



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final - Final City Commission

---

Tuesday, November 17, 2015

6:00 PM

Old 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 305-809-3731 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 - Reverend Sarah Fowler

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

### PROCLAMATIONS

- 1 Montford Point Marines Day  
**Sponsors:** Commissioner Lopez and Mayor Cates  
**Attachments:** [Proclamation](#)  
Received and Filed
- 2 National Home Care Month  
**Sponsors:** Mayor Cates  
**Attachments:** [Proclamation](#)  
Received and Filed

### PRESENTATIONS



**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**

3 \*November 4, 2015 (Regular)

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

Passed

**RESOLUTIONS**

4 \*Appointing Michael Anthony Davila, II to the Civil Service Board.

**Sponsors:** Mayor Cates

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

[Resume](#)

Passed

Enactment No: Res 15-327

5 \*Appointing Matthew Helmerich to the Art in Public Places Board.

**Sponsors:** Commissioner Kaufman

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

[Resume](#)

Passed

Enactment No: Res 15-328

6 \*Appointing Commissioner Margaret Romero as City Commission Liaison to the Monroe County School Board.

**Sponsors:** Commissioner Romero

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



**Passed**

Enactment No: Res 15-329

- 7 \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Hannsebensten Travel, Inc. for the Key West House Party at 400 Petronia Street between the hours of 6:00 p.m. and 10:00 p.m. on Sunday, December 6, 2015.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 15-330

- 8 \*Awarding the Bid of Innovative Masonry Restoration, LLC. for concrete repairs at the Richard A. Heyman Environmental Protection Facility, and Fleming Key Bridge piling repair (project no. SE-1002), in an amount not to exceed \$1,663,975.00 in accordance with the terms specified in ITB 15-024; Authorizing the City Manager to execute a contract on behalf of the City of Key West.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[City Clerk's bid tabulation memo](#)  
[\\*Large File\\* Bid Documents](#)  
[Recommendation of Award](#)  
[\\*Large File\\* D.N. Higgins Bid](#)  
[\\*Large File\\* Innovative Masonry Restoration Bid](#)  
[\\*Large File\\* Pedro Falcon Bid](#)  
[\\*Large File\\* Structural Preservation Systems Bid](#)

**Passed**

Enactment No: Res 15-331

- 9 \*Approving change order # 1 to the contract with EE & G Environmental Services, LLC (EE & G) for Beach cleaning services, to extend Beach cleaning service to the Smathers Beach Easternmost groin.

**Sponsors:** City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Change Order #1](#)  
[Beach Cleaning Contract](#)  
[Bid Schedule EE&G](#)  
[Bid Modification Letter](#)  
[Smathers Beach Easternmost Groin](#)  
[Interlocal Agreement](#)  
[Resolution 15-293](#)

**Passed**

Enactment No: Res 15-332

10

\*Approving Task Order #3 under the City's Environmental Engineering Services contract with Tetra Tech, Inc. in a total amount not to exceed \$46,955.00 for Engineering and Design services associated with the Seawall repair and stabilization Truman Waterfront, NOAA's Dr. Nancy Foster Facility project.

**Sponsors:**    City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Cost Proposal Task Order #3](#)  
[Resolution 14-359](#)  
[\\*Large File\\* REPORT: Seawall Repair Options \(TO#1\)](#)  
[TetraTech Insurance Certificate](#)

**Passed**

Enactment No: Res 15-333

11

\*Approving Task Order No. 4-15-SWR from CH2M Hill Engineering, Inc. in an amount not to exceed \$178,892.00 for construction engineering and inspection services for the VFD upgrade project at Pump Stations A, B, C, D, and DA.

**Sponsors:**    City Manager Scholl



**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Task Order 4-15 SWR](#)  
[\\*Large File\\* Request for Qualifications #12-005](#)  
[\\*Large File\\* Resolution 15-208](#)  
[FY 15 Per Diem Increases](#)  
[\\*Large File\\* Resolution15-249](#)

**Passed**

Enactment No: Res 15-334

- 12                    \*Approving the assignment of a contract for Port and Marina Security between the City and Northstar Security, Inc. to Ralons Security, LLC.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Asset Purchase Agreement](#)  
[New Licenses](#)  
[Contract Resolution 14-043](#)  
[Northstar Assignment Agreement](#)

**Passed**

Enactment No: Res 15-335

- 13                    \*Adopting the 2015 update of the Local Mitigation Strategy as required by State and Federal regulations to qualify for certain mitigation Grant Funding; Directing the City Clerk to mail a Certified Copy of this Resolution to FDEM and FEMA.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[\\*Large File\\* Monroe Local Mitigation Strategy 2015 update](#)  
[FDEM Letter](#)

**Passed**

Enactment No: Res 15-336

- 14                    \*Approving the attached consent order between the City and the South Florida Water Management District (SFWMD) pertaining to 1604 N. Roosevelt, Jose Marti Building Stormwater Management system; Authorizing the City Manager to execute the consent agreement.



**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[SFWMD Consent Order](#)  
[Jose Marti Mangrove Trimming Staff Report](#)  
[Jose Marti Res. 07-114](#)

Enactment No: Res 15-337

### Approval of the Consent Agenda

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

15

Appointing Jimmy Weekley as City Commission Liaison to the Housing Authority of the City of Key West, Florida Board of Commissioners.

**Sponsors:** Commissioner Weekley

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

**A motion was made by Commissioner Kaufman, seconded by Commissioner Weekley, and 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 15-338

16

Directing the City Manager to prioritize and expedite presentation of a plan for development of workforce and affordable housing at Truman Waterfront.

**Sponsors:** Commissioner Kaufman, Commissioner Lopez and Commissioner Wardlow

**Attachments:** [Resolution](#)  
[Resolution 15-044](#)

**A motion was made by Commissioner Kaufman, 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 15-339

17

Approving Concrete Analysis and Testing Laboratories, Inc. (CATL) to provide additional special inspection and testing (SIT) services to be



billed through Bender & Associates, P.A. in an amount not to exceed \$15,100.00; Approving the attached task order proposal for additional testing and monitoring to Bender & Associates, P.A. (Bender) for the new City Hall at Glynn Archer School project; Authorizing a budget transfer.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Additional Testing Estimate](#)  
[Original Proposal](#)  
[Resolution 15-169](#)  
[Resolution 15-139](#)  
[Resolution 13-103](#)

**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 15-340

18

Detailing the parking fees and exception for the Thomas Street Parking Lot located behind the Monroe County Courthouse.

**Sponsors:** Commissioner Kaufman and Commissioner Lopez

**Attachments:** [Resolution](#)  
[Letters in Support](#)

**A motion was made by Commissioner Kaufman, seconded by Commissioner Payne, to keep the Thomas Street lot without any fee for parking going forward and to remove Parking meters for charging to Park and that the Resolution be Passed as amended. 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 15-341

19

Directing the City Manager to engage in discussion with the Florida Keys Mosquito Control District about the current and future location of its Facilities, in order to continue to efficiently serve the citizens of Key West and the Florida Keys.

**Sponsors:** Commissioner Romero

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



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

**No:** 3 - Commissioner Payne, Commissioner Weekley and Mayor Cates

**Yes:** 4 - Commissioner Kaufman, Commissioner Lopez, Commissioner Romero and Commissioner Wardlow

Enactment No: Res 15-342

20

Defining the qualifications for membership on the Truman Waterfront Advisory Board.

**Sponsors:** City Manager Scholl

**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 15-343

#### ORDINANCES – FIRST READING

21

An Ordinance of the City of Key West, Florida, pursuant to Section 1.08 of the City Charter, calling for a referendum authorizing the City of Key West to purchase that portion of the real property located at 541 White Street, commonly referred to as Peary Court, and which currently contains 157 existing dwelling units, from Peary Court Holdings, L.P., for use as Workforce Housing for a purchase price not to exceed \$55,000,000.00, with the condition that the seller execute a deed restriction which restricts the use of the remaining real property of Peary Court to workforce housing in perpetuity; Authorizing the City Clerk to take all necessary action to place this measure on the ballot for March 15, 2016; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley

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

[Tax Exempt@ Mixed Ami -\(10M\) 11-16-15](#)

[Tax Exempt@120AMI-\(10M\) 11-16-15](#)

[\\*Large File\\* Meridian Appraisal of Peary Court](#)

[Appraisal Co. of Key West Transmittal Letter](#)

[\\*Large File\\* Appraisal Co. of Key West Report - Part A](#)

[\\*Large File\\* Appraisal Co. of Key West - Part B](#)



*A motion was made by Commissioner Romero to Postpone the Item. Motion failed for lack of second.*

**A motion was made by Commissioner Weekley, seconded by Commissioner Payne, that the Ordinance be Passed to Second Reading. 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

**22**

An Ordinance of the City of Key West, Florida, pursuant to Section 8.03 of the City Charter, ordering and providing for the holding of a referendum Election to determine if the Electors of the City of Key West, Florida, approve the issuance of not exceeding \$55,000,000.00 Revenue Bonds maturing in 30 years or less, to be issued in one or more series, to be secured by and payable from a Mortgage Lien with right of Foreclosure and a Lien on all or a portion of the Revenues of the Housing Complex located at 541 White Street and commonly referred to as Peary Court in order to finance the cost of acquiring, improving and equipping of the Peary Court Housing project, for use as Affordable Workforce Housing in compliance with City of Key West Code of Ordinances, subpart B, Chapter 122, Article V, Division 10, Sections 122.1465 - 122.1472, inclusive, as amended, entitled "Work Force Housing"; Providing for a Bond Referendum to be held on March 15, 2016, or as soon thereafter as practicable; Establishing its intent to reimburse such capital expenditures incurred with proceeds of such revenue bonds; Providing certain other matters in connection therewith; And providing an effective date.

**Sponsors:** Commissioner Weekley

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

**A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading. 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

**23**

An Ordinance of the City of Key West, Florida, amending the Water Supply Element of the 2013 Comprehensive Plan by amending Chapter 1: Future Land Use Element, Chapter 4: Public Facilities Element, Chapter 5: Coastal Management Element, Chapter 6: Conservation Element, Chapter 8: Intergovernmental Coordination Element, and Chapter 9: Capital Improvements Element, in order to address development of traditional and alternative water supplies and management strategies, including conservation and reuse; 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 2015-53](#)  
[Planning Board Staff Report and Analysis](#)  
[Attachment A](#)  
[Attachment B - Summary SFWMD Lower East Coast Water Supply Plan 2013](#)  
[Attachment C - FCAA Strategic Plan 2011](#)  
[Attachment D - applicable Florida Statutes](#)

**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:**

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

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

**9:49 P.M.**