



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final City Commission

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Tuesday, August 4, 2015

6:00 PM

Old 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 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

### CALL MEETING TO ORDER

6:04 P.M.

### ROLL CALL

**Present** 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

### INVOCATION - Pastor Terri Hill, United Methodist Church

### PLEDGE OF ALLEGIANCE TO THE FLAG

### APPROVAL OF AGENDA

*The agenda was approved as changed without objection.*

### PRESENTATIONS

- 1 Summer Peace Camp at Frederick Douglass Center - Alison Morales  
**Sponsors:** Commissioner Lopez  
**Not Received**
  
- 2 Duval Street Master Plan  
**Sponsors:** City Manager Scholl  
**Attachments:** [Final Plan](#)  
**Received and Filed**

**3** Indigenous Park Master Plan

**Sponsors:** City Manager Scholl

**Attachments:** [\\*Large File\\* Indigenous Park Master Plan](#)

Received and Filed

**City Attorney's Report**

**City Manager's Report**  
**- Suicide Presentation - Mary Lou Hoover**

**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** \*June 30, 2015 (Workshop)

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

**Approved**

**5** \*July 7, 2015 (Regular)

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

**Approved**

**6** \*July 14, 2015 (Special)

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

**Approved**

**7** \*July 20, 2015 (Workshop)

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

**Approved**

8 \*July 21, 2015 (Workshop)

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

**Approved**

9 \*July 23, 2015 (Special)

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

**Approved**

## RESOLUTIONS

10 \*Re-appointing Neil Shelby Mellies, II to the Tree Commission.

**Sponsors:** Mayor Cates

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

**Passed**

Enactment No: Res 15-236

11 \*Appointing Timothy R. Atwell to the Tree Commission.

**Sponsors:** Mayor Cates

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

**Passed**

Enactment No: Res 15-237

12 \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Just Save the Date, LLC for a rehearsal dinner at the Southernmost House during the hours of 7:00 P.M. to 11:00 P.M. on Friday, October 9, 2015.

**Sponsors:** City Manager Scholl

**Attachments:** Letter Withdrawing Special Event Permit Request  
Resolution  
Application  
Advertisement

**Withdrawn**

- 13** \*Authorizing Key West Business Guild, Inc. to conduct the 32nd Annual Headdress Ball on Thursday, October 29, 2015 at the Truman Waterfront by the USCG Ingham from 7:00 P.M. to 11:00 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; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the event.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[\\*Large File\\* Application](#)  
[Advertisement](#)

**Passed**

Enactment No: Res 15-238

- 14** \*Authorizing Lone Palm Foundation, Inc. to conduct Parrot Heads in Paradise Street Party on Friday, November 6, 2015 from 8:00 A.M. to 6:00 P.M. pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of the 400 and 500 blocks of Duval Street; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 8:00 A.M. to 6:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[\\*Large File\\* Application](#)  
[Advertisement](#)

**Passed**

Enactment No: Res 15-239

- 15                   \*Authorizing "Key West Half Marathon, LLC" to conduct their 18th Annual Half Marathon and 5K Run on Saturday, January 16, 2016 from 8:00 A.M. to 8:00 P.M. and Sunday, January 17, 2016 from 4:00 A.M. to 12:00 Noon at the Half Shell Raw Bar 231 Margaret Street; Authorizing certain street closures thereof during the event; Pursuant to terms and conditions set forth by the City Manager.

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [\\*Large File\\* Application](#)  
                          [Advertisement](#)

**Passed**

Enactment No: Res 15-240

- 16                   \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Kristen Rocha and Steven Aldrich for a wedding ceremony and reception at the Hemingway House at 907 Whitehead Street during the hours of 6:00 P.M. to 12:00 Midnight on Saturday, May 14, 2016.

**Sponsors:**       City Manager Scholl

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

**Passed**

Enactment No: Res 15-241

- 17                   \*Approving the attached Mutual Aid Agreement between the City of Key West and the Monroe County School District regarding a School Resource Officer at Key West High School and Horace O'Bryant School for the 2015-2016 School Year.

**Attachments:**    [Resoution](#)  
                          [Executive Summary](#)  
                          [School Resource Officer Backup](#)

**Passed**

Enactment No: Res 15-242

- 18 \*To approve and authorize the acceptance of a 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) - Local Solicitation, in the amount of \$13,207.00, Authorizing any necessary budget amendments.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 15-243

- 19 \*Authorizing the award of Task Order No. 1 to address pre-construction permit requirements for Rest Beach Renourishment in an amount not to exceed \$40,988.88.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order No. 1](#)  
[Resolution 14-359](#)  
[Florida Department of Environmental Protection Permit](#)

**Passed**

Enactment No: Res 15-244

- 20 \*Supporting the proposed activities, including local cost share, outlined in the 2016/2017 Local Government Funding Request (LGFR) to Florida Department of Environmental Protection (FDEP) for Rest Beach Renourishment Activities; Authorizing the City to act as a local sponsor, and to regionalize with the State Division of Parks and Recreation.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[FY2016 / 2017 Application](#)  
[Resolution 14-223](#)

**Passed**

Enactment No: Res 15-245

- 21 \*Rejecting the Proposal received in response to Request For Proposal #15-020 for Refurbish I-Beams at City Marina pursuant to Section 2-834(4) of the Code of Ordinances; Approving the price quote of S. B. Painting and Grounds Maintenance, Inc. in an amount not to exceed \$25,550.00 to refurbish 146 I-Beams at City Marina pursuant to Section 2-797(4)(b) of the Code of Ordinances.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[City Clerk Bid Tabulation Memo](#)  
[\\*Large File\\* City Bid Documents Bid 15-020](#)  
[SB Painting and Grounds Maintenance, Inc. Proposal](#)  
[SB Painting E-mail to Staff](#)  
[Jimmy Nath Painting Proposal](#)

**Passed**

Enactment No: Res 15-246

- 22 \*Authorizing a Design Task Order to Stantec Consulting Services, Inc. for Bahama Village Connectivity to Truman Waterfront - Angela Street Improvements in an amount not to exceed \$47,192.00.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Proposal](#)  
[Master Plan](#)  
[Survey](#)  
[\\*Large File\\* Resolution 15-208](#)  
[Resolution 13-111](#)  
[\\*Large File\\* Resolution 12-280](#)

**Passed**

Enactment No: Res 15-247

- 23** \*Awarding the bid of P2M General Contracting Services, Inc. for Painting Key West Fire Department Exterior and Police Station Interior/Exterior, in accordance with the terms specified in ITB 15-023, in an amount not to exceed \$59,500.00; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package and upon advice and consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Invitation to Bid 15-023](#)  
[Bid Tabulation](#)  
[P2M General Construction Services Inc. Bid](#)

**Passed**

Enactment No: Res 15-248

- 24** \*Awarding the bid Charley Toppino and Sons, Inc. for VFD upgrades to Wastewater Pump Stations A, B, C, D, and DA to Project No. SE-1301, in accordance with the terms specified in ITB 15-014, in an amount not to exceed of \$4,022,894.40, which includes a \$3,962,090.00 lump sum plus additive alternates totaling \$60,804.40; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package and upon advice and consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Clerk Bid Memo](#)  
[Bid Charlie Toppino & Sons](#)  
[\\*Large File\\* Bid DN Higgins](#)  
[\\*Large File\\* Bid Documents](#)  
[\\*Large File\\* Bid Drawings](#)

**Passed**

Enactment No: Res 15-249



- 25** \*Establishing the estimated Assessment Rate for Solid Waste Service Assessments against assessed property located within the City of Key West, Florida, for the Fiscal Year beginning October 1, 2015; Directing the preparation of an Assessment Roll; Authorizing a public hearing and directing the provision of notice thereof.

**Sponsors:** City Manager Scholl

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

**Passed**

Enactment No: Res 15-250

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

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

- 26** Authorizing the purchase of a Dockmaster Office/Transient Bathhouse structure for the City Marina at Garrison Bight from UH Structures - d/b/a Ebtech Industrial Building Solutions pursuant to GSA Contract, in combination with open market items necessary to complete construction, in an amount not to exceed \$589,857.79, pursuant to Section 2-797(3) and 2-797(4)(b) of the Code of Ordinances.

