



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, January 5, 2016

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

6:00 P.M.

ROLL CALL

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

INVOCATION - Ellen Booth Church, Tara Mandala Tibetan Buddhist Group

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

The agenda was approved as changed without objection.

COMMENDATIONS

- 1 Allison Heinz
Sponsors: Mayor Cates
Attachments: [Commendation](#)
Received and Filed
- 2 Penny Maun
Sponsors: Mayor Cates
Attachments: [Commendation](#)
Received and Filed

3 Cory Oliver

Sponsors: Mayor Cates

Attachments: [Commendation](#)

Received and Filed

4 Miguel Perez

Sponsors: Mayor Cates

Attachments: [Commendation](#)

Received and Filed

PROCLAMATIONS

5 Tom Hambright Day

Sponsors: Mayor Cates, Commissioner Kaufman, Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow and Commissioner Weekley

Attachments: [Proclamation](#)

Received and Filed

6 Community Foundation of the Florida Keys 20th Anniversary

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

City Attorney's Report

City Manager's Report
- Promotion of Sergeant Matt Haley
- Naming New City Hall

7

Attachments: [Architectural Drawings](#)

Received and Filed

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

8 *December 2, 2015 (Regular)

Attachments: [Minutes](#)

Approved

9 *December 16, 2015 (Special)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

10 *Re-appointing Raymond Vazquez to the Contractor's Examining Board.

Sponsors: Mayor Cates

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

Passed

Enactment No: Res 16-001

- 11 *Authorizing Marques Butler Memorial Scholarship, Inc. to conduct a fundraiser at the Clayton Sterling Complex and the Dewitt Roberts Field for the Annual Marques Butler Memorial Softball Tournament on Saturday, February 13, 2016 and Sunday, February 14, 2016 from 8:00 A.M. to 11:00 P.M. Pursuant to terms and conditions set forth by the office of the City Manager; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to 11:00 P.M. on Saturday, February 13, 2016 and Sunday, February 14, 2016; Authorizing the sale and consumption of alcoholic beverages on the date and during the hours stated above.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 16-002

- 12 *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 Sunday, February 14, 2016 from 9:00 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 *Large File*](#)
[Advertisement](#)

Passed

Enactment No: Res 16-003

- 13** *Authorizing Mote Marine Laboratory, Inc. to conduct a "Florida Keys Ocean Festival" at the Truman Annex, 38 East Quay Road (Eco-Discovery) on Saturday, April 2, 2016 from 7:00 A.M. to 7:00 P.M. (set up Friday, April 1, 2016); Pursuant to terms and conditions set forth by the City Manager; Authorizing the use of the Truman Waterfront next to the Eco Discovery from 7:00 A.M. to 7:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 16-004

- 14** *Approving Task Order No. 5-15-SWR from CH2M Hill Engineering, Inc. in an amount not to exceed \$86,605.00 for Construction Phase Services for the Concrete Repairs Project at the Richard A. Heyman Environmental Protection Facility and Fleming Key Bridge.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Task Order 5-15 SWR](#)
[General Engineering Resolution 15-208](#)
[Per Diem FY16](#)

Passed

Enactment No: Res 16-005

- 15 *Approving a Task Order for Saltz Michelson Architects to provide a "Peary Court Property Physical Needs Assessment" in the amount of \$165,951.00; Authorizing necessary Budget Transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Proposal](#)
[Ordinance 15-15](#)
[Resolution 15-207](#)
[Resolution 12-220](#)
[Letter From Barbara Ramey](#)

Withdrawn

- 16 *Authorizing a waiver of formal bidding procedures, and authorizing pursuant to Section 2-797(3), 2-797(4)(b) and 2-798(b) of the Code of Ordinances, as funded through FDOT Grant ARN97, the following purchases: one (1) Diesel Particulate Filter Cleaner in an amount not to exceed \$30,000.00 from Premium Auto Parts of Key West, LLC; One (1) Yale Model GP050VX Diesel Forklift in an amount not to exceed \$32,855.00 from MacKinnon Equipment Services; One (1) 2016 Chevrolet 3500 Diesel Service Truck with Knapheide Body and lift gate in an amount not to exceed \$76,984.43 from Niles Sales and Service; Authorizing any necessary budget adjustments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Contract ARN97 SJPA #1](#)
[Diesel Particulate Filter Quotes](#)
[Forklift Quotes](#)
[Alan Jay Quote](#)
[Niles Quote](#)

Passed

Enactment No: Res 16-006

- 17 *Authorizing pursuant to Sections 2-797(4)(b) and 2-844(a)(b) of the Code of Ordinances the purchase of eighteen (18) GETAC B300G5 Extreme Rugged Notebook Computers and related equipment from Hewlett-Packard in the amount of \$71,042.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[GETAC Computer Purchase-Product Information](#)
[GETAC-HP Quote](#)
[GETAC-CDW-G Quote](#)
[GETAC-Gov Connection Quote](#)
[GETAC-3 System Brand Name Memo](#)

