



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Wednesday, November 8, 2017

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 - 6:00 P.M.

ROLL CALL

Present 7 - Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

INVOCATION - Chaplain Derek Henson, USCG Sector Key West

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PROCLAMATIONS

1 Zonta 16 Days of Activism

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

2 Buddy Poppy Days

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

3 Pulmonary Hypertension Awareness Month

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

COMMENDATIONS

4 Nigel Hook and Jay Johnson

Sponsors: Mayor Cates

Attachments: [Commendations](#)

Received and Filed

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

5 *October 17, 2017 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

- 6 *Sponsoring a Holiday Season Parade on Saturday, December 2, 2017 between the hours of 7:00 P.M. and 10:00 P.M.; Authorizing the closure of certain streets for the parade.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 17-264

- 7 *Authorizing the Monroe County Commercial Fishermen, Inc. to conduct their 13th Annual Florida Keys Seafood Festival at Bayview Park including the softball fields on Saturday, January 13, 2018 from 11:00 A.M. to 8:00 P.M. and Sunday, January 14, 2018 from 11:00 A.M. to 5:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the Sale and Consumption of alcoholic beverages within the enclosed area; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 11:00 A.M. to 8:00 P.M. on Saturday, January 13 and from 11:00 A.M. to 5:00 P.M. on Sunday, January 14, 2018.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 17-265

- 8 *Sponsoring a Martin Luther King Celebration and March on Monday, January 15, 2018 between the hours of Noon and 6:00 P.M.; Authorizing the closure of certain streets for the March.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 17-266

- 9 *Authorizing the Key West Art Center to conduct a Craft Festival Show on Saturday, January 27, 2018 and Sunday, January 28, 2018 during the hours of 10:00 A.M. to 8:00 P.M. (set up at 6:30 A.M.); Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Street including Caroline from Telegraph to Whitehead Street on January 27, 2018 and January 28, 2018 from 6:00 A.M. to 8:00 P.M.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 17-267

- 10 *Authorizing the Key West Art Center to conduct an Art Show on Saturday, February 24, 2018 and Sunday, February 25, 2018 during the hours of 10:00 A.M. to 8:00 P.M. (set up 6:30 A.M.); Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of Whitehead Street between Greene Street and Eaton Street including Caroline between Telegraph & Whitehead on February 24, 2018 and February 25, 2018 from 6:30 A.M. to 8:00 P.M.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 17-268

- 11 *Authorizing cumulative expenditures during FY 17-18 to entities listed in Attachment "A" in excess of \$20,000.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Departmental Blanket Purchase Order Certification](#)

Passed

Enactment No: Res 17-269

- 13 *Approving the attached Supplemental Joint Participation Agreement #2 (SJPA) for FY17-18 between the Florida Department of Transportation (FDOT) Commuter Assistance Grant Program and the City of Key West for State Commuter Operating Assistance Funding (Contract G0580) for the Lower Keys Shuttle in a reimbursement amount of up to \$730,000.00 (total project cost \$1,460,000.00).

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 17-146](#)
 [Contract G0580 Supplemental Agreement #2](#)

Passed

Enactment No: Res 17-270

- 14 *Approving the attached “Public Transportation Joint Participation Agreement” (JPA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Transit Block Grant Program Funding Assistance for FY 2017-18 for operating expenses of the Fixed Route Bus Transit System in Key West in an amount up to \$217,967.00 (50% of the program cost of \$435,934.00) [FDOT Financial Project Number 43293718401, Contract #GOR08]; Authorizing the City Manager to execute necessary documents and necessary budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 17-146](#)
 [Contact GOR08](#)

Passed

Enactment No: Res 17-271

- 15 *Approving the attached 2017 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](#)
 [2017 TDP Minor Goal](#)
 [FDOT Approval Letter](#)

Passed

Enactment No: Res 17-272

- 16 *Approving the attached “Lease Agreement” between the City and Key West Community Sailing Center, Inc. for property located at 705 Palm Avenue.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Renewal Lease](#)
 [Certificate of Liability Insurance](#)
 [Prior Lease Resolution 12-210](#)

Passed

Enactment No: Res 17-273

- 17 *Authorizing the purchase of fourteen (14) 2017 Ford Police Interceptor AWD SUV Utility Marked Police Patrol Vehicles (\$34,003.75 each) from Garber Ford Fleet Sales, pursuant to Section 2-797(3) of the Code of Ordinances, pursuant to Florida State Purchasing Contract 21500000-16-1, in the total amount of for \$476,052.50 for use by the Key West Police Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Interceptor Utility Information](#)
[Garber-State Contract Quote-SUVs](#)
[State Contract Effectife Dates & Awarded Dealers](#)
[Alan JAY NJPA- Interceptor SUV Quote](#)
[Duval Sheriff Quote-SUV](#)
[FLEET \(Keys Auto Center\) 1618 N. Roosevelt Blvd](#)

Passed

Enactment No: Res 17-274

- 18 *Renewing the Contract for Medical Director of EMS for a period of one year with Drs. Herrera and Guerdan in conformance with the terms and conditions of the Contract authorized in Resolution 14-346.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 16-314](#)
[Resolution 15-314](#)
[*Large File* Resolution 14-346](#)

Passed

Enactment No: Res 17-275

Approval of the Consent Agenda

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

- 19 Directing the City Manager to identify all Government-owned sites which could potentially be used for the construction of Affordable Workforce Housing within the City of Key West and report to the City Commission by December 5, 2017; Directing the City Manager to consider all possibilities for new construction, including the addition of upper floor(s) to existing structures for Affordable Workforce Housing.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Wardlow, 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 17-276

- 20 Supporting in concept the construction of Affordable Housing on Monroe County School District property by Sugarloaf School; Directing the City Manager and City Attorney to work in cooperation with the Monroe County School District to determine feasibility and strategies to construct Affordable Workforce Housing on City and School District property at Trumbo Road.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)

A motion was made by Commissioner Payne, seconded by Commissioner Weekley, 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 17-277

- 12 Approving Work Order #1 under the City's General Utilities Services Contract with D. N. Higgins, Inc. in a total amount not to exceed \$182,728.46 for the repair of City sidewalks damaged by Hurricane Irma; Approving an Addendum to the General Utilities Services Contract to incorporate Federal Contracting clauses required for FEMA reimbursement; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* Resolution 15-292](#)
[Master Agreement](#)
[Addendum to Agreement](#)
[Work Order # 1](#)

A motion was made by Commissioner Wardlow, 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 17-278

- 21 Renewing the attached "Agreement" for EMS Billing between the City of Key West and Ambulance Medical Billing (AMB), a Subdivision of Credit Bureau Systems, Inc. (CBS) for a period of one year.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 16-315](#)
[Resolution 15-315](#)
[*Large File* Resolution 14-347](#)

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 17-279

22

Directing the City Manager to investigate the list of allegations made via email on September 19, 2017, by the former Director of the Keys Overnight Temporary Shelter (KOTS) and report to the City Commission on or before December 5, 2017; Directing the City Manager to additionally report on issues and concerns that would need to be addressed for the City to contemplate a plan to replace the current operator with a City-employed Manager, supplemented with contracted security personnel.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)
[Email From Mike Tolbert](#)

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

No: 5 - Commissioner Payne, Commissioner Romero, Commissioner Wardlow, Commissioner Weekley and Mayor Cates

Yes: 2 - Commissioner Kaufman and Commissioner Lopez

Enactment No:

23

Authorizing a Rent Deferment for Commercial Tenants of the City of Key West affected by Hurricane Irma for the months of October and November 2017, upon individual request by Tenants in good standing which meet specific criteria set forth in the memorandum of Doug Bradshaw, Director Port and Marine Services, dated October 5, 2017; Directing City Staff to analyze and provide recommendations to the City Manager with regard to Rent Deferment requests; Authorizing the City Manager to approve and execute addendum to Lease for Rent Deferments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Key West Bight Upland Tenants](#)
[Key West Bight Marina Tenant](#)
[General Fund Tenants](#)
[City Marina at Garrison Bight Commercial Tenant Charges](#)
[Key West Bight Management Board Recommendation](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Weekley, that the Resolution be Passed as amended to defer 1 month and to abate 1 month rent. 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

Enactment No: Res 17-280

24

**QUASI-JUDICIAL HEARING:
EASEMENT AGREEMENT 1230 SEMINARY STREET**

Approving an easement of 280 square feet, more or less, to address the encroachment of a portion of the front yard fence, a concrete rock wall, and brick pavers which encroach onto the Seminary Street Right-of-Way located at 1230 Seminary Street, Key West, Florida (RE #00042070-000000); Providing fees and conditions.

Sponsors: City Manager Scholl

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

A motion was made by Commissioner Wardlow, seconded by Commissioner Romero, 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 17-281

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” by amending Section 70-121 to adjust certain penalties for violation of Parking Regulations; 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 Wardlow, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading on November 21, 2017. 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 - 8:36 P.M.