



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Wednesday, February 19, 2020

5:00 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 (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**CALL MEETING TO ORDER - 5:01 P.M.**

#### ROLL CALL

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

**INVOCATION - Deacon Bob Magnuson, The Basilica of Saint Mary Star of the Sea**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA - The agenda was approved unanimously as amended**

#### COMMENDATIONS

1 Ed Russo Commendation

Received and Filed

#### PRESENTATIONS

2 Retirement of Key West Fire Department Chief Michael Davila

Received and Filed

3 Martin Luther King Jr. Day Appreciation Certificates

Received and Filed

4 Arts and Cultural Master Plan for Truman Waterfront

Postponed

5 Florida Department of Transportation - Cow Key Bridge Repair

Received and Filed

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**

6 \*February 5, 2020

Passed

**RESOLUTIONS**

7 \*Authorizing A.H. of Monroe County, Inc. to conduct the Annual Taste of Key West at the Truman Waterfront Quay Wall on Monday, April 20, 2020 from 6:00 P.M. to 9:00 P.M. ( Set up starting at 8:00 a.m.); Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the sale and consumption of alcohol beverages within the enclosed area.

Passed

Enactment No: Res 20-035

- 8                    \*Approving the City Clerk Performance Evaluation.
- Passed**
- Enactment No: Res 20-036
- 9                    \*Approving a Task Order under the City's General Utilities Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$1,167,854.18 for the Patricia and Ashby Neighborhood Piping Stormwater Project; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.
- Passed**
- Enactment No: Res 20-037
- 10                  \*Approving issuance of Task Order No. 6 to Black & Veatch Corporation for design, bid, pre-award and construction services for the aeration upgrades and electrical switchgear replacement project at the Richard A. Heyman Environmental Protection Facility in an amount not to exceed \$228,650.00.
- Passed**
- Enactment No: Res 20-038
- 11                  \*Approving staff ranking and authorizing the City Manager to negotiate and execute contracts on a task order basis to four firms in response to Request for Qualifications No. 20-002 for Environmental Engineering Services.
- Passed**
- Enactment No: Res 20-039
- 12                  \*Authorizing pursuant to Section 2-771(c) of the Code of Ordinances the disposal of two (2) surplus and obsolete city buses; Authorizing the City Manager to execute any necessary documents.
- Passed**

Enactment No: Res 20-040

- 13                    \*Awarding the bid of Charley Toppino and Sons, Inc. received in response to invitation to bid (ITB) #19-015 for Dennis Street Storm Water Pump Station Project (ST38021601) in an amount not to exceed \$2,767,806.00; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute a contract in substantial conformance with the bid proposal, upon consent of the City Attorney.

**Passed**

Enactment No: Res 20-041

- 14                    \*Approving a Task Order under the City's General Utilities Services Contract with D.N. Higgins, Inc. in a total amount not to exceed \$196,660.00 for Seawall Railing Replacement at City Marina; Authorizing necessary budget adjustments and transfers; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

**Passed**

Enactment No: Res 20-042

#### **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.**

- 15                    Ratifying an Emergency Change Order titled "Proposal for Additional Site Assessment 5224 College Road, Former Mosquito Control Facility Between Tetra Tech, Inc. and The City of Key West", in a total amount not to exceed \$28,472.00, pursuant to Section 2-845 of The Code of Ordinances and Section 2-797(4)(b) of The Code of Ordinances, Best interests of the City; Approving any

necessary Budget Adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by a unanimous vote.**

Enactment No: Res 20-043

16

Authorizing the City Manager to enter into an agreement with Janice Isherwood, through her representative attorney Lee Rohe, as former property owner of 523 Elizabeth Street, Permitting a Release of Lien upon payment by the owners of the amount of [\$36,500.00].

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

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

Enactment No: Res 20-044

17

**QUASI-JUDICIAL HEARING:**

**EASEMENT - 528 FRONT STREET (RE# 00000310-000000) - Approving an Easement to maintain the existing overhang, retaining wall, and accessible ramp that extend 656.0 square feet, more or less, onto the Front Street right-of-way on a property located within the Historic Residential Commercial Core (HRCC-1) zoning district at 528 Front Street, Key West, Florida (RE # 00000310-000000); Pursuant to Section 2-938 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.**

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed with the additional condition that the easement overhang have a structural inspection once a year. The motion carried by the following vote:**

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

Enactment No: Res 20-045

18

**REQUEST FOR POSTPONEMENT:**

**QUASI-JUDICIAL HEARING:**

(Granting/Denying) the appeal by appellant Steven F. Goldstone, by (Affirming/Reversing/Amending) the Planning Board's grant of Conditional Use for the property located at 1221 Varela Street, 1217 Varela Street & 1127 United Street.

A motion was made by Commissioner Weekley, seconded by Vice Mayor Kaufman, that the Resolution be Postponed. The motion passed by a unanimous vote.

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT - 6:45 P.M.**