



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Wednesday, January 3, 2018

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

ROLL CALL

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

INVOCATION - Pastor Gary Faith, Grace Lutheran Church

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PROCLAMATIONS

1 **Key West High School Football Team Day**

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

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

City Attorney's Report

City Manager's Report

2017 City of Key West's Holiday Parade winners:

- Mayor's Cup – Key West High School Conchettes
- Vice Mayor's Cup – Unity of the Keys Spiritual Center
- Commissioners Cup – Florida Keys Outreach Coalition
- Honorable Mention – Key West Sports Academy

- KOTS - Postponed to January 17, 2018

2 - Feasibility Report of Renovating the PAL Building

Attachments: [Presentation](#)

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

3 *December 5, 2017 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

4 *Re-appointing David A. Jackson to the Tree Commission.

Sponsors: Mayor Cates

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

Passed

Enactment No: Res 18-001

- 5 *Directing City Staff to make recommendations regarding beneficial amendments to the City Roofing Code.
- Sponsors:** Commissioner Payne
- Attachments:** [Resolution](#)
- Passed**
- Enactment No: Res 18-002
- 6 *Approving the purchase of two (2) Automatic Control Check Valves from Fluid Control Specialties, Inc. in an amount not to exceed \$103,796.00 on a Sole Source Basis pursuant to Section 2-797(1) and 2-844(a) of the Code of Ordinances for use at the Wastewater Treatment Plant.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Fluid Controls PE Check Valve Quote](#)
[DeZURIK-APCO Sole Source Letter](#)
[OMI Memo](#)
- Passed**
- Enactment No: Res 18-003
- 7 *Approving the attached Lease Agreement between the City and Nadene Grossman Enterprises, Inc. dba “We’ve Got The Keys” for property located at 922 Caroline Street.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Lease](#)
[Personal Guaranty](#)
[Corporate filings](#)
- Passed**
- Enactment No: Res 18-004

- 8 *Approving the attached Public Transportation Supplemental Joint Participation agreement (SJPA) Number One between the City and the Florida Department of Transportation (FDOT) for additional funding for the Truman Annex Seawall Refurbishment Project in the amount of \$256,365.00 (total FDOT funding not to exceed \$512,730.00 FDOT JPA G0L18/441263-1); Authorizing necessary budget transfers; Authorizing the City Manager to execute the attached JPA.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Supplemental JPA 1 G0L18](#)
 [Resolution 17-107](#)

Passed

Enactment No: Res 18-005

- 9 *Approving the attached Supplemental Joint Participation Agreement Number Three (SJPA #3) for Contract ARN97 between the Florida Department of Transportation (FDOT) and the City of Key West, in an amount not to exceed \$1,913,000.00, to be used for purchase of replacement buses and needed equipment for Key West Transit and the new Transit Facility; Approving necessary budget adjustments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 17-146](#)
 [Supplemental Joint Agreement #3](#)

Passed

Enactment No: Res 18-006

- 10 *Approving the attached “Public Transportation Joint Participation Agreement” (JPA) for Contract G0S29 between the Florida Department of Transportation (FDOT) and the City of Key West in the amount of \$43,580.00 to be used to purchase necessary facility and vehicle equipment (Local Match 20% via Toll Revenue Credits); Authorizing the City Manager and/or Transit Director to execute necessary documents and budget amendments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 17-146](#)
 [Joint Participation Agreement](#)

Passed

Enactment No: Res 18-007

- 11 *Approving a Task Order under the City’s General Utilities Services Contract with D. N. Higgins, Inc. in a total amount not to exceed \$83,221.27 for North Roosevelt Outfall Repair; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Task Order](#)
 [Task Order - Damage Assessment](#)
 [*Large File* Resolution 15-292](#)
 [*Large File* D.N.Higgins Contract](#)

Passed

Enactment No: Res 18-008

- 12 *Approving the attached “Quit Claim Deed” (Parcel No. 169), to transfer necessary Right-of-Way along State Road No. 5, North Roosevelt Boulevard, to the Florida Department of Transportation, pursuant to Section 7.03(a) of the City Charter; Authorizing the City Manager to execute all necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [*Large File* Quit Claim Deed](#)
 [Parcel 169](#)
 [Preliminary Plans](#)

Passed

Enactment No: Res 18-009

- 13 *Authorizing execution of the attached “Quit Claim Deed” (Parcel No. 100) to transfer necessary Right-of-Way to the Florida Department of Transportation to Facilitate Seawall Maintenance along State Road A1A/South Roosevelt Boulevard from the east end of Smathers Beach to Riviera Canal, pursuant to Section 7.03(a) of the City Charter; Authorizing the City Manager to execute all necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Parcel 100 Location Map](#)
 [*Large File* Quit Clam Deed](#)

Passed

Enactment No: Res 18-010

- 14 *Authorizing repairs at the Blake Fernandez Skate Park by American Ramp Company (ARC) in an amount not to exceed \$58,530.00, through the National Joint Powers Alliance Contract, pursuant to Section 2-797(3) and Section 2-797(4)(b) of the Code of Ordinances; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Inspection Report](#)
[ARC Quote](#)
[ARC RFP](#)
[Pricing Sheet](#)
[ARC Acceptance and Award](#)
[NJPA Membership](#)
[NJPA Contract Definition](#)
[National Joint Powers Alliance Request for Proposal](#)

Passed

Enactment No: Res 18-011

- 15 *Authorizing pursuant to Section 2-771(c) of the Code of Ordinances the disposal of surplus and obsolete City-owned vehicles, equipment and improvements, set forth in "Attachment A".

Sponsors: City Manager Scholl

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

Passed

Enactment No: Res 18-012

- 16 *Authorizing pursuant to Sections 2-797(4)(b) - Best Interests of the City, and 2-844(a)(b) - Brand Name Specifications, of the Code of Ordinances the purchase of seven (7) GETAC V110G3 Extreme Rugged Convertible Notebook Computers and related equipment from PCN Strategies in the amount of \$28,473.47.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[GETAC Brand Name Sole Source Memo](#)
[GETAC V110GS](#)
[GETAC V110 PCN Strategies Quote](#)
[GETAC V110 CDW-G Quote](#)
[GETAC V110 Hewlett Packard Quote](#)

Passed

Enactment No: Res 18-013

- 17 *Ratifying an Addendum to the General Utilities Services Contract for Charley Toppino and Sons, Inc. (CTS) to incorporate Federal Contracting Clauses required for FEMA Reimbursement; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Executed Addendum](#)
[*Large File* Resolution 15-292](#)
[Contract](#)

Passed

Enactment No: Res 18-014

18

*Ratifying an Emergency Procurement approved by the City Manager as allowed under Section 2-797(2) of the Code of Ordinances, for necessary *temporary* repairs to the Kingfish Pier at City Marina at Garrison Bight resulting from Hurricane Irma by Ebsary Foundation Co. (Ebsary) in an amount not to exceed \$79,750.00; Authorizing any necessary budget amendments; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Emergency Declaration](#)
[Ebsary Proposal](#)
[Resolution 17-183](#)

Passed

Enactment No: Res 18-015

19

*Ratifying an Emergency Procurement approved by the City Manager in excess of \$20,000.00 as allowed under Section 2-797 (1) and (2) of City's Code of Ordinances, for necessary Hurricane Irma related repairs set forth in ITB #18-003 at the Historic Seaport at Key West Bight by Ebsary Foundation Co. (Ebsary) in an amount not to exceed \$389,000.00; Authorizing any necessary budget amendments; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* Executed Contract](#)
[City Bid documents #18-003](#)
[Addendum #1](#)
[City Clerk Bid tabulation memo](#)
[*Large File* Ebsary Proposal](#)
[*Large File* DN Higgins Proposal](#)

Passed

Enactment No: Res 18-016

- 20 *Ratifying an Emergency Task Order approved by the City Manager as allowed under Section 2 -797(2) of the Code of Ordinances, under the City's General Utilities Services Contract with D. N. Higgins, Inc. in a total amount not to exceed \$45,000.00 for repair of the damaged Stormwater Structure and Pipe on Front Street due to a water main break; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Emergency Declaration](#)
[*Large File* Resolution 15-292](#)
[*Large File* Contract](#)

Passed

Enactment No: Res 18-017

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.

- 21 Authorizing a Waiver of the One Percent Public Art Set-aside Requirement for the Florida Keys Society for the Prevention of Cruelty to Animals (FKSPCA) Animal Shelter Project on College Road, pursuant to Section 2-487(c)(1) c. of the Code of Ordinances.

Sponsors: Commissioner Kaufman

Attachments: [Resolution](#)

A motion was made by Commission Kaufman and seconded by Commissioner Payne that the Resolution be approved.

A motion was made by Commissioner Lopez, seconded by Commissioner Romero, that the Resolution be Postponed to January 17, 2018. The motion carried by the following vote:

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

22

Authorizing the purchase of one (1) Ford F250 in a total amount not to exceed \$29,143.00 from Duval Ford Fleet Sales, through Piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA17-VEL25.0 Contract, pursuant to section 2-797(3) of the Code of Ordinances for use by the Key West Fire Department.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bid Award](#)
[FSA Ford F-250](#)
[Lightbar and Siren](#)
[Quote](#)

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

Enactment No: Res 18-018

ORDINANCES – FIRST READING

23

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending "Article XIII - Cosmetics," Section 18-705, to require disclosure of the final cost of items and services prior to application of samples; Amending Section 18-707 to provide that violation of off-premises canvassing provisions may result in permit suspension or revocation; 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 Weekley, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading on January 17, 2018. The motion carried by the following vote:

No: 1 - Commissioner Kaufman

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

24

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; Repealing Section 70-127; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Parking and Alternative Transportation Group Resolution 2018-01](#)

A motion was made by Commissioner Wardlow, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading on January 17, 2018 amending an increase in the amount of the fine from \$10.00 to \$15.00. The motion carried by the following vote:

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

ORDINANCES - SECOND READING (Public Hearing)

25

An Ordinance of the City of Key West, Florida, amending Chapter 108, Article X, Division 2, by amending existing Section 108-997, entitled "Period of Allocation and Ranking/Review of Applications" of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Staff Report](#)
[Planning Board Resolution 2017-46](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. 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: Ord 18-01

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 8:05 P.M.