A.M. to Noon at the Half Shell Raw Bar, 231 Margaret Street; Authorizing certain street closures thereof during the event; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

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

13

*Accepting the recommendation of the Art in Public Places Board (AIPP) to award the proposal of CivicMoxie in response to RFP 009-18 for an Arts and Culture Master Plan Consultant in support of Key West's National Endowment of the Arts Our Town Grant; Authorizing the City Manager to execute the attached contract in conformance with the terms and conditions contained in RFP 009-18, upon the advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[CivicMoxie Contract](#)

[CivicMoxie Contract Exhibit A RFP 009-18](#)

[CivicMoxie Contract Exhibit B Proposal](#)

[CivicMoxie Contract Exhibit B Grant Attachments A-D](#)

[Clerk's Bid Memo](#)

[Final Ranking](#)

[Resolution 17-084](#)

[Designing Local proposal](#)

[Aquamarina proposal](#)

[Office GA proposal](#)

[Hill Fine Art Consulting proposal](#)

Legislative History

7/10/18	Art in Public Places Advisory Board	Passed
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14

*Approving pursuant to Section 2-797(4)(b) of the Code of Ordinances the procurement of ammunition for duty and range/practice purposes from Florida Bullet, Inc., in an amount not to exceed \$27,667.30, for use by the Key West Police Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Ammo-Florida Bullet Federal Quote](#)

[Ammo-Lou's Remington Quote](#)

[Ammo-Lawmen's Remington Quote](#)

[Ammo-Kiesler's Federal Quote](#)

- 15 *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, May Sands Montessori and Key West Collegiate Academy Schools for the 2018-2019 School Year.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[KWPD SRO DRAFT 2018-2019.PL3.2](#)

- 16 *Approving an Inter-Local Agreement in an amount of up to \$30,000.000 between the City and the Monroe County Board of County Commissioners for reimbursement of certain public access water-related expenses.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[BIF Request](#)

[Inter-Local Agreement \(ILA\) RE BIF - City of Key West](#)

- 17 *Approving the attached "Interlocal Agreement Between Monroe County and the City of Key West for Joint Operation, Use and Maintenance of Bernstein Park, Stock Island".

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Interlocal Agreement Bernstein Park](#)

- 18 *Approving a Task Order from Perez Engineering and Development, Inc. in the amount of \$88,340.00 for Bid Phase, Permit Renewal Services and Field Test Phase Services for the Mechanical Integrity Testing of Deep Injection Well IW-1 and IW-2; Authorizing necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 17-207](#)

[Perez Engineering Services Agreement](#)

[Task Order](#)

[Schedule of Values](#)

- 19 *Approving Task Order No. 7-18-SWR from CH2M Hill Engineering, Inc. in an amount not to exceed \$78,898.96 for the Development of an Energy Efficiency Masterplan for the Richard A. Heyman Environmental Protection Facility; 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 7-18 SWR](#)

[Resolution 17-207](#)

[CH2M Hill Engineering Services Agreement](#)

20

*Approving Work Order #18 and Work Order #19 under the City's Right-of-Way Improvement Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$874,543.49 for Resurfacing and Americans with Disabilities Act (ADA) Sidewalk Improvements on Fleming Street between Whitehead Street and White Street; Authorizing necessary budget transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[*Large File* Drawings](#)

[Work Order #18 Fleming ADA](#)

[Work Order #19 Resurfacing](#)

[Resolution 17-106](#)

21

*Approving Work Order #21 and Work Order #22 under the City's Right-of-Way Improvement Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$201,570.97 for resurfacing portions of 8th Street and 11th Street; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents, upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 17-106](#)

[Work Order #21](#)

[Work Order #22](#)

[Executed Contract](#)

- 22 *Authorizing a fee modification to the Task Order for Saltz Michelson Architects for Architectural Services for Redevelopment of the Community Services/Utilities Facility located at 627 Palm Avenue, Project FM1201, in the amount of \$12,260.00; Authorizing any necessary budget transfers; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 13-282](#)

[Fee Increase Request](#)

- 23 *Authorizing an Agreement for Third Party False Alarm Program Administrator Services between the City and Public Safety Corporation, pursuant to Section 2-797(3) and 2-797(4) of the Code of Ordinances; Authorizing City Staff to negotiate an Agreement; Authorizing the City Manager to execute the Agreement.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Articles of Merger](#)

[Cry Wolf Key West Alarm Ordinance 09-14](#)

[Cry Wolf Key West Alarm Services Agreement](#)

[Cry Wolf Key West Alarm Program Status](#)

[Cry Wolf Key West Summary of Revenue by Year](#)

[Cry Wolf Oakland Park 2014 RFP](#)

