



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Wednesday, September 7, 2016

6:00 PM

Old City Hall

REVISED September 1, 2016

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

ROLL CALL

INVOCATION - Chaplain Jason Dart, Coast Guard Sector Key West

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PRESENTATIONS

1 20 Year Service Award - Gregory Barroso, Key West Fire Department

Sponsors: City Manager Scholl

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

- 2 *August 11, 2016 (Special)
Attachments: [Minutes](#)
- 3 *August 11, 2016 (Workshop)
Attachments: [Minutes](#)
- 4 *August 16, 2016 (Regular)
Attachments: [Minutes](#)

RESOLUTIONS

- 5 *Re-appointing Steve R. Henson to the Key West Bight Management District Board.
Sponsors: Mayor Cates
Attachments: [Resolution](#)
[Steve R. Henson BIO](#)
[Resolution 12-214](#)
- 6 *In support of expediting authorization, appropriation, implementation, and completion of Everglades Restoration Projects, especially those that enhance water storage and conveyance to restore water flow to the Florida Bay which is necessary to protect the ecological health of the Florida Bay, a critical part of the Everglades Ecosystem; Directing the City Clerk to provide copies of this resolution to certain legislative and administrative authorities.
Sponsors: Mayor Cates
Attachments: [Resolution](#)
- 7 *Authorizing Mundaka, LLC to conduct a Grand Opening of Lucy's Retired Surfers Bar & Restaurant Saturday, September 24, 2016 from 11:00 A.M. to 11:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of James Street between Grinnell & Margaret Street; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 11:00 A.M. to 11:00 P.M.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
Sponsors: City Manager Scholl
Attachments: [Resolution](#)
[Application](#)
[Advertisement](#)

- 8 *Authorizing Exclusive Sports Marketing, Inc. of Florida to conduct a Key West Halloween 1/2 Marathon and 5K on Saturday, October 15, 2016 from 12:00 P.M. to 6:00 P.M. & Sunday, October 16, 2016 from 6:00 A.M. to 11:00 A.M.; 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](#)
- [Application](#)
- [Advertisement](#)
- 9 *Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to Whitney Matthews for a wedding ceremony and reception at Lagerheads Beach Bar & Grill during the hours of 6:00 P.M. to 12:00 A.M. on Saturday, October 22, 2016.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
- [Application](#)
- [Advertisement](#)
- 10 *Authorizing Lone Palm Foundation, Inc. to conduct the Annual Parrot Heads in Paradise Street Party on Friday, November 4, 2016 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 & 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](#)
- [Application](#)
- [Advertisement](#)

- 11 *Approving Change Order #3 to the Master Services Agreement for Bus Apron Design between the City and SRS Engineering, Inc. in the amount of \$30,056.00 for additional plans processing and permitting services for Bus Apron Project No. TS 1102 (Lower Keys); Authorizing an amendment to PO #78741, and related budget amendments; Authorizing any necessary grant adjustments.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Proposal](#)

[*Large File* Memorandum on Change Order No. 1](#)

[Resolution 14-121](#)

[Resolution 15-008](#)

[Resolution 15-264](#)

- 12 *Approving Change Order #2 for Shoreline Foundation, Inc. for Repairs and Improvements at Zero Duval Seawall and Mallory Square T-Pier, in an amount not to exceed \$187,500.00 in accordance with the terms specified in ITB 002-16; Authorizing an Emergency Procurement for Repair of the Monopile Berthing Dolphin at Mallory Square T-Pier with FDOT Grant Funds (25% City Match); Authorizing necessary budget transfers/amendments; Authorizing the City Manager to execute necessary documents, upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Shoreline Proposal](#)

[Grant Approval](#)

[Resolution 16-112](#)

- 13 *Approving the attached Work Change Directive, allowing a 90-day contract extension for Pedro Falcon Electrical Contractors, Inc. for Administration Building Roof Repair at the Richard A. Heyman Environmental Protection Facility, Project No. SE-140; Authorizing the City Manager to execute necessary documents on behalf of the City of Key West.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Work Change Directive](#)

[Contract](#)

[Resolution 15-312](#)

- 14 *Authorizing its option to renew the Agreement for Administrative Services with Employer Mutual (EMI)/Ascension, as the City's Insurance Program Third Party Claims Administrator for the policy period of 10/1/2016 - 9/30/2017; Authorizing the City Manager to execute all documents consistent therewith with the consent and advice of City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[First Amendment to Agreement](#)

[Resolution 09-246](#)

[Resolution 10-113](#)

[Resolution 13-232](#)

[Resolution 14-085](#)

[Resolution 15-184](#)

- 15 *Authorizing acceptance of the renewal proposal from the Public Risk Management of Florida (PRM) submitted by Arthur J. Gallagher & Company in the amount of \$903,871.00 for the City's Property and Casualty Insurance Program for Policy Year 2016/2017; Authorizing acceptance of Arthur J. Gallagher & Company as the agent/broker for the City's Property and Casualty Insurance Program for Policy Year 2016/2017; Authorizing acceptance of proposals received from National Union Fire Insurance Company of Pittsburgh, P.A. for AD&D Coverage (\$5,568.00); Great American for Outer Mole Excess Liability Coverage (\$10,000.00), Marine Operators Legal Liability Coverage (\$25,286.00), Wharfingers Liability Coverage (\$18,500.00), Hull Coverage (\$10,555.00), Vessel Pollution Coverage (\$4,275.00); Commerce & Industry for Tank Storage Coverage (\$4,381.00); Lloyd's of London for Blanket Flood Coverage (\$150,000.00) as submitted by Arthur J. Gallagher & Company; Authorizing the City Manager to execute all documents consistent therewith.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 15-267](#)