Passed

Enactment No: Res 16-007

- 18 *Awarding the bid of Seamar Divers, Inc. in response to ITB #001-16 in the amount of \$13,722.90 per year for Mooring Field Inspections (two inspections at \$6,861.45 per year); Authorizing the City Manager to execute a contract in substantial conformance with the contract documents contained in the ITB #001-16, upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bid Clarification Email](#)
[Bid Memo Tabulation](#)
[Contract](#)
[*Large File* Seamar Bid 001-16 Mooring Field](#)
[Earthtech Bid 001-16 Mooring Field](#)
[*Large File* Underwater Bid 001-16 Mooring Field](#)

Passed

Enactment No: Res 16-008

- 19 *Ratifying an emergency procurement approved by the City Manager in excess of \$20,000.00 as allowed under Section 2-797(2) of City's Code of Ordinances, for the procurement from Xylem Water Solutions USA of two pump station repair kits and one impeller in an amount not to exceed \$24,091.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Emergency Declaration](#)
[Impeller Quote](#)
[Justification Memo for Impeller](#)
[Rebuild Kit Quotes](#)
[Justification Memo for Rebuild Kits](#)
[Sole Source Letter](#)

Passed

Enactment No: Res 16-009

- 20 *Ratifying an Emergency Change Order Approval dated December 28, 2015 and approved by the City Manager as provided for under Section 2-797(2) and 2-845 of the Code of Ordinances, authorizing a Change Order in the amount of \$6,840.00 for additional work required for installation of a 20 inch Plug Valve on White Street.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Emergency Change Order](#)
[Task Order - Executed](#)
[Change Order](#)
[Resolution No 15-292](#)

Passed

Enactment No: Res 16-010

- 21 *Ranking proposals received in response to RFP #08-015, for Disaster Response Services; Authorizing the negotiation of contracts with the three top-ranked proposers; Authorizing the City Manager to enter into contracts in substantial conformance with the bid documents, upon advice of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* Disaster Response Services Proposal](#)
[*Large File* AshBritt Inc.](#)
[*Large File* ATL Disaster Recovery Proposal](#)
[*Large File* Ceres Environmental Proposal](#)
[*Large File* Crowder Gulf Proposal](#)
[*Large File* EE & G Disaster Response, LLC and Phillips & Jordan Proposal](#)
[*Large File* T.F.R. Enterprises, Inc. Proposal](#)
[Staff Scoring Sheets](#)
[Ranking Summary](#)
[Correspondence](#)

Passed

Enactment No: Res 16-011

- 22 *Ranking proposals received in response to RFP #09-015, for Monitoring of Debris Removal and Related Services; Authorizing the negotiation of contracts with the three top-ranked proposers; Authorizing the City Manager to enter into contracts in substantial conformance with the bid documents, upon advice of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* True North proposal](#)
[*Large File Tetra Tech proposal](#)
[*Large File* Witt O'Brien's proposal](#)
[Staff scoring sheets](#)
[Ranking summary](#)

Passed

Enactment No: Res 16-012

- 23 *Approving the attached Agreement between the City and Foster & Foster Consulting Actuaries for Pension Benefit Study Services in the amount of \$75,000.00; Authorizing the City Manager to execute the Agreement on behalf of the City.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement](#)
[Certificate of Liability Insurance](#)
[Resolution 15-367](#)

Passed

Enactment No: Res 16-013

Approval of the Consent Agenda

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

- 24 Naming Commissioner Clayton Lopez as Vice Mayor.

Sponsors: Mayor Cates

Attachments: [Resolution](#)

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

Enactment No: Res 16-014

- 25 Requesting that vacant rental housing units located within U.S. Navy Facilities at Sigsbee Park in Key West be made available as Affordable Housing for military members or civilian employees; Authorizing the City Manager to work with Navy Personnel to identify funding, determine criteria, and develop policies and procedures to provide Workforce Housing at Sigsbee Park.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)
[Letter to Congressman Curbelo](#)

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

Enactment No: Res 16-015

- 26 Approving in concept the creation and installation of a memorial marker to honor the Montford Point Marines at Bayview Park; Directing the City Manager to identify funding sources and to work with supporters to establish a suitable memorial; Supporting the use of City funds for the cost of installing the memorial.

