



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, April 7, 2020

5:00 PM

VIRTUAL MEETING

VIRTUAL MEETING

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.

1 **Instructions on how to watch and/or participate in the Virtual Meeting**

Attachments: [Virtual Meeting Instructions](#)

Discussed

CALL MEETING TO ORDER - 5:01 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The agenda was approved unanimously as changed.

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 *March 3, 2020

Attachments: [Minutes](#)

Passed

RESOLUTIONS

3 *Reappointing Father Arthur Dennison to the Key West Civil Service Board.

Attachments: [Resolution](#)
[Arthur Dennison Info](#)

Passed

Enactment No: Res 20-053

4 *Approving three proposals from Raftelis Financial Consultants, Inc., in an amount not exceed \$59,250.00 to provide Utility Rate Models for preparation of the City's FY 2021 Sewer, Stormwater and Solid Waste Budget.

Attachments: [Resolution](#)
[Executive Summary](#)
[Sewer Rate Model Update Proposal](#)
[Solid Waste Rate Model Update Proposal](#)
[Stormwater Rate Model Update Proposal Letter \(3-16-20\)](#)

Passed

Enactment No: Res 20-054

- 5 *Approving the attached “Amendment (1st Amendment) to Agreement” ID #2287 to extend the termination date to March 31, 2021 for the Rest Beach Enhancements Project; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [1st Amendment Rest Beach Enhancements](#)
 [Resolution 19-010](#)
 [TDC DAC I time extension request](#)

Passed

Enactment No: Res 20-055

- 6 *Approving the attached “Amendment (1st Amendment) to Agreement” ID #2288 to extend the termination date to September 30, 2020 for the Key West Amphitheater Enhancements Project; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [1st Amendment Key West Amphitheater Enhancements](#)
 [Resolution 19-011](#)
 [TDC DAC I time extension request](#)

Passed

Enactment No: Res 20-056

- 7 *Approving Staff Ranking and Authorizing the City Manager to negotiate and execute contracts on a Task Order basis to three firms in response to Request For Qualifications (RFQ) No. 20-003 for Construction Engineering and Inspection Services.

Attachments: [Resolution](#)
[Executive Summary](#)
[RFQ 20-003](#)
[HDR Response](#)
[RS&H Response](#)
[Cardno Response](#)
[Ranking Committee Sign-In](#)
[Ranking Committee Scores](#)
[Meeting Minutes](#)

Passed

Enactment No: Res 20-057

- 8 *Approving the attached "Agreement" regarding management and maintenance for the Key West Marine Park by Reef Relief.

Attachments: [Resolution](#)
[Executive Summary](#)
[Reef Relief agr Marine Park Final](#)

Passed

Enactment No: Res 20-058

- 9 *Approving the attached "First Amendment to Submerged Lands Lease Agreement" for City-Owned Submerged Lands in Garrison Bight adjacent to 711-717 Eisenhower Drive between the City and Garrison Bight Marina, Inc.

Attachments: [Resolution](#)
[Executive Summary](#)
[First Amendment to lease](#)
[2019 Submerged Lands Lease](#)

Passed

Enactment No: Res 20-059

- 10 *Approving the attached “Submerged Lands Lease” for City-Owned Submerged Lands in Garrison Bight at to Angelfish Pier (a portion of submerged land Parcel I) between the City and Garrison Bight Marina, Inc.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Angelficsh Pier Submerged Land Lease 2020](#)
 [Current Lease with Assignment](#)

Passed

Enactment No: Res 20-060

- 11 *Approving the attached lease agreement, between the City and Garrison Bight Marina, Inc. for certain property located in the Upland Angelfish Pier area on Palm Avenue

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Lease Renewal](#)
 [2017-10-05-lease assignment](#)
 [Angelfish Pier \(Res. 15-186\)](#)

Passed

Enactment No: Res 20-061

Approval of the Consent Agenda

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

12

Ratifying an Emergency Procurement signed by the Assistant City Manager on behalf of the City Manager on March 24, 2020, as provided for under Section 2-797(2) of the Code of Ordinances, Approving a work order under the City's Right-of-Way Improvement Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$329,699.53 for 20th Street improvements from Duck Avenue to Donald Avenue; Authorizing any necessary budget adjustments.