[Resolution 15-283](#)

[Key West Final Proposal](#)

[Public Risk Management of Florida Client Binding Document](#)

[Arthur J Gallagher Client Authorization to Bind Coverage Documents](#)

[Commerce & Industry Binding Documents](#)

[Surprise Lines Notice & Acknowledgment](#)

- 16 *Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of City Property with Visualize Entertainment, Inc., dba Key West Outdoor Movies, for the presentation of an outdoor movie twice per month at Bayview Park from October 2016 through May 2017, upon terms and conditions contained in the Agreement.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
 [Executive Summary](#)
 [License Agreement](#)
 [Corporate Filings](#)
- 17 *Authorizing the City of Key West to enter into a Revocable License Agreement for nonpermanent use of City Property with Whoduz, Inc., to allow the operation of a Green Market at Bayview Park four times per month, upon additional terms and conditions contained in the Agreement.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
 [Executive Summary](#)
 [Revocable License Agreement](#)
 [2016 Corporate Filing](#)
 [Organizational Documents](#)
 [Resolution 15-103](#)
- 18 *Authorizing the City Manager to enter into an Agreement with the Estate of Joseph Lang, et al, Owners(s) of 205 Virginia Street, permitting a Release of Lien upon payment by the owners of the amount of \$89,657.85.
- Sponsors: City Manager Scholl
- Attachments: [Resolution](#)
 [Executive Summary](#)
 [Mitigation Request Form](#)
 [Liens](#)
 [Emails](#)
- 19 A Resolution to clarify mission and responsibilities of members of the City of Key West Art in Public Places Board and to facilitate selection and placement of permanent art in and around the new City Hall, most specifically the tiger statue.
- Sponsors: Commissioner Romero
- Attachments: [Resolution](#)

- 20** A Resolution to clarify mission and responsibilities of members of the City of Key West Art in Public Places Board and to facilitate selection of permanent art for the new City Hall.
- Sponsors:** Commissioner Romero
- Attachments:** [Resolution](#)
- 21** A Resolution to implement the City of Key West Art in Public Places Board Guidelines and immediately to facilitate decisions on selection and placement of permanent art in the new City Hall.
- Sponsors:** Commissioner Romero
- Attachments:** [Resolution](#)
- 22** Supporting the introduction of genetically-altered mosquitoes in the Florida Keys.
- Sponsors:** Commissioner Romero
- Attachments:** [Resolution](#)
[Resoution 12-120](#)
- 23** **PUBLIC HEARING:**
Relating to the collection and disposal of Solid Waste in the City of Key West, Florida; Imposing Solid Waste Service Assessments against certain real residential property located within the City of Key West, Florida, approving the Solid Waste Assessment Roll for the Solid Waste Service Assessments; Confirming the Preliminary Assessment Resolution for Fiscal Year 2016-2017.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Letter to Property Owners](#)
[Ordinance 13-09](#)
- 24** **PUBLIC HEARING:**
Relating to the provision of Stormwater Services; Imposing Stormwater Service Assessments against certain real property within the City of Key West; Approving the Stormwater Assessment Roll for the Stormwater Service Assessments for Fiscal Year 2016-2017.
- Sponsors:** City Manager Scholl
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Letter to Property Owners](#)
[Ordinance 13-10](#)

25

QUASI-JUDICIAL HEARING: EASEMENT 1413 GRINNELL STREET

Approving an easement of 602.7 square feet, more or less, to address the encroachment of an existing wood fence which encroaches onto the Grinnell Street Right-of-Way located at 1413 Grinnell Street, Key West, Florida (RE #00039200-000000); Providing fees and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Easement Agreement](#)

[Executive Summary](#)

[Application](#)

Legislative History

6/23/16	Development Review Committee	Received and Filed
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26

QUASI-JUDICIAL HEARING: EASEMENT 504 ANGELA STREET

Approving an easement of 63.9 square feet, more or less, to address the encroachment of an existing overhang which encroaches onto the Angela Street Right-of-Way located at 504 Angela Street, Key West, Florida (RE #00015720-000000); Providing fees and conditions.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)

[Easement Agreement](#)

[Executive Summary](#)

[Application](#)

ORDINANCES – FIRST READING

27

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 add a Civil Penalty for Violation of Section 70-497 Bus Parking Restricted; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)

[Executive Summary](#)

- 28** An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled "Environment" by amending Article II, entitled "Nuisances," Division 3 "Use of Beaches on City Property" by amending the Title of Division 3; By amending Section 26-96, "Definitions"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)

[Executive Summary](#)

- 29** An Ordinance of the City of Key West, Florida amending Chapter 26 of the Code of Ordinances entitled "Environment" by amending Article II, entitled "Nuisances," Division 4 "Use of Parks on City Property" by amending the Title of Division 4; By amending Section 26-96, "Definitions"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)

[Executive Summary](#)

30 **PROPOSED ADD-ON:**

An Ordinance of the City of Key West, Florida, amending Chapter 2 entitled "Administration," Article VI entitled "Code Enforcement", by amending Section 2-636 entitled "Staff Support and Legal Counsel to the Special Master"; By amending Section 2-639 entitled "Presentation of City's Case"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)

[Executive Summary](#)

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT