



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final - Final

### City Commission

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Tuesday, June 19, 2018

6:00 PM

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 305-809-3811 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 - 6:00 P.M.**

#### ROLL CALL

**Absent** 2 - Commissioner Kaufman and Mayor Cates

**Present** 5 - Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow and Commissioner Weekley

**INVOCATION - Pastor Terri Hill, Key West United Methodist Church**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

#### PRESENTATIONS

**1** Recognizing Key West Fire Department Shift Commander Ronald P. Herrington for his 30 Years of Service and Retirement.

**Sponsors:** City Manager Scholl

**2** Recognizing Key West Fire Department Shift Commander Steven S. Wells for his 30 Years of Service and Retirement.

**Sponsors:** City Manager Scholl



**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [City of Tucson Contract](#)  
                              [Tucson Contract Amendment](#)  
                              [City of Tucson Cooperative Purchasing Agreement](#)  
                              [Tucson RFP Body Worn Cameras Storage System](#)  
                              [Axon National IPA](#)  
                              [Axon 5-year Quote](#)  
                              [Master Services and Purchasing Agreement for Agency](#)

**Passed**

Enactment No: Res 18-194

- 5                    \*Authorizing a Design Task Order to Keith & Schnars, P.A. for Simonton Street Resurfacing and Americans with Disabilities Act (ADA) Improvements from Truman Avenue to Simonton Beach, in an amount not to exceed \$117,830.00; Authorizing any necessary budget transfers; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Fee Proposal](#)  
                              [Pavement Management Report Excerpt](#)  
                              [K & S Services Agreement](#)  
                              [Resolution 17-207](#)

**Passed**

Enactment No: Res 18-195

- 6                    \*Approving Task Order No. 3-18 from CH2M Hill Engineering, Inc. in an amount not to exceed \$50,800.16 for a Mallory Square Modernization to Cruise Ship Mooring Facilities Feasibility Study; Authorizing a necessary budget transfer.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[TO 3-18 PORTS Mallory Mooring Investigation](#)  
[Ship Docked at Mallory](#)  
[CH2M Hill Contract](#)

**Passed**

Enactment No: Res 18-196

- 7                    \*Authorizing the Award of Invitation to Bid #18-006 (Project FT19001801), Smathers Beach Renourishment, including Additive Alternates 1 through 3, to Earth Tech Enterprises, Inc. in an amount not to exceed \$1,236,160.00; Authorizing necessary budget transfers; Authorizing the City Manager to execute the contract.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Bid Tabulation](#)  
[Dickerson Proposal](#)  
[Earth Tech Proposal](#)  
[Eastman Proposal](#)  
[Toppino Proposal](#)  
[ITB 18-006](#)  
[Addendum 1](#)  
[Local Preference Request Letter](#)

**Passed**

Enactment No: Res 18-197

- 8                    \*Cancelling the “Traffic Signal Maintenance and Compensation Agreement,” No ARU46, including related amendment(s), attachments and exhibits, between the City and the State of Florida Department of Transportation.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Notification Letter](#)  
[Resolution 15-224 Agreement](#)  
[Resolution 16-241 Amendment 1](#)  
[Resolution 17-157](#)  
[Resolution 18-170](#)

**Passed**

Enactment No: Res 18-198

- 9                    \*Approving the attached First Amendment to 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](#)  
[First Amendment to Lease](#)  
[Lease - Resolution 18-004](#)  
[Public Notice](#)  
[Lease Proposal](#)

**Passed**

Enactment No: Res 18-199

- 10                   \*Approving the attached First Amendment to Concession Agreement between the City and Sunset Watersports, Inc.

**Sponsors:**        City Manager Scholl

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Concession Agreement](#)  
[Guaranty 2018](#)

**Passed**

Enactment No: Res 18-200

- 11                   \*Approving the evaluation panel ranking of the proposals received for Key West Amphitheater Venue Management Services in response to RFP No. 006-18; Authorizing the

City Manager to negotiate and execute a contract in conformance with the terms and conditions contained in RFP 006-18 upon the advice and consent of the City Attorney.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Evaluation Committee Ranking](#)  
[Bid Tabulation](#)  
[RFP 006-18](#)  
[We've Got The Keys Qualifications Proposal](#)  
[We've Got The Keys Cost Proposal](#)  
[Frameless Creative Qualifications Proposal](#)  
[Frameless Creative Cost Proposal](#)  
[Klass-Ex Qualifications Proposal](#)  
[Klass-Ex Cost Proposal](#)

**This item was Postponed to August 7th.**

Enactment No:

### Approval of the Consent Agenda

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

12

Rejecting all bids received in response to Invitation to Bid (ITB) #18-004 for Key West Fire Department Boat Lift pursuant to Section 2-834(3) and (4) of the Code of Ordinances.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Proposal](#)  
[Bid Tabulation](#)  
[ITB 18-004](#)

**A motion was made by Commissioner Billy Wardlow, seconded by Commissioner Richard Payne, that the Resolution be Passed. The motion passed by an unanimous vote.**

Enactment No: Res 18-201

13

**QUASI-JUDICIAL HEARING - SECOND READING:**

Development Agreement 3900 South Roosevelt Boulevard  
Pursuant to Sections 90-676 through 90-692 of the Land Development Regulations of the Code of Ordinances of the City of Key West, recommending approval of a Development Agreement on property located at 3900 South Roosevelt Boulevard (RE #00066180-000200) within the High Density Residential (HDR) Zoning District between Passco Ocean DST and the City of Key West for the construction of 56 New Market Rate Units and 24 New Affordable Units, for eighty (80) New Residential Dwelling Units.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Development Agreement](#)  
[Authorization](#)  
[\\*Large File\\* Exhibit A - Legal Description](#)  
[Exhibit B - Deed](#)  
[Exhibit C - Site Plan Approved 6-15-17 Planning Board Meeting](#)  
[Exhibit D - Site DataTable](#)  
[Exhibit E - Planning Board Resolutions 2015-26 & 2017-06](#)  
[Exhibit F - Planning Board Resolution 2017-24](#)  
[Exhibit G - Planning Board Resolution 2017-25](#)  
[Exhibit H - Commission Resolution 17-217](#)  
[Exhibit I - Commission Resolution 18-](#)  
[Exhibit J - Deed Restriction](#)  
[Exhibit K - Traffic Study - February 2017](#)  
[Exhibit L - Avigation Easement](#)  
[Planning Board Meeting June 15 - Staff Report](#)  
[Planning Board Meeting June 15 Noticing Package](#)

*A Motion was made by Commissioner Payne, seconded by Commissioner Wardlow, that the Resolution be Denied.*

**A motion was made by Commissioner Romero, seconded by Commissioner Weekley, that the Resolution be Postponed to July 3rd. The motion carried by the following vote:**

**No:** 2 - Commissioner Payne and Commissioner Wardlow

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

**Yes:** 3 - Commissioner Lopez, Commissioner Romero and Commissioner Weekley

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

- 14 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration" by amending Section 2-941, to amend certain provisions related to the negotiation of a Lease of City Property; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

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

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Adopted. The motion carried by the following vote:

**Absent:** 2 - Commissioner Kaufman and Mayor Cates

**Yes:** 5 - Commissioner Lopez, Commissioner Payne, Commissioner Romero, Commissioner Wardlow and Commissioner Weekley

Enactment No: Ord 18-12

- 15 An Ordinance of the City of Key West, Florida amending Chapter 122 entitled "Zoning"; Article V entitled "Supplementary District Regulations"; Division 10 entitled "Work Force Housing"; Section 122-1466 entitled "Definitions" of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Planning Board Resolution](#)  
[Draft Ordinance](#)  
[Current 2018 Income Rental Limits at 30%](#)  
[Sample - Workforce Income/Rent Limits](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, that the Ordinance be Postponed to July 3rd. The motion passed by an unanimous vote.



- 16 An Ordinance of the City of Key West, Florida, Amending Table 1-1.1.5 of the Future Land Use Element for the HRO Zoning District Uses and Limitations of the Comprehensive Plan; Providing for severability; Providing for inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Planning Board Resolution 2017-56](#)  
[Planning Package](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, that the Ordinance be Postponed to August 7th. The motion passed by an unanimous vote.

- 17 An Ordinance of the City of Key West, Florida, amending the Historic Residential/Office (HRO) Zoning District to allow additional permitted and conditional uses defined on properties located at 402 Appelrouth Lane (RE #00010000-000102; RE #00010000-000103; RE# 00010000-000104; RE #00010000-000105; RE #00010000-000106), 416 Appelrouth Lane (RE #00009980-000000), 533 Southard Whitehead Street (RE #00010010-000000) pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinance 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](#)  
[\\*Large File\\* Planning Board Resolution 2017-57](#)  
[\\*Large File\\* Planning Board Package](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, that the Ordinance be Postponed to August 7th. The motion passed by an unanimous vote.

- 18 An Ordinance of the City of Key West, Florida, amending

the Historic Residential/Office (HRO) Zoning District to allow additional permitted and conditional uses defined on properties located at 409 Appelrouth Lane (RE# 00010020-000000) and 517-519 Whitehead Street(RE# 00009990-000000) pursuant to Chapter 90, Article VI, Division 3 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 effective date.

**Sponsors:** City Manager Scholl

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[\\*Large File\\* Planning Board Resolution 2017-58](#)  
[\\*Large File\\* Planning Package](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, that the Ordinance be Postponed to August 7th. The motion passed by an unanimous vote.

#### CITIZEN COMMENTS

#### COMMISSION COMMENTS

#### ADJOURNMENT - 7:26 P.M.