



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final City Commission

Wednesday, November 4, 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

6:02 P.M.

ROLL CALL

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

INVOCATION - Lt. Commander Peter Dietz, Chaplain Coast Guard Sector Key West

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

The agenda was approved as changed without objection.

PROCLAMATIONS

- 1 Veterans Day
Sponsors: Commissioner Kaufman and Mayor Cates
Attachments: [Proclamation](#)
Received and Filed
- 2 Veterans of Foreign Ward "Buddy Poppy Days"
Sponsors: Mayor Cates
Attachments: [Proclamation](#)
Received and Filed

3 Smart Ride Day

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

4 National Hunger and Homelessness Awareness Week

Sponsors: Commissioner Weekley, Commissioner Kaufman and Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

5 16 Days of Activism

Sponsors: Mayor Cates and Commissioner Lopez

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

6 Waterway Wireless - Tom Guida and Chris Cook

Sponsors: Commissioner Lopez

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

7 *September 30, 2015 (Special)

Attachments: [Minutes](#)

Approved

8 *October 20, 2015 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

9 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Island House Resort for an official event of the White Party Week at 1129 Fleming Street between the hours of 2:00 P.M. to 7:00 P.M. on Saturday, November 21, 2015.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 15-311

10 *Awarding the bid of Pedro Falcon Electrical Contractors, Inc. for Administration Building Roof Repair at the Richard A. Heyman Environmental Protection Facility, Project No. SE-1402, in an amount not to exceed \$274,570.00 in accordance with the terms specified in ITB 15-018 including Alternate No. 1 (Chlorine Building); Authorizing the City Manager to execute a contract on behalf of the City of Key West.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Recommendation of Award](#)
[Bid Tabulation](#)
[Pedro Falcon Bid *Large File*](#)
[Roofing Concepts Unlimited Bid](#)
[Invitation to Bid](#)

Passed

Enactment No: Res 15-312

- 11 *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 2015-16 for operating expenses of the Fixed Route Bus Transit System in Key West in an amount not to exceed \$532,000.00 (50% of the program cost) [FDOT Financial Project Number 42897718401, Contract #G0598]; Authorizing the City Manager to execute necessary documents and necessary budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 14-203](#)
[*Large File* Contract](#)

Passed

Enactment No: Res 15-313

- 12 *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](#)
[*Large File* Resolution 14-346](#)

Passed

Enactment No: Res 15-314

- 13 *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](#)
[*Large File* Resolution 14-347](#)

Passed

Enactment No: Res 15-315

- 14 *Authorizing the purchase of twelve (12) Marked Ford Police Interceptor Sedan vehicles (\$28,013.00 each/total of \$336,156.00) from Don Reid Ford Fleet Sales; and Authorizing the purchase of two (2) Unmarked Ford Police Interceptor Utility SUVs (\$31,102.75 each/total of \$62,205.50) from Garber Fleet Sales, pursuant to Section 2-797(3) of the Code of Ordinances in the total amount of \$398,361.50 for use by the Key West Police Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[2015-16 Ford Utility SUV Interceptor general information](#)
[Sheriff's Bid](#)
[State Contract](#)
[SUV - FL State Contract](#)
[Interceptor Sedan-Marked-Sheriff's-Don Reid](#)
[Interceptor SUV - Garber - State Contract](#)
[Duncan Letter](#)

Passed

Enactment No: Res 15-316

- 15 *Approving the attached "Public Transportation Supplemental Joint Participation Agreement Number 1" (SJPA) to the Joint Participation Agreement (JPA) for Contract ARN65 between the Florida Department of Transportation (FDOT) and the City of Key West to increase the maximum participation or Grant Award from \$54,584.00 to \$112,644.00, reflecting an increased amount of \$58,060.00 to be used to purchase necessary support vehicles and/or equipment for the new Transit Facility; Authorizing the City Manager and/or Transit Director to execute necessary documents and budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Resolution 14-203](#)
[Resolution 14-338](#)
[SJPA Contract ARN65](#)