[Cry Wolf Oakland Park Resolution](#)

[Cry Wolf Oakland Park Alarm Services Agreement](#)

24

*Awarding the bid of Charley Toppino & Sons, Inc. for the Hawk Missile Site Restoration Project, in accordance with the terms specified in ITB 18-016, in an amount not to exceed \$47,950.00; Authorizing the City Manager to execute necessary documents in substantial conformance with the contract documents contained in the bid package and upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[*Large File* Bid Charley Toppino & Sons](#)

[Bid Earth Balance](#)

[ITB 18-016 Documents](#)

[Bid Tabulation](#)

[Resolution 07-115](#)

25

*Awarding the bid of Douglas N. Higgins, Inc. in response to ITB 18-033 for Lift Stations H and B Rehabilitation and Lift Station A Generator Project in the amount of \$1,483,000.00; Authorizing the City Manager to execute a contract in conformance with the bid documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Bid Specifications](#)

[Drawings](#)

[Bid Tabulation](#)

[D.N. Higgins Bid](#)

[Keiwi Bid](#)

[Toppinos Bid](#)

[Recommendation of Award Letter](#)

26

*Ratifying Task Order 18-02.1 to William P. Horn, Architect, PA under the General Architectural Services Contract, to support procurement of State and Federal Funds for development and construction of an Affordable Workforce Housing Complex Project on a 2.62 acre parcel on College Road in an amount not to exceed \$16,125.00; Authorizing budget transfers; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Task Order 18-02.1](#)

[Resolution 18-189](#)

[Resolution 18-126](#)

[Horn Agreement](#)

[Resolution 17-190](#)

27

*Rejecting all proposals received for Key West Traffic and Street Light Management in response to RFP No. 007-18 pursuant to Section 2-834(4) of the Code of Ordinances; Cancelling RFP 007-18.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[RFP 007-18](#)

[AGC Proposal](#)

[R&D Proposal](#)

[Pre-Ranking Meeting Agenda](#)

[Resolution 18-198](#)

[06-07-18 Meeting Minutes](#)

28

*Rejecting all proposals received for Key West Amphitheater Venue Management Services in response to RFP No. 006-18 pursuant to Section 2-834(4) of the Code of Ordinances; Cancelling RFP 006-18; Directing Staff to prepare and issue a Request for Qualifications (RFQ).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Evaluation Committee Ranking](#)

[Bid Tabulation](#)

[RFP 006-18](#)

[We've Got The Keys Qualifications Proposal](#)

[We've Got The Keys Cost Proposal](#)

[Frameless Creative Qualifications Proposal](#)

[Frameless Creative Cost Proposal](#)

[Klass-Ex Qualifications Proposal](#)

[Klass-Ex Cost Proposal](#)

[Gilleran Letter](#)

Legislative History

6/19/18

City Commission

Postponed

29

*Approving the attached Settlement Agreement in the case of Carmen Torres v. City of Key West (Case No. 2017-CA-444-K); Authorizing the City Manager and the City Attorney to execute necessary documents consistent with the Settlement Agreement.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)

[Executive Summary](#)

[Settlement Agreement](#)

30

Acknowledging the attached non-binding opinion from the Historic Architectural Review Commission (HARC) regarding the demolition of certain structures at the Historic Diesel Energy Plant at 100 Angela Street/Geraldine Street, pursuant to Section 102-221 of the Land Development Regulations, as directed under City Commission Resolution 18-088.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[HARC Approved Resolution](#)

[Resolution 18-088](#)

[Revised Resolution- 20180626 HARC Commission Review](#)

[Resolution- 20180523 Previous Draft](#)

Legislative History

5/23/18	Historic Architectural Review Commission	Postponed
6/26/18	Historic Architectural Review Commission	Approved

31

Directing the City Manager to pursue the feasibility of utilizing the Historic Diesel Energy Plant at 100 Angela Street/Geraldine Street as a museum for the World Powerboat Foundation.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[*Large File* Key West Diesel Plant Final Report](#)

[World Power Boat Museum Timeline](#)

[Letter From Sue Huffaker Diesel Plant](#)

[Letter From Arlo Haskell](#)

32

QUASI-JUDICIAL HEARING:**AMENDMENT TO MAJOR DEVELOPMENT PLAN 541 WHITE STREET**

Granting an amendment to a Major Development Plan, pursuant to Sections 108-91.a.2(a) & 108-91.d.1 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for the use of 48 BPAS allocations for internal remodeling of existing multi-unit structures on property located at 541 White Street (RE #00006730-000200) within the Historic Special Medium Density Residential (HSMDR) Zoning District.

Sponsors: City Manager Scholl

Attachments: [Request to Withdraw](#)

[Request to Postpone](#)

[Resolution](#)

[Executive Summary](#)

[*Large File* Planning Resolution 2018-12](#)

[*Large File* Application](#)

[*Large File* Site Plans](#)

[*Large File* Survey](#)

Legislative History

3/15/18	Planning Board	Postponed
4/19/18	Planning Board	Passed
6/5/18	City Commission	Postponed

33

QUASI-JUDICIAL HEARING:**AMENDMENT TO DEVELOPMENT AGREEMENT 541
WHITE STREET**

Pursuant to Sections 90-676 through 90-692 of the Land Development Regulations of the Code of Ordinances of the City of Key West, recommending approval of an amendment to a Development Agreement for property located at 541 White Street in the Historic Special Medium Density Residential Zoning District (HSMDR) (RE #00006730-000200) between the City of Key West and Peary Court Holdings LP.

Sponsors: City Manager Scholl

Attachments: [Request to Withdraw](#)

[Request to Postpone](#)

[Resolution](#)

[Executive Summary](#)

[*Large File* Planning Resolution 2018-13](#)

[*Large File* Application](#)

[Amended Development Agreement](#)

Legislative History

3/15/18	Planning Board	Postponed
4/19/18	Planning Board	Passed
6/5/18	City Commission	Postponed

34

QUASI-JUDICIAL HEARING:**Minor Development Plan & Conditional Use - 1400 Block of Duval Street**

Approving a Minor Development Plan and Conditional Use for the construction of a pocket park and expansion of restaurant use on property located in the Historic Commercial Tourist (HCT) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for property located in the 1400 Block of Duval Street.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[*Large File* Planning Board Resolution 2018-26](#)

[*Large File* Application](#)

[Plans and Survey](#)

[Landscape Plan](#)

Legislative History

6/21/18

Planning Board

Passed

35

QUASI-JUDICIAL HEARING:**Site Plan Modification - 1400 Duval Street**

Approving a Site Plan Modification per City Commission Resolution No. 01-342 on property located in the Historic Commercial Tourist (HCT) Zoning District pursuant to the Land Development Regulations for property located at 1400 Duval Street (RE #00036360-000000).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Proposed Site Plan](#)

[Resolution 01-342](#)

[2001 Approved Site Plan](#)

[Planning Board Resolution 2001-021](#)

ORDINANCES – FIRST READING

- 36** An Ordinance of the City of Key West, Florida, calling for a referendum to consider making certain blocks of Duval Street pedestrian only areas during designated periods of time; Authorizing the City Clerk to take all necessary action to place this measure on the ballot for November 6, 2018; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Kaufman

Attachments: [Ordinance](#)

ORDINANCES - SECOND READING (Public Hearing)

- 37** An Ordinance of the City of Key West, Florida, Amending Table 1-1.1.5 of the Future Land Use Element for the HRO Zoning District Uses and Limitations of the Comprehensive Plan; Providing for severability; Providing for inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution 2017-56](#)

[Planning Package](#)

Legislative History

11/16/17	Planning Board	Postponed
12/21/17	Planning Board	Passed
2/21/18	City Commission	Passed to Second Reading
6/19/18	City Commission	Postponed

38

An Ordinance of the City of Key West, Florida, amending the Historic Residential/Office (HRO) Zoning District to allow additional permitted and conditional uses defined on properties located at 402 Appelrouth Lane (RE #00010000-000102; RE #00010000-000103; RE #00010000-000104; RE #00010000-000105; RE #00010000-000106), 416 Appelrouth Lane (RE #00009980-000000), 533 Southard Whitehead Street (RE #00010010-000000) pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinance of the City of Key West, Florida; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

[*Large File* Planning Board Resolution 2017-57](#)

[*Large File* Planning Board Package](#)

Legislative History

1/19/17	Planning Board	Postponed
2/23/17	Planning Board	Postponed
8/17/17	Planning Board	Postponed
11/16/17	Planning Board	Postponed
12/21/17	Planning Board	Passed
2/21/18	City Commission	Passed to Second Reading
6/19/18	City Commission	Postponed

39

An Ordinance of the City of Key West, Florida, amending the Historic Residential/Office (HRO) Zoning District to allow additional permitted and conditional uses defined on properties located at 409 Appelrouth Lane (RE #00010020-000000) and 517-519 Whitehead Street (RE #00009990-000000) pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for repeal of inconsistent provisions; Providing for effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

[*Large File* Planning Board Resolution 2017-58](#)

[*Large File* Planning Package](#)

Legislative History

12/21/17	Planning Board	Passed
2/21/18	City Commission	Passed to Second Reading
6/19/18	City Commission	Postponed

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT