



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final - Final

City Commission

Wednesday, February 21, 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 -6:01 P.M.

ROLL CALL

Absent 1 - Commissioner Weekley

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

INVOCATION - Reverend Lenworth Haughton, St. Peter's Episcopal Church

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

The Agenda was accepted as amended unanimously

PROCLAMATIONS

1 Who Caught It Month

Sponsors: Mayor Cates

Attachments: [Proclamation](#)

Received and Filed

2 Through with Chew Week

Sponsors: Mayor Cates and Commissioner Lopez

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

3 Multigenerational Park signage for Nelson English Park.

Sponsors: Commissioner Lopez

Attachments: [Photo](#)

Received and Filed

4 State of the City - Mayor Cates.

Sponsors: Mayor Cates

Attachments: [State of the City of Key West](#)

Received and Filed

5 North Roosevelt HAWK Design Project.

Sponsors: City Manager Scholl

Attachments: [Presentation](#)

Received and Filed

City Attorney's Report

City Manager's Report

- Duval Street Pocket Park by Michael Halpern

Attachments: [Pocket Park Drawing](#)

[*Large File* Photos](#)

Received and Filed

- Field Space Discussion

Attachments: [Support documents](#)

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

- 6 *February 6, 2018 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

- 7 *Authorizing a Task Order for design, permitting, bid phase and construction phase services to Stantec Consulting Services, Inc. (Stantec) for three oil and gas waste facilities project in an amount not to exceed \$89,979.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Stantec Task Order](#)
 [*Large File* Resolution 17-207](#)
 [Stantec Engineering Services Agreement](#)

Passed

Enactment No: Res 18-065

- 8 *Awarding pursuant to Section 2-797 (3)(b), 2-798 and 2-797 (4) (b) of the Code of Ordinances the Bid of Niles Chevrolet in an amount not to exceed \$31,368.00 for one (1) 2018 Chevrolet Equinox vehicle with accessories for use as an Administrative vehicle through Transit Operations.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Quote from Alan Jay Fleet Sales](#)
 [Quote from Niles](#)
 [Florida Sheriffs Association Bid](#)

Passed

Enactment No: Res 18-066

- 9 *Awarding pursuant to Section 2-797(4)(b) of the Code of Ordinances the bid of Keys Auto Sales, in an amount not to exceed \$59,568.00 for three (3) Toyota Prius C Hybrid vehicles with accessories for use by the Building Department and Code Compliance.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Quotes](#)
 [Florida Sheriff's Association Contract](#)

Passed

Enactment No: Res 18-067

- 10 *Approving the attached "Temporary User Agreement Addendum - - BOT #440346895" between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Key West Mooring Field.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [*Large File* Transmittal Letter & Exhibit A](#)
 [*Large File* Original Mooring Field Agreement](#)
 [Proposed Lease-On Hold](#)
 [Update email from State](#)

Passed

Enactment No: Res 18-068

- 11 *Approving Task Order 01-2018 under the City's Financial

Consulting Services Contract with Arcadis, U.S., Inc. in an amount not to exceed \$36,940.00 to provide a general fund cost allocation study update; Authorizing necessary budget transfers or amendments; Authorizing the City Manager to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Indirect Cost Allocation Study Task Order](#)
[Resolution 15-162](#)
[Executed Contract](#)

Passed

Enactment No: Res 18-069

12

*Approving and authorizing the City Manager to execute the attached "Local Agency Program (LAP) Supplemental Agreement (#4)" between the City of Key West and the Florida Department of Transportation (FDOT) to receive \$34,340.33 for additional design services associated with Project 250548-4: US-1/South Roosevelt Blvd. from Bertha St. to Smathers Beach; Approving any necessary budget amendments and transfers.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[LAP Supplemental Agreement #4](#)
[LAP Agreement](#)
[LAP Supplemental Agreement #1](#)
[LAP Supplemental Agreement #2](#)
[LAP Supplemental Agreement #3](#)

