



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, January 15, 2019

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

**Present** 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

**INVOCATION - Pastor Rochelle Pearson, Cornish Memorial AME Zion Church**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

#### COMMENDATIONS

**1** Julio Avel, Jr.

**Sponsors:** Mayor Johnston, Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

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

**Received and Filed**

#### PROCLAMATIONS

**2** Rev. Dr. Martin Luther King, Jr. Day

**Sponsors:** Mayor Johnston, Commissioner Davila, Commissioner Hoover,  
Commissioner Kaufman, Commissioner Lopez, Commissioner  
Wardlow and Commissioner Weekley

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

Received and Filed

**3** 175th Anniversary Oldest United Methodist Church

**Sponsors:** Mayor Johnston

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

Received and Filed

**PRESENTATIONS****City Attorney's Report****City Manager's Report****HOLIDAY PARADE WINNERS:**

- Tied - Mayor's Cup -  
Key West Sports Academy  
and Key West High School Conchettes
- Vice Mayor's Cup - Key West Pinebellies
- Commissioners Cup – Sugarloaf Shark's Cheerleading
- Honorable Mention – The Basilica of St. Mary's School
  
- Honoring James Bouquet, P.E., Engineering Director

**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** \*January 2, 2019 (Regular)

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

Approved

**RESOLUTIONS**

- 5                   \*Authorizing a Women's March on Saturday, January 19, 2019, starting at 1:00 P.M. at the Southernmost Cafe and ending at Mallory Square; Authorizing the closure of certain streets for the march.

**Sponsors:**       City Manager Scholl

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

**Passed**

Enactment No: Res 19-019

- 6                   \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances for a Wedding Ceremony and Reception at the Southernmost House, 1400 Duval Street, during the hours of 6:00 P.M. to 9:00 P.M. on Saturday, February 23, 2019.

**Sponsors:**       City Manager Scholl

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

**Passed**

Enactment No: Res 19-020

- 7                   \*Appointing Commissioners Clayton Lopez and Jimmy Weekley, as well as City Clerk Cheryl Smith, to serve on the Canvassing Board for the Special Municipal Election (Referendum) of April 16, 2019.

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)

**Passed**

Enactment No: Res 19-021

- 8                   \*Re-scheduling the second regular City Commission Meeting in the Month of March to March 20, 2019.

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)

**Passed**

Enactment No: Res 19-022

- 9                   \*Approving the attached Public Transportation Grant Agreement (PTGA) FM 444897-1-94-01 for FY 19 between the Florida Department of Transportation (FDOT) and the City of Key West for the installation of security cameras at Mallory Square and Outer Mole Pier in an amount not to exceed \$83,484.00 (City Match \$27,828.00 for a total project cost of \$111,312.00); Authorizing necessary budget amendments and transfers; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:**       City Manager Scholl

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Public Transportation Grant Agreement](#)  
                          [Funding Request](#)

**Passed**

Enactment No: Res 19-023

10

\*Approving the ranking of proposals for Private Security Services in accordance with the response to Request for Proposals (RFP) No. 004-19; Authorizing the City Manager to negotiate and execute a contract with the first-ranked firm, Florida Keys Security, LLC in substantial conformance with terms contained in RFP 004-19, upon consent of the City Attorney; Authorizing any necessary budget transfer(s).

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[American Guard Services](#)  
[Blue Shield](#)  
[Florida Keys Security](#)  
[Ralons Security](#)  
[Final Ranking](#)  
[Review Bid Summary](#)  
[Rate Sheets](#)  
[All ranking sheets](#)  
[AGREEMENT](#)  
[RFP#004-19 CITY OF KEY WEST PRIVATE SECURITY SERVICES](#)  
[Addendum 1 RFP 004-19](#)  
[SECURITY BID COMMITTEE minutes](#)  
[Email from American Guard Services](#)

**Passed**

Enactment No: Res 19-024

11

\*Approving the Committee Ranking of firms submitting responses to Request for Qualifications (RFQ) No. 19-002: Architectural Services for College Road Workforce Housing; Authorizing the City Manager to negotiate and execute a contract with the first-ranked firm, William P. Horn Architect, P.A., upon consent of the City Attorney; Authorizing any necessary budget transfers/amendments.

**Sponsors:** City Manager Scholl

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Final Ranking Summary](#)  
[RFQ 19-002](#)  
[Conceptual Plan](#)  
[Bid Tabulation](#)  
[Bessolo Qualifications](#)  
[K2M Qualifications](#)  
[PFB Qualifications](#)  
[PQH Qualifications](#)  
[SRS Qualifications](#)  
[Tyson & Billy Qualifications](#)  
[W.P. Horn Qualifications](#)  
[Resolution 18-126](#)  
[Email to Florida Beach Raker](#)

**Passed**

Enactment No: Res 19-025

- 12                   \*Approving the attached “Interlocal Agreement (Lease Agreement) between the City of Key West, Monroe County Board of County Commissioners and Monroe County Health Department for the use of 830 Emma Street, Key West, Florida”.

**Attachments:**     [Resolution](#)  
                          [Executive Summary](#)  
                          [Inter-local Agreement Douglass Gym Extension](#)  
                          [Exhibit A KWHD Office Area](#)  
                          [Survey with Layout](#)

**Passed**

Enactment No: Res 19-026

- 13                   \*Awarding the Bid of Beach Raker, LLC for Smathers and Rest Beach Cleaning Services in response to ITB Number 19-003; Authorizing the City Manager to execute a contract in conformance with the bid documents upon consent of the City Attorney.

**Sponsors:**       City Manager Scholl

**Attachments:**     [Resolution](#)  
                          [Executive Summary](#)  
                          [ITB 19-003 Smathers and Rest Beach Cleaning](#)  
                          [Addendum 1 ITB 19-003](#)  
                          [Addendum 2 ITB 19-003](#)  
                          [Bid Tabulation](#)  
                          [\\*Large File\\* Beach Raker Bid](#)  
                          [EE & G Bid](#)

**Passed**

Enactment No: Res 19-027

#### **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.

14

Establishing a Free Bus Pass Program for City Bus Routes for Senior Citizens and 100% Service-connected Disabled Veterans who reside in the City of Key West; Providing Free Bus Fare on City Routes and the Lower Keys Shuttle for 100% Service-connected Disabled Veterans.

**Sponsors:** Commissioner Davila

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

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

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 19-028



**ORDINANCES – FIRST READING****15**

An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances entitled “Environment” by creating Article VII entitled “Sunscreen”; Section 26-223 entitled “Sale of Sunscreen Products; Penalties”; Providing for severability; Providing for repeal of inconsistent provision; Providing for an effective date.

**Sponsors:** Commissioner Hoover and Commissioner Weekley

**Attachments:** [Ordinance](#)  
[Executive Summary](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Letter of Opposition From Personal Care Products Council](#)  
[Letter of Opposition From CHPA](#)  
[\\*Large File\\* Letters of Support](#)  
[\\*Large File\\* Sugarload School Letters of Support](#)  
[Mitchelmore Opening Remarks](#)  
[Powerpoint Presentation - Mitchelmore](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Hoover, that the Ordinance be Passed to Second Reading on February 5, 2019. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

*Meeting went into Recess and Reconvened at 9:50 P.M.*

**RESOLUTIONS CONTINUED**

16

**QUASI JUDICIAL HEARING:****MAJOR DEVELOPMENT PLAN - MALLORY SQUARE**

Granting a Major Development Plan pursuant to Section 108-91.a.2(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida and adjacent property on property located at Mallory Square (RE #00072082-001100, #00072082-001400 and #0072082-003700) within the Historic Public and Semipublic Services (HPS) Zoning District.

**Sponsors:** City Manager Scholl

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Postponed to February 20, 2019. The motion passed by a unanimous vote.**

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**ORDINANCES – FIRST READING CONTINUED**

17

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled “Businesses”, Article X entitled “Peddlers” by amending Section 18-541 entitled “Definitions” amending the definition of a peddler; By creating Sec. 18-547 “Locations” creating prohibited locations; By amending Division 2 entitled “Permit”, Sec. 18-576 entitled “Required” by clarifying to whom a permit can be issued and making permits non-transferable; By amending Sec. 18-578 entitled “Application” by requiring accurate identification and contact information and eliminating the requirement of disclosing criminal history and length of time that the permit holder will do business; by amending Sec. 18-579 entitled “Identification” by clarifying requirements of photo identification, by eliminating Sec. 18-580 entitled “Application Fee”; by eliminating Sec. 18-582 entitled “Fingerprints”; by amending Sec. 18-583 entitled “Fee” by clarifying the application and renewal fees and annual periods; by amending Sec. 18-584 entitled “Permit Duration” by clarifying penalties for lack of renewal; by amending Sec. 18-585 entitled “Display” by requiring all permits to be displayed on the peddler’s person and providing for penalties for altered permits; By amending Sec. 18-586 entitled “Revocation” by providing for a hearing process before the City Manager prior to the revocation of a peddler’s permit; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Lopez

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

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading on February 5, 2019 amending the Ordinance reinstating the requirement of disclosing criminal history under Section 18-578. The motion carried by the following vote:

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

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

- 18                   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 18-701, to provide definitions; Amending Section 18-704 to provide for notice for unlicensed cosmetology and specialty salons; Amending Section 18-705 to provide additional requirements; and Amending 18-706 to clarify penalties for violation; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Mayor Johnston, Commissioner Davila, Commissioner Hoover, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

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

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Postponed to February 5, 2019. The motion passed by a unanimous vote.

**PRESENTATIONS CONTINUED**

- 19                   State of the City - Mayor Johnston

Received and Filed

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT - 10:36 P.M.**