Sponsors: Commissioner Lopez and Commissioner Kaufman

Attachments: [Resolution](#)
[Monument Photos](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Kaufman, 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 16-016

- 27 Approving Task Order No. 3-15-SW from CH2M Hill Engineering, Inc. in an amount not to exceed \$75,861.00 for Long-term Care Completion Certification of the Stock Island Landfill.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Task Order](#)
[*Large File* Resolution 15-208](#)
[*Large File* Landfill Consent Order & Amendments](#)
[Landfill Closure](#)

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

Enactment No: Res 16-017

- 28 Approving an emergency purchase approved by the City Manager in excess of \$20,000.00 as allowed under Section 2-797(2) of City's Code of Ordinances, for procurement of structural repairs to the Douglass Band Room for use by the Monroe County Health Department (MCHD) in an amount not to exceed \$247,500.00; Authorizing necessary budget transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Emergency Declaration](#)
[*Large File* Contract Documents](#)
[Bella Proposal](#)
[Bella Original Proposal](#)
[Performance Bond-Bella](#)
[Payment Bond-Bella](#)
[Burke Proposal](#)
[Pedro Falcon Proposal](#)

Withdrawn

- 29 Authorizing an expenditure of Law Enforcement Trust Funds (forfeiture funds) in an amount not to exceed \$29,440.00 for enrollment, housing, fuel and per diem costs for two KWPD Officers to attend the Southern Police Institute 75th Command Officers Development Course (CODC) between March and July, 2016.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)

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

Enactment No: Res 16-018

- 30** Awarding the bid of Pedro Falcon Electrical Contractors, Inc. for Mallory Square Public Bathroom Improvements, Project No. IS19001601, in an amount not to exceed \$151,412.00 in accordance with the terms specified in ITB 003-16; Authorizing the City Manager to execute a contract on behalf of the City of Key West in substantial conformance with documents contained in the bid package, upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bid Tab Memo](#)
[ITB 003-16](#)
[Addendum 1](#)
[*Large File* Pedro Falcon Bid](#)
[SeaTech Bid](#)
[*Large File* DL Porter Bid](#)

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

Enactment No: Res 16-019

- 31** Approving, pursuant to Section 2-797(4)(b) of the Code of Ordinances, a two-year extension of the "Agreement between the City and Historic Tours of America, Inc." for the provision of Shuttle Services for Cruise Ship Passengers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[HTA Addendum 2016](#)
[Original HTA Agreement](#)
[Resolution #12-317](#)
[Resolution #15-018](#)

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 16-020

32

Granting preliminary authorization to enter into the Development Agreement process and pursue negotiations with the property owner for the property located at 3900 South Roosevelt (RE #00066180-000200, AK #8749996) pursuant to Section 90-679 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Applicant's letter of request](#)
[Ownership Certificate](#)
[*Large File* Survey](#)

A motion was made by Commissioner Romero, 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 16-021

33

QUASI-JUDICIAL HEARING: 716-718 South Street

Approving an extension to a Major Development Plan and Landscape Waiver for property located at 716-718 South Street (RE #00036870-000000, AK #1037681), Key West Florida.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Prior Approval](#)
[Application Package](#)
[Survey](#)

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

No: 1 - Commissioner Weekley

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

Enactment No: Res 16-022

34

QUASI-JUDICIAL HEARING: 809 Eaton Street

Approving an Easement for a total of 238 square feet into the Caraballo Lane right-of-way, to address the encroachment of a portion of an existing first and second story porch and wood fence encroaching on City right-of-way abutting the property located at 809 Eaton Street (RE #00003330-000000, AK #1003468), 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 Wardlow, seconded by Commissioner Weekley, 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 16-023

35

QUASI-JUDICIAL HEARING: 908 Terry Lane

Approving a Plat prepared for acceptance to reflect the proposed subdivision located at 908 Terry Lane (RE #00014880-000000, AK #1015229; RE #0014880-000100, AK #9077554), Key West, Florida.

Sponsors: City Manager Scholl

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

A motion was made by Commissioner Payne, seconded by Commissioner Kaufman, 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 16-024

ORDINANCES - SECOND READING (Public Hearing)

36

An Ordinance of the City of Key West, Florida, amending Chapter 2 entitled "Administration," Article V entitled "Committees, Boards and Commissions," Division 8 entitled "Art In Public Places Board" of the Code of Ordinances by amending Section 2-483 entitled "Applicability of General Provisions;" Amending Section 2-486 entitled Duties and adding subsection B Definition of an AIPP Coordinator and their duties and amending Section 2-487 entitled "Funding of Art in New Construction and Major Renovation Projects" by modifying the method in which the accounting and use of funds are utilized, clarifying and elaborating certain provisions of the program and adding procedures for efficient implementation of the program; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

It was moved by Commissioner Romero to postpone the Ordinance to January 20, 2016; the motion died for lack of a second.

A motion was made by Commissioner Payne, seconded by Commissioner Lopez, that the Ordinance be Adopted. 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: Ord 16-01

DISCUSSION

37

Development of an Application Process for City Funding for Non-Profit Organizations

Sponsors: City Manager Scholl

Attachments: [Executive Summary](#)
[Fiscal Year 2017 City Funding Application](#)
[Fiscal Year 2017 City Application Checklist](#)
[Template Draft Agreement Fiscal Year 2017](#)

Discussed

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT

9:01 P.M.