Attachments: [Resolution](#)
[Executive Summary](#)
[CTS Work Order](#)
[ROW ITB 17-017 executed](#)
[Resolution 17-106](#)
[Resolution 19-054](#)
[CTS 2019 extension signed](#)
[CTS Purchasing Exemption](#)

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

Enactment No: Res 20-062

13

Ratifying an Emergency Procurement signed by the City Manager on March 26, 2020, as provided for under Section 2-797(2) of the Code of Ordinances, to approve the attached "Proposal for a Voluntary Source Removal College Road Affordable Housing Project" between Tetra Tech, Inc. and the City of Key West", in a total amount not to exceed \$437,402.00 (Inclusive of the related "Proposal for Post Active Remediation Groundwater Monitoring (Organochlorines Pesticide Impacts) City of Key West College Road Affordable Housing Project" in a total amount not to exceed \$56,996.00); Approving any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments:[Resolution](#)[Exec Summary](#)[Emergency Procurement](#)[Tetra Proposal for Pesticide Remediation](#)[Res 18-126 Expedite College Rd Housing](#)[Res 19-332 Tetra Proposal for Petroleum Remediation](#)[Res 20-043 Tetra Chemical Assesment Change Order](#)[Res 17-299 - Environmental Eng General Service](#)[Res 20-039 Extension Environmental Eng Contract](#)

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 20-063

14

Approving Change Order #1 to the Task Order under the City's General Utilities Contract with Charley Toppino and Sons, Inc. for Atlantic Boulevard Multi-Use Path Drainage and Safety Enhancements in an amount not to exceed \$75,901.35; Authorizing any necessary budget transfers; authorizing the City Manager to execute any necessary documents.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Change Order #1](#)
 [Original Task Order](#)
 [Final Quantities](#)
 [General Utilities Contract](#)
 [Resolution 15-292](#)
 [Resolution 18-322](#)

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

Enactment No: Res 20-064

15

Approving the selection of Community Health of South Florida, Inc. for development of a Bahama Village Medical Clinic in response to request for proposals (RFP) no. 004-20; Authorizing the City Manager to negotiate and execute a Contract and a Public Benefit Lease in substantial conformance with terms contained in RFP 004-20, upon consent of the City Attorney.

Attachments: [Resolution](#)
[Executive Summary](#)
[RFP 004-20 Bahama Village Medical Clinic](#)
[Addenda 1 and 2](#)
[Clerks Bid Tab - RFP 004-20](#)
[CHI Final Proposal to City of Key West](#)
[AHEC Letter of Support](#)
[Womankind Letter of Support](#)
[MCO Health Dept Email of Support](#)
[Staff Ranking Summary + Individual Sheets](#)
[Res 15-026 Approve Ranking of Firms RFP 003-14](#)
[Res 15-116 Approve Zyscovich Contract](#)
[Zyscovich Bahama Village Visioning Capital Projects Work Plan](#)
[Res 18-038 Approving BVCS Visioning & Capital Projects Work Plan](#)
[BV Visioning Plan Priorities List](#)
[CHI Presentation to Commission 3.19.2020](#)
[Citizens' Comments Part 1](#)
[Citizens' Comments Part 2](#)

A motion was made by Commissioner Kaufman that the Action Item be Postponed. Commissioner Weekley seconded for discussion. After discussion, Commissioner Weekley then Withdrew his second. The motion failed for lack of a second.

A motion was made by Commissioner Lopez, seconded by Commissioner Hoover, that the Resolution be Passed to include an amendment giving direction to the City Manager to return to the Commission on or before July 1st with proposed alternative locations for use by the Frederick Douglass School Black Educators Memorial Project. The motion carried by the following vote:

No: 1 - Vice Mayor Kaufman

Yes: 6 - Commissioner Davila, Commissioner Hoover, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 20-065

ORDINANCES – FIRST READING**16**

An Ordinance of the City of Key West, Florida, amending the boundaries of the Official Zoning Map categories of the Historic Medium Density Residential (HMDR) and the Historic Neighborhood Commercial District (HNC-3) pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
[Executive Summary](#)
[Presentation](#)
[Planning Board Resolution 2020-02](#)
[*Large File* Planning Packet](#)
[*Large File* 909 page submittal from Neighbors](#)
[Request to Postpone](#)
[Letters of Objection from surrounding neighbors](#)
[Neighbors' Objection to Commission Proceedings](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Mary Lou Hoover, that the Ordinance be Postponed to May 5th, 2020. The motion passed by an unanimous vote.

- 17 An Ordinance of the City of Key West, Florida, amending the City's Comprehensive Plan, Chapter 1, entitled "Future Land Use Element", amending boundaries of the Historic Residential (HR) and Historic Commercial (HC); Pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

Attachments: [Ordinance](#)
[Executive Summary](#)
[Presentation](#)
[Planning Board Resolution 2020-01](#)
[*Large File* Planning Packet](#)
[*Large File* 909 page submittal from Neighbors](#)
[Request to Postpone](#)
[Letters of Objection from surrounding neighbors](#)
[Neighbors' Objection to Commission Proceeding](#)
[Presentation on Flum Amendment.pdf](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Mary Lou Hoover, that the Ordinance be Postponed to May 5, 2020. The motion passed by an unanimous vote.

DISCUSSION

- 18 COVID-19 Relief Task Force

Attachments: [Citizens' Comments](#)

Discussed. Mayor Johnston will form a fact finding committee.

CITIZEN COMMENTS - E-COMMENTS ONLY

COMMISSION COMMENTS

ADJOURNMENT - 8:12 PM