



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final - Final

### City Commission

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Tuesday, November 15, 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 - Chaplain Scott Mason, NAS Key West**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

*The Agenda was amended and accepted.*

#### PROCLAMATIONS

**1 National Hospice Palliative Care Month**

**Sponsors:** Mayor Cates

**Attachments:** Proclamation

**Received and Filed**

#### PRESENTATIONS

**2 Key West Youth Ambassador Graduation**

**Sponsors:** Commissioner Kaufman

**Received and Filed**

3 Key West Wild Bird Center by Director Tom Sweets

Sponsors: City Manager Scholl

Attachments: \*Large File\* Presentation

Received and Filed

City Attorney's Report  
- Affordable Workforce Housing Compliance Update  
Postponed  
City Manager's Report  
- 30 Year Service Award, Fire Department Chief Michael Davila

**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 \*November 1, 2016 (Regular)

Attachments: Minutes

Approved

**RESOLUTIONS**

5 \*Re-appointing Harry Bowman to the Key West Bight Management District Board.

Sponsors: Mayor Cates

Attachments: Resolution  
Resume  
Resolution 12-325

Passed

Enactment No: Res 16-329

- 6 \*Re-appointing Karen Ludwig-O'Leary to the Tree Commission.

**Sponsors:** Mayor Cates

**Attachments:** Resolution  
Resume

**Passed**

Enactment No: Res 16-330

- 7 \*Authorizing the Wesley House Family Services, Inc. to conduct its Annual "Valentine's Day Fundraiser" at the Curry Mansion located at 511 Caroline Street on Tuesday, February 14, 2017 from 8:00 A.M. to 11:30 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Caroline Street from Duval Street to Simonton Street and Ann Street from Greene Street to Caroline Street from 9:00 A.M. to 11:30 P.M.; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 9:00 A.M. to 11:30 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 16-331

- 8 \*Authorizing pursuant to Section 2-797 (3) of the Code of Ordinances the purchase of one Ford F750 Bucket Truck from Palmetto Ford in an amount not to exceed \$184,995.00, through the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA16-VEH14.0 cab & chassis trucks & other fleet equipment contract.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Executive Summary  
\*Large File\* Sheriffs Bid No FSA16-VEH14.0  
Palmetto Ford Truck Quote

**Passed**

Enactment No: Res 16-332

- 9                    \*Authorizing the purchase for the Fire Department of one (1) New Horton Ambulance from Hall-Mark, RTC, pursuant to Government contract, pursuant to Section 2-797 (3) of the Code of Ordinances in a total amount not to exceed \$198,156.00.

**Sponsors:**        City Manager Scholl

**Attachments:**    Resolution  
                          Executive Summary  
                          Hall-Mark RTC Rescue 5 Proposal  
                          Horton Rescue 5 spec sheet  
                          \*Large File\* Florida Sheriff's Association Bid Award  
                          FSA Ordering instructions  
                          Rescue 5 ambulance purchasing approval

**Passed**

Enactment No: Res 16-333

- 10                    \*Approving change in services notification 01 to Task Order No. 120D01.B from Hayes/Cumming Architects, PA in an amount not to exceed \$16,309.80 for additional architectural and Engineering Services for the Frederick Douglass Community Center project.

**Sponsors:**        City Manager Scholl

**Attachments:**    Resolution  
                          Executive Summary  
                          Change In Services Notification  
                          \*Large File\* Resoluton 13-295  
                          \*Large File\* Resolution 13-059  
                          \*Large File\* Resolution 12-220  
                          Resolution 15-207

**Passed**

Enactment No: Res 16-334

- 11                    \*Approving the purchase of \$37,236.00 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 at Cozumel Park as described in the attached executive summary.

**Sponsors:**            City Manager Scholl

**Attachments:**        Resolution  
                                 Executive Summary  
                                 Quote

**Passed**

Enactment No: Res 16-335

- 12                    \*Approving the attached "Amendment #1 - Agreement" granting an extension to the term of the agreement between Enterprise Florida, Inc. (EFI) for the Florida Defense Support Task Force (FDSTF) and the City of Key West; Authorizing the City Manager to execute necessary documents.

**Sponsors:**            City Manager Scholl

**Attachments:**        Resolution  
                                 Executive Summary  
                                 Amendment No.1  
                                 Time Extension Approval  
                                 Resolution 15-059

**Passed**

Enactment No: Res 16-336

- 13                    \*Approving the attached "Public Transportation Joint Participation Agreement" (JPA) for contract G0G70 between the Florida Department of Transportation (FDOT) and the City of Key West in the amount of \$72,470.00 to be used to purchase necessary vehicle and facility equipment; Authorizing the City Manager and/or Transit Director to execute necessary documents and budget amendments.

**Sponsors:**            City Manager Scholl

**Attachments:**        Resolution  
                                 Executive Summary  
                                 Resolution 16-171  
                                 Joint Participation Agreement

**Passed**

Enactment No: Res 16-337

14

\*Approving the attached Supplemental Joint Participation Agreement Number Two (SJPA #2) for Contract ARN97 between the Florida Department of Transportation (FDOT) and the City of Key West, in an amount not to exceed \$1,882,756.00, to be used for purchase of replacement buses for the fixed route Bus Transit System and needed equipment for Key West Transit and the New Transit Facility; Approving necessary budget adjustments.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution

Executive Summary

Resolution 16-171

Supplemental Joint Participation Agreement #2

**Passed**

Enactment No: Res 16-338

15

\*Approving the attached "Public Transportation Joint Participation Agreement" (JPA) between the Florida Department of Transportation (FDOT) and the City of Key West for Section 5311 Grant program funding assistance for FY 2016-17 for operating expenses of the fixed route bus transit system in Key West in an amount not to exceed \$549,379.00 (50% of the program cost) [FDOT Financial Project Number 43095118401, Contract #GOG83]; Authorizing the City Manager to execute necessary documents and necessary budget amendments.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution

Executive Summary

Resolution 16-171

Joint Participation Agreement GOG83

**Passed**

Enactment No: Res 16-339

- 16 \*Approving Work Order #1 under the City's General Utilities Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$80,000.00 to rebuild protective beach berms on South, Simonton and Dog Beaches; Authorizing any necessary budget transfers.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Executive Summary  
\*Large File\* Work Order #1  
\*Large File\* Resolution 15-292  
Simonton Beach Permit  
South Beach Permit  
Beach Berm Design Template

**Passed**

Enactment No: Res 16-340

- 17 \*Approving a purchase from Vermeer Southeast Sales & Service, Inc. pursuant to Section 2-797 (3) of the Code of Ordinances of one trailer mounted brush chipper model 1500, in the amount of \$64,058.00, pursuant to the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA16-VEH14.0; Authorizing any necessary budget adjustments.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Executive Summary  
\*Large File\* Sheriffs Bid FSA16-VEH14.0  
Vermeer Southeast Quote

**Passed**

Enactment No: Res 16-341

- 18 \*Approving the purchase of three (3) Lucas 2.2 chest compression systems from Physio Control, Inc. in an amount not to exceed \$59,417.51 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.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Lucas Quote](#)  
[Lucas Physio Control Sole Source](#)  
[Fire Department Memo](#)

**Passed**

Enactment No: Res 16-342

- 19 \*Approving the attached lease between the City of Key West and A-1 Boat Services, LLC, dba Spencer's Boat Yard, for premises located at 701 Palm Avenue.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Lease](#)  
[Tenant request](#)  
[Resolution 12-160](#)  
[Payment History](#)

**Passed**

Enactment No: Res 16-343



- 20 \*Ratifying Change Order No. 6, approved by the City Manager, as provided for under Section 2-797 (2) and 2-845 of the Code of Ordinances, in the amount of \$57,210.49 from Burke Construction Group, Inc. for the furnishing and installation of certain audio-visual components at the Josephine Parker City Hall at Historic Glynn R. Archer School construction project; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute necessary documents.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution

Executive Summary

\*Large File\* Change Order #6 with Invoices

Resolution 14-348

**Passed**

Enactment No: Res 16-344

- 21 \*Approving the attached 2017 meeting schedule for the Key West City Commission.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution

2017 Schedule

**Passed**

Enactment No: Res 16-345

### **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.**

- 22 Authorizing an expenditure in the amount of \$35,000.00 from the City Manager contingency fund to support the efforts of FIRM (Fair Insurance Rates in Monroe) to reduce windstorm insurance rates in Key West and Monroe County.

**Sponsors:** Commissioner Weekley

**Attachments:** Resolution

**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 16-346

23

Nominating three projects located at 716 Eisenhower Drive, 1116 Truman Avenue and 209 Olivia Street, by Habitat for Humanity of Key West and the Lower Florida Keys, Inc. to the Monroe County Land Authority for funding in the amount of \$860,000.00 for the purpose of protecting and building workforce and affordable housing units.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Proposal

**A motion was made by Commissioner Payne, 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 16-347

24

Approving the attached 2015 Minor Transit Development Plan update and progress report from the City of Key West for the Florida Department of Transportation (FDOT).

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Executive Summary  
Resolution 09-320  
Resolution 14-248  
\*Large File\* 2015 TDP Minor Goal Update  
FDOT Approval

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, 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 16-348

- 25 Approving the Attached "City Deed" (Parcel No. 102.1), "City Deed" (Parcel No. 105.1R (8-4-2015), "City Deed" (Parcel No. 110.1R (8-4-2015), concurrence letter dated 10/24/2016, and perpetual Easement (Parcel 800.1R (6-7-2016) to transfer necessary of Right-of-Way for reconstruction of State Road A1A/South Roosevelt Boulevard from Bertha Street to the end of Smathers Beach; Authorizing the City Manager to execute all necessary documents.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[City Deed Parcel 102](#)  
[City Deed Parcel 105](#)  
[City Deed Parcel 110](#)  
[Concurrence Letter Parcel 800](#)  
[\\*Large File\\* Perpetual Easement Parcel 800](#)  
[Parcel 800 Legal Description](#)  
[Right of Way Map](#)

**A motion was made by Commissioner Sam Kaufman, seconded by Commissioner Richard Payne, that the Resolution be Passed. The motion passed by an unanimous vote.**

Enactment No: Res 16-349

- 26 Directing the City Manager to prepare a traffic and economic impact study concerning potential traffic improvements and revenue to be derived from the construction of parking garages in old town at 609 Greene Street and 616 Simonton Street as opposed to surface parking only at those sites; Deferring the paving of the surface parking lot at 609 Greene Street until the traffic and economic impact Study is complete.

**Sponsors:** Commissioner Payne

**Attachments:** [Resolution](#)  
[E-mail from Nance Frank](#)  
[E-mail from Roger & Cindy McVeigh](#)

**A motion was made by Commissioner Payne to approve the Resolution with a condition to postpone implementation of Resolution 16-276 until a in-house Traffic study has been performed, seconded by Commissioner Kaufman, that the Resolution be Passed as amended. The motion carried by the following vote:**

**No:** 2 - Commissioner Weekley and Mayor Cates

**Yes:** 5 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero and Commissioner Wardlow

Enactment No: Res 16-350

27

Directing the return of the tiger sculpture to the new City Hall at 1300 White Street.

**Sponsors:** Mayor Cates

**Attachments:** Resolution  
AIPP Resolution 01-2016  
E-mail Helen Harrison  
Letter from Carol Hankamp

**A motion was made by Commissioner Payne to return the Tiger sculpture to prior location and have a bronze plaque to commemorate KW High School Teacher George Carey, seconded by Commissioner Kaufman, that the Resolution be Passed as amended. The motion carried by the following vote:**

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

**Yes:** 4 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne and Mayor Cates

Enactment No: Res 16-351

**Meeting went into recess at 8:50 P.M. and reconvened at 9:00 P.M.**

28

**QUASI-JUDICIAL HEARING: EASEMENT**

Approving an Easement of 480.74 ± square feet along the Caroline and Margaret Street Right-of-Ways, to address an area to maintain and renovate an existing overhang on the property located at 832 Caroline Street (RE #00003100-000000, AK #1003191), Key West, Florida; Providing fees and conditions.

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Executive Summary  
Easement Agreement  
Easement Application  
Specific Purpose Survey  
Mailing Labels

**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 16-352

29

**QUASI-JUDICIAL HEARING: Interpretation of District Boundaries**

Approving a request for Interpretation of District Boundaries on a property located in the in the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) and Historic Residential Office (HRO) Zoning Districts per Section 122-94 (7) of the Land Development Regulations of the Code of Ordinances of the City of Key West for property located at 417 Southard Street (RE# 00010040-000000, AK# 1010324).

**Sponsors:** City Manager Scholl

**Attachments:** Resolution  
Executive Summary  
Application  
Mailing labels

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

Enactment No: Res 16-353

**ORDINANCES – FIRST READING**

30

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 5, "Residential Parking Permit Program", section 70-249, to provide permit holders the right to park in the City's metered parking lots located at the Key West Bight (Caroline Street), Old Town Parking Lot and the Fire Station Lot on Angela Street for a period of time not to exceed four hours per day free of charge; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** Ordinance  
Executive Summary

**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 Wardlow

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

- 31 An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by adding Section 70-188 to establish the parking rate for the Key West Bight; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

**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 Wardlow

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

- 32 An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Section 70-187 to adjust Old Town Garage parking rates, rescind the lost ticket fee and establish the allocation of additional parking revenue; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

**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:** 2 - Commissioner Romero and Commissioner Wardlow

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

#### **CITIZEN COMMENTS**

#### **COMMISSION COMMENTS**

#### **ADJOURNMENT - 9:12 P.M.**