Passed

Enactment No: Res 18-070

13

*Approving a two (2) year renewal of the agreement for Advisory Services with Gray Robinson Attorneys at Law, to serve as the City's Florida Government Lobbyist for the period July 1, 2017 through June 30, 2019.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[*Large File* Resolution 14-181](#)
[Letter of intent to renew](#)

Passed

Enactment No: Res 18-071

14

*Ranking the responses to Request for Proposals (RFP) No. 001-18 for Emergency Management Consulting Services; Authorizing the City Manager to negotiate and execute a contract in conformance with the RFP documents, upon advice and consent of the City Attorney.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Emergency Management Consulting Services \(RFP\)](#)
[RFP #001-18 Ranking Meeting notes](#)
[RFP #001-18 Scoring Sheets and Summary](#)
[*Large File* Proposal Tidal Basin](#)
[*Large File* Proposal IEM](#)
[*Large File* Proposal WOB](#)
[*Large File* Proposal CDR Maguire](#)

Passed

Enactment No: Res 18-072

15

*Approving the attached Release for Settlement in the case of Brad Buehrle v. City of Key West (USDC Case No.: 13-10103-CIV); Authorizing the City Manager and the City Attorney to execute necessary documents.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
[Letter from M Burke Dated 1-24-18](#)
[Release Draft](#)
[Order and Joint Notice of Settlement](#)
[Final Ord Dismissal Draft](#)

Passed

Enactment No: Res 18-073

16

*Commending Senator Marco Rubio and Senator Bill Nelson for joining with more than 60 U.S. Senators as a Co-Sponsor of U.S. Senate Bill 1693, known as the "Stop Enabling Sex Trafficking Bill" (SESTA); Urging Senator Mitch McConnell to bring S. 1693 to a Senate vote; Urging the House of Representatives to pass similar legislation; Directing the City Clerk to provide this Resolution to specific members of Congress.

Sponsors: Commissioner Payne

Attachments: [Resolution](#)
[Senate Report on S. 1693](#)
[House HR 1865](#)

Passed

Enactment No: Res 18-074

17

*Authorizing the purchase for the Fire Department of one (1) new E-one Mini-Pumper from Hall-Mark RTC, pursuant to Government contract, pursuant to Section 2-797 (3) of the Code of Ordinances in a total amount not to exceed \$185,156.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Key West Commerical Pumper Proposal with Pre-Payment](#)
[Key West Fire Rescue F-550 Pumper](#)
[Drawings, Key West E-3 Mini-pumper](#)
[FSA Spec #18, 2018](#)
[Notice of Extension-2 months with Participants](#)
[Addendum FSA16-VEF12.0 Extension 3-1-2017](#)
[Addendum FSA16-VEF12.0 Extension 3-1-2017](#)

Passed

Enactment No: Res 18-075

Approval of the Consent Agenda

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

18

Authorizing Bauer Restaurant, Inc. DBA Key West Songwriters Festival to conduct a Songwriters Festival on Saturday, May 12, 2018 during the hours of 6:00 A.M. to Midnight (Set up 6:00 A.M.) authorizing the closure of the 100 and 200 Blocks of Duval Street including Greene Street from Ann to Fitzpatrick from 6:00 A.M. to Midnight; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 A.M. to 10:30 P.M.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Additional Information](#)
[No objections from surrounding Businesses](#)

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

Enactment No: Res 18-076

19

Authorizing Rams Head Promotions, LLC to conduct a concert at the Truman Waterfront Amphitheatre on Thursday, May 17, 2018 from 5:00 P.M. to 10:00 P.M. (set up Wednesday, May 16, 2018); Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Application](#)
[Special Event Liability Application](#)
[Map](#)
[Release & Indemnification](#)