**Attachments:** Resolution  
Executive Summary  
Dockmaster - Transient Combined Quote  
Attachment A  
Attachment B  
Copy of GSA Reference  
Price Breakdown Comparison Original vs Container  
Concept Model  
Building Layout  
Building Standards

**Withdrawn**

27 Authorizing a Purchasing Exception pursuant to Section 2-797 of the Code of Ordinances, to allow an increase of \$11,000.00 in cumulative expenditures during FY 14-15 to Monroe Concrete Products, Inc. (from \$19,000.00 to a total of \$30,000.00).

**Sponsors:** City Manager Scholl

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

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

Enactment No: Res 15-251

28 Authorizing the award of Task Order No. 3 to address the Schematic Design of the Duval Street Master Plan not to exceed \$115,000.00.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order No. 3](#)  
[Resolution 12-221](#)  
[Resolution 15-209](#)

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

**No:** 3 - Commissioner Rossi, Commissioner Wardlow and Mayor Cates

**Yes:** 4 - Commissioner Johnston, Commissioner Lopez, Commissioner Weekley and Commissioner Yaniz

Enactment No: Res 15-252

- 29 Directing the City Manager and the City Attorney to negotiate a Contract Amendment with Waste Management of Florida, Inc. (WMI) to provide for twice per week Solid Waste Collection Services for Residential Units; Authorizing the City Manager to execute the Amendment to Contract.

**Sponsors:** Commissioner Yaniz

**Attachments:** [Resolution](#)  
[Price Form](#)  
[\\*Large File\\* Resolution 14-254 WMI First Amendment](#)  
[7 Letters for Once Weekly Garbage Pick-up](#)  
[17 Letters for Twice Weekly Garbage Pick-up](#)

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

**No:** 3 - Commissioner Rossi, Commissioner Wardlow and Commissioner Yaniz

**Yes:** 4 - Commissioner Johnston, Commissioner Lopez, Commissioner Weekley and Mayor Cates

- 30 **Meeting went into Recess at 8:29 p.m. Meeting Reconvened at 8:40 p.m.**

**QUASI-JUDICIAL HEARING: 119-159 SIMONTON STREET**

Approving a change to a condition of City Commission Resolution No. 08-131, which approved a Major Development Plan, to allow transient use of the 20 residential dwelling units on property located at 119-159 Simonton Street (RE #00000240-000000; AK #1000230) within the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) Zoning District pursuant to Section 108-91.C.4, of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing conditions.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Application Package](#)  
[Prior City Approvals](#)

**A motion was made by Commissioner Rossi, seconded by Commissioner Yaniz, that the Resolution be Postponed to August 18, 2015. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

31

**QUASI-JUDICIAL HEARING: 1415 OLIVIA STREET**

Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of 212 square feet of City property in order to maintain existing **brick pavers and** landscaping ~~and replace existing pavers with City approved material~~ associated with an historic structure located at 1415 Olivia Street, pursuant to Section 2-939 of the Code of Ordinances.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Revocable License Agreement](#)  
[Executive Summary](#)  
[Survey](#)  
[Site Photos](#)  
[Application](#)  
[Urban Forester email](#)

**A motion was made by Commissioner Rossi, seconded by Commissioner Wardlow, that the Resolution be Passed approving Option 2 of the Executive Summary. The motion carried by the following vote:**

**No:** 2 - Commissioner Johnston and Commissioner Weekley

**Yes:** 5 - Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Yaniz and Mayor Cates

Enactment No: Res 15-253

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

32

An Ordinance of the City of Key West, Florida, amending Chapter 62 of the Code of Ordinances entitled "Streets and Sidewalks" by amending Section 62-3, to add a fee for obstructing a parking meter; 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 Rossi, seconded by Commissioner Weekley, that the Ordinance be Adopted. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Johnston, Commissioner Lopez, Commissioner Rossi, Commissioner Wardlow, Commissioner Weekley, Commissioner Yaniz and Mayor Cates

Enactment No: Ord 15-11

**DISCUSSION**

**33** Development of a Donations Policy

Sponsors: Commissioner Johnston

Attachments: [Executive Summary](#)  
[County Process for Distribution of Funds to Non-profits](#)

**Discussed**

**34** Affordable Housing Density Calculations and Implementation of Ordinance 02-08

Sponsors: Commissioner Weekley

Attachments: [Ordinance 02-08 Affordable Housing Regulations](#)

*Withdrawn*

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**

**10:02 P.M.**