Passed

Enactment No: Res 15-317

- 16 *Approving the attached Supplemental Joint Participation Agreement Number One (SJPA #1) for Contract ARN97 between the Florida Department of Transportation (FDOT) and the City of Key West, to increase the maximum participation or Grant Award from \$331,261.00 to \$1,173,661.00, reflecting an increased amount of \$842,400.00, to be used for purchase of replacement buses for the Fixed Route Bus Transit System and needed equipment for the new Transit Facility; Approving necessary budget amendments and transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
Agreement
[Resolution 14-203](#)
[Resolution 14-357](#)

Passed

Enactment No: Res 15-318

- 17 *Authorizing the attached "Sublease Agreement for Desk Space" for "Be In Key West Real Estate, LLC"; and Approving the attached "Sublease Agreement for Desk Space" for "Bond Fire Studio" for portions of the property leased by Nadene Grossman Enterprises, Inc., dba "We've Got The Keys".

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Lease](#)
[Sublease - Be in Key West Real Estate](#)
[Sublease - Bond Fire Studios](#)

Passed

Enactment No: Res 15-319

Approval of the Consent Agenda

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

18 *Approving the relocation of the Caroline Street Panhandling Zone.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Exhibit A - Ordinance 12-03](#)
[Exhibit B - Map](#)

Withdrawn

19 Authorizing a \$500.00 Donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds) to Samuel’s House, Inc.

Sponsors: Mayor Cates

Attachments: [Resolution](#)
[Executive Summary](#)
[Samuel's House Request](#)

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

Enactment No: Res 15-320

20 Requesting the Florida Department of Transportation (FDOT) to modify the new crosswalks installed during the reconstruction of North Roosevelt Boulevard to enhance pedestrian and vehicle safety; Requesting any required studies be conducted expeditiously and presented to the City Commission.

Sponsors: Mayor Cates and Commissioner Kaufman

Attachments: [Resolution](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed as amended. 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 15-321

21 Directing the City Manager to work with the Housing Authority for the development of Affordable and Workforce Housing at Poinciana Plaza.

Sponsors: Commissioner Kaufman, Commissioner Payne and Commissioner Wardlow

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 15-322

22 Removing Richard Klitenick as a member of the Planning Board and thanking him for his service.

Sponsors: Commissioner Payne

Attachments: [Resolution](#)
[Letter From Bill Verge](#)
[Letter From Michael Browning](#)
[Letter From James Gilleran](#)
[Letter From Owen Trepanier](#)
[Letter From Omar Garcia](#)
[Letter From Cristy Spottswood](#)

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

No: 3 - Commissioner Kaufman, Commissioner Romero and Commissioner Wardlow

Yes: 4 - Commissioner Lopez, Commissioner Payne, Commissioner Weekley and Mayor Cates

Enactment No: Res 15-323

- 23 Authorizing the City Manager to enter into an agreement with US Bank, NA, property owner(s) in Code Compliance Case Number CES-14-967 (1627 Laird Street) permitting a Release of Lien upon payment of the owners of a mitigated amount of \$5,000.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Property Owner Lien Release Request](#)
[Quitclaim Deed](#)
[Certificate of Title](#)
[Bank of America email](#)
[Lien](#)

A motion was made by Commissioner Romero, 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 15-324

The Meeting went into recess at 8:55 P.M. and reconvened at 9:10 P.M.

- 24 **QUASI-JUDICIAL HEARING: 1529 VON PHISTER STREET**
Approving an Easement for a total of 60 square feet into the Thompson Street Right-of-Way, to address the encroachment of a portion of an existing roof overhang and fence encroaching on City Right-of-Way abutting the property located at 1529 Von Phister Street (RE #00042640-000000, AK #1043273), Key West, Florida; Providing fees and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Easement Agreement](#)
[Application Package](#)
[Survey](#)

A motion was made by Commissioner Lopez, 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 15-325

ORDINANCES – FIRST READING

25

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, 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](#)

Withdrawn

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:23 P.M.