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

Enactment No: Res 18-077

20

Awarding the Bid of Kiewit Infrastructure South Co. (Kiewit) in response to ITB #18-011 in a total amount not to exceed \$961,545.00, inclusive of additive alternate No. 2, for Rest Beach Stabilization; Authorizing necessary Budget Transfers and amendments; Authorizing the City Manager to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bid Tab](#)
[Tetra Bid Award Rec and Summary](#)
[*Large File* Kiewit Bid](#)
[Coral Construction Company Bid proposal](#)
[Dickerson Florida Inc. Bid proposal](#)
[Ebsary Foundation Company Bid proposal](#)
[Douglas N. Higgins Inc. Bid proposal](#)
[PAC Comm. Inc. Bid proposal](#)
[Roberts Site Development Inc. Bid proposal](#)
[Charley Toppino & Sons Inc. Bid proposal](#)
[City ITB #18-011 Parts 1-3](#)
[City ITB #18-011 Parts 4-6](#)
[*Large File* ITB 18-011 Part 7](#)
[City ITB #18-011 Part 8](#)
[*Large File* Addendum No. 1](#)
[*Large File* Addendum No. 2](#)

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

Enactment No: Res 18-078

21

Appointing Mr. Barry Gibson to the Key West Bight Management District Board.

Sponsors: Mayor Cates

Attachments: [Resolution](#)
 [Request from K W Bight Preservation Association](#)
 [Barry Gibson Resume](#)
 [Paul McGrail Resume](#)

A motion was made by Commissioner Wardlow to appoint Mr. Barry Gibson, seconded by Commissioner Payne, that the Resolution be Passed. The motion carried by the following vote:

Absent: 1 - Commissioner Weekley

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

Enactment No: Res 18-079

ORDINANCES – FIRST READING

22

An Ordinance of the City of Key West, Florida, Authorizing assignment of the sightseeing franchise granted in Key West Ordinance No. 17-06 from Cityview Trolley Tours of Key West, Inc. to Buggy Bus, Inc., pursuant to section 6. of the Ordinance; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)
 [Request for Assignment of Cityview Franchise](#)
 [Ordinance 17-06](#)

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

Absent: 1 - Commissioner Weekley

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

23

An Ordinance of the City of Key West, Florida, Authorizing Assignment of all stock of Duck Tours Seafari, Inc. from Michael Thomas, Jr. to Buggy Bus, Inc., pursuant to Section 6. of the Franchise granted in Key West Ordinance No. 11-02; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)
 [Request for Assignment](#)
 [Ordinance 11-02](#)
 [Ordinance 11-21](#)

A motion was made by Commissioner Richard Payne, seconded by Commissioner Billy Wardlow, that the Ordinance be Passed to Second Reading. The motion passed by an unanimous vote.

24

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 Romero, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Weekley

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

25

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# 000100000-000102; RE# 000100000-000103; RE# 000100000-000104; RE# 000100000-000105; 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 Billy Wardlow, seconded by Commissioner Clayton Lopez, that the Ordinance be Passed to Second Reading. The motion passed by an unanimous vote.

26

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](#)
[Planning Board Resolution 2017-58](#)
[*Large File* Planning Package](#)

A motion was made by Commissioner Billy Wardlow, seconded by Commissioner Clayton Lopez, that the Ordinance be Passed to Second Reading. The motion passed by an unanimous vote.

27

An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Code of Ordinances, entitled "Planning and Development" by amending Section 108-680 titled "Recreational Vehicle and Boats"; By amending Section 108-681 titled "Camping Vehicles and Equipment"; By amending Section 108-682 titled "Parking and Storage of Recreational Vehicles, Boats and Camping Vehicles in Multifamily Developments"; And by amending Section 108-683 titled "Exceptions", to require Residents of the Single Family and Medium Density Residential Districts to

store Recreational and Camping Vehicles in the side or rear yards; To deregulate the requirement of providing screening of Boats, Trailers, Recreational and Camping Vehicles from public view throughout the City; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

A motion was made by Commissioner Clayton Lopez, seconded by Commissioner Richard Payne, that the Ordinance be Postponed to March 20th Meeting. The motion passed by an unanimous vote.

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 8:08 P.M.