



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Mayor Danise Henriquez
Vice-Mayor Sam Kaufman
Commissioner Lissette Carey
Commissioner Monica Haskell
Commissioner Mary Lou Hoover
Commissioner Donie Lee
Commissioner Clayton Lopez

Charter Officials

Todd Stoughton, Interim City Manager
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney

Thursday, September 12, 2024

9:00 AM

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.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of the presentation for the agenda at least 7 days before the meeting.

MORNING SESSION

CALL MEETING TO ORDER - 9:00 A.M.

ROLL CALL

Present 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

INVOCATION - Pastor Lee Johnson, Metropolitan Community Church

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved as amended

CONSENT AGENDA*

***Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member. 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

1 *July 18, 2024 (Special)

Attachments: [Minutes](#)

Passed

2 *August 8, 2024 (Regular)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

3 *Re-appointing Annette Mobley to The Housing Authority of the City of Key West, Florida Board of Commissioners.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
 [KWA Packet](#)

Passed

Enactment No: Res 24-203

4 *Appointing John Toppino to the Housing Authority of Key West, Florida Board of Commissioners.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
 [KWA Packet](#)

Passed

Enactment No: Res 24-204

5 *Confirming Commissioner Donald "Donie" Lee to serve as the City Commