



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, June 5, 2018

6:00 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 FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**CALL MEETING TO ORDER - 6:00 P.M.**

#### ROLL CALL

**Absent** 2 - Commissioner Kaufman and Mayor Cates

**Present** 5 - Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow and Commissioner Weekley

**INVOCATION - Deacon Peter Batty, Basilica St. Mary's Star of the Sea**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA - The Agenda was approved as changed unanimously.**

#### PROCLAMATIONS

#### 1 75th Anniversary KEYS Energy Services

**Sponsors:** Mayor Cates

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

Received and Filed

#### PRESENTATIONS

2                      Keefe, McCullough & Company, LLP   Fiscal Year 2017  
Audit

**Sponsors:**            City Manager Scholl

**Attachments:**        [CITY OF KEY WEST CAFR FYE 2017](#)  
[CITY OF KEY WEST COMPLIANCE SECTION](#)

Received and Filed

3                      Annual Sustainability Report - SAB Chair, Monica Haskell

**Sponsors:**            City Manager Scholl

Received and Filed

City Attorney's Report

City Manager's Report

20 Year Service Award – Angela Budde, CMC, CPPT  
Deputy City Clerk, City Clerk's Office

**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                      May 15, 2018 (Regular)

**Attachments:**        [Minutes](#)

Approved

**RESOLUTIONS**

- 5                   \*Authorizing Quepasa KW, Inc. to conduct the Pet Masquerade at the Truman Waterfront Amphitheatre on Wednesday, October 24, 2018 from 4:00 P.M. to 9:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

**Sponsors:**       City Manager Scholl

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

**Passed**

Enactment No: Res 18-177

- 6                   \*Appointing Richard A. Haskins to the Citizens Review Board (CRB).

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Application Richard A. Haskins](#)

**Passed**

Enactment No: Res 18-178

- 7                   \*Extending the term of the temporary "Parking and Alternative Transportation Group" established in Resolution 17-215.

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Resolution 17-215 Creating Parking and Alternative Transport Group](#)

**Passed**

Enactment No: Res 18-179

- 8                   \*Approving the purchase of equipment and accessories for the Bus Odyssey Fare Boxes, as described in the attached Price Quote from Genfare, in an amount not to exceed \$33,140.00 on a Sole Source Basis, pursuant to Section 2-797(1) for Brand Name Items in accordance with Section 2-844 of the Code of Ordinances; Authorizing the City Manager or Designee to execute any necessary documents.

**Sponsors:**           City Manager Scholl

**Attachments:**       [Resolution](#)  
                          [Executive Summary](#)  
                          [Resolution 17-300](#)  
                          [Notice of Grant Agreement \(NOGA\)](#)  
                          [GFI Farebox Quote](#)  
                          [GFI Sole Source Letter](#)

**Passed**

Enactment No: Res 18-180

- 9                   \*Approving the purchase of Victor Stanley SD-42 Trash and Recycling Receptacles from Victor Stanley 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 in an amount not to exceed \$258,059.00, as described in the attached Executive Summary; Authorizing 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](#)  
                          [Victor Stanley Quote](#)  
                          [Victor Stanley Sole Source Letter](#)  
                          [Memo from Community Services](#)

**Passed**

Enactment No: Res 18-181

10

\*Approving the attached Amendment 1 to the Three-year Municipal Equipment Lease-purchase Agreement 24020 between the City and Santander Leasing, LLC as Assignee from Motorola Solutions Credit Company, LLC as Assignee from Motorola Solutions, Inc. for Handheld Radios and Related Equipment, as approved in Resolution 16-368; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Motorola - Notice of Assignment](#)  
[2018 Motorola Agreement Amendment](#)  
[Resolution 16-368 Motorola](#)

**Passed**

Enactment No: Res 18-182

11

\*Approving the issuance of Task Order No. 1 to Black & Veatch Corporation for Evaluation, Design, Bid and Pre-award Services for an additional Aeration Blower System to the Richard A. Heyman Environmental Protection Facility in an amount not to exceed \$190,887.00; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order No. 1](#)  
[Budget Breakdown](#)  
[Resolution 17-207](#)  
[Black & Veatch Engineering Services Agreement](#)

**Passed**

Enactment No: Res 18-183

- 12                   \*Approving Task Order No. 4-18-SWR from CH2M Hill Engineering, Inc. in an amount not to exceed \$299,629.92 for the Design, Permitting, Bid Phase and Construction Phase Services for the Rehabilitation of Pump Stations “C” and “E”; 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 4-18 SWR](#)  
                          [Resolution 17-207](#)  
                          [CH2M Hill Engineering Services Agreement](#)

**Passed**

Enactment No: Res 18-184

- 13                   \*Authorizing a Design Task Order to Keith & Schnars, P.A. for Simonton Street Resurfacing and Americans with Disabilities Act (ADA) Improvements from Olivia Street to Simonton Beach, in an amount not to exceed \$103,010.00; 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](#)  
                          [Fee Proposal](#)  
                          [Pavement Management Report Excerpt](#)  
                          [K & S Services Agreement](#)  
                          [Resolution 17-207](#)

**Postponed to June 19, 2018**

- 14                   \*Authorizing the purchase and installation of 50 Aluminum Curb Inlet Filters from SOP Technologies (SOP), in the Best Interests of the City, pursuant to Section 2-797(4)(b) of the Code of Ordinances, in the total amount of \$36,607.00; Authorizing the City Manager or Designee to execute necessary documents on behalf of the City.

**Sponsors:**           City Manager Scholl

**Attachments:**       [Resolution](#)  
                              [Executive Summary](#)  
                              [SOP Technologies International Curb Inlet Proposal](#)

**Passed**

Enactment No: Res 18-185

- 15                   \*Ratifying an Emergency Procurement pursuant to Section 2-797(2) and Section 2-797(4)(b) of the City's Code of Ordinances, for the purchase of a 10-stall shower trailer (\$43,900.00) and a 4-stall restroom trailer (\$17,999.00) from National Restroom Trailer (\$17,999.00) from National Restroom Trailers, LLC. for use at the Keys Overnight Temporary Shelters (KOTS), in an amount not to exceed \$61,899.00; Authorizing 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](#)  
                              [City Manager Declaration of Emergency](#)  
                              [Shower and Restroom Trailer Invoice](#)

**Passed**

Enactment No: Res 18-186

16

\*Awarding the bid of Burke Construction Group, Inc. for the Resod of Poinciana and Horace O'Bryant Fields in accordance with the terms specified in ITB #18-030 in an amount not to exceed \$398,400.00; Authorizing the use of BP Settlement Funds for this project; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package on behalf of the City of Key West.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[\\*Large File\\* City Bid 18-030](#)  
[Addendum 1](#)  
[City Clerk's Bid Tabulation](#)  
[\\*Large File\\* Burke Construction Inc. Proposal](#)  
[\\*Large File\\* JSM Services Inc Proposal](#)

**Passed**

Enactment No: Res 18-187



17

\*Awarding the bid of Pedro Falcon Electrical Contractors, Inc. for the Edward B. Knight Pier Lighting Project, in an amount not to exceed \$126,700.00 in accordance with the terms specified in ITB 18-027; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute a contract on behalf of the City of Key West in conformance with the bid documents, upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[K2M Bid Review](#)  
[Bid Tab](#)  
[ITB-18-027](#)  
[\\*Large File\\* Proposal DN Higgins](#)  
[\\*Large File\\* Proposal Pedro Falcon](#)  
[Proposal Current Electrical Solutions](#)

**Passed**

Enactment No: Res 18-188

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

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

18

Approving Task Order 18-02 to William P. Horn, Architect, PA under the General Architectural Services Contract, for College Road Affordable Workforce Housing Project Concept Design and Preliminary Construction Cost Estimate in an amount not to exceed \$30,400.00; 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](#)  
[Horn Task Order 18-02](#)  
[Easter Seals-Mosquito Control Survey](#)  
[Horn Architectural Services Agreement](#)  
[Resolution 18-126](#)  
[Resolution 17-190](#)

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

Enactment No: Res 18-189

19

**QUASI-JUDICIAL HEARING:****EASEMENT AGREEMENT 526-528 DUVAL STREET**

Approving an easement of 167.15 square feet along the Duval Street and Appelrouth Lane Right-of-Ways, to address an area to maintain an existing second floor balcony supported by three pilasters on the first floor located at 526-528 Duval Street (RE #00009779-000000), Key West, Florida; Providing fees and conditions.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Agreement](#)  
[Executive Summary](#)  
[Application](#)  
[Specific Purpose Survey](#)  
[Liability Insurance](#)

**A motion was made by Commissioner Wardlow, seconded by Commissioner Payne, that the Resolution be Passed. The motion passed by a unanimous vote.**

Enactment No: Res 18-190

20

**QUASI-JUDICIAL HEARING:****MAJOR DEVELOPMENT PLAN 2600 NORTH ROOSEVELT BOULEVARD**

Granting a Major Development Plan & Landscape Waiver pursuant to Sections 108-91.b.2(b) and 108-347 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida for the expansion of an existing three-story self-storage building on property located at 2600 North Roosevelt Boulevard (RE #00065010-000000) within the Commercial General (CG) and Conservation Mangrove (CM) Zoning District.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Planning Resolution 2018-15](#)  
[Tree Commission Approval](#)  
[\\*Large File\\* Application](#)  
[\\*Large File\\* Site Plans](#)  
[\\*Large File\\* Elevations and Floorplans](#)

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

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

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

Enactment No: Res 18-191

21

**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:** [Resolution](#)  
[Executive Summary](#)  
[\\*Large File\\* Planning Resolution 2018-12](#)  
[\\*Large File\\* Application](#)  
[\\*Large File\\* Site Plans](#)  
[\\*Large File\\* Survey](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Postponed to August 7, 2018. The motion passed by a unanimous vote.

22

**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:** [Resolution](#)  
[Executive Summary](#)  
[\\*Large File\\* Planning Resolution 2018-13](#)  
[\\*Large File\\* Application](#)  
[Amended Development Agreement](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Payne, that the Resolution be Postponed to August 7, 2018. The motion passed by a unanimous vote.

**ORDINANCES – FIRST READING**

23

An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration" by amending Section 2-941, to amend certain provisions related to the negotiation of a Lease of City Property; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading on June 19, 2108. The motion carried by the following vote:

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

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

24

An Ordinance of the City of Key West, Florida amending Chapter 122 entitled "Zoning"; Article V entitled "Supplementary District Regulations"; Division 10 entitled "Work Force Housing"; Section 122-1466 entitled "Definitions" of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Planning Board Resolution](#)  
[Draft Ordinance](#)  
[Current 2018 Income Rental Limits at 30%](#)  
[Sample - Workforce Income/Rent Limits](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading on June 19, 2018 as amended to change "Affordable Housing" to "Workforce Affordable Housing" throughout the Ordinance. The motion carried by the following vote:**

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

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

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

25

An Ordinance of the City Commission amending Chapter 1: Future Land Use Element, § 1-1, Goal 1-1, Objective 1-1.16, Policy 1-1.16.1 entitled “Maintain a Building Permit Allocation Ordinance”; Policy 1-1.16.3 entitled “Permit Allocation System Ratios by Structure Type”; and Chapter 3: Housing Element, § 3-1, Goal 3-1, Objective 3-1.1, Policy 3-1.1.4 entitled “Building Permit Allocation System of the Comprehensive Plan, Providing for severability; Providing for repeal of inconsistent provisions; Providing for the inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Planing Board Resolution 2018-07](#)

**A motion was made by Commissioner Wardlow, seconded by Commissioner Weekley, that the Ordinance be Adopted. The motion carried by the following vote:**

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

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

Enactment No: Ord 18-10



26

An Ordinance of the City Commission amending Chapter 108 entitled "Planning and Zoning", Article X entitled "Building Permit Allocation System", Division 1 entitled "Generally", Section 108-987 entitled "Purpose and Intent"; and Division 2 entitled "Building Permit Allocation System", Section 108-994 entitled "Established", Section 108-995. entitled "Reporting Requirements and Residential Allocation Schedule"; Section 108-997 entitled "Period of Allocation and Ranking/Review of Applications" and Section 108-998 entitled "Compact Infill Development and Mixed Use of Private Property" of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Planning Board Resolution 2018-08](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Adopted. The motion carried by the following vote:**

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

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

**Yes:** 3 - Commissioner Lopez, Commissioner Payne and Commissioner Weekley

Enactment No: Ord 18-11

#### **CITIZEN COMMENTS**

#### **COMMISSION COMMENTS**

#### **ADJOURNMENT - 7:47 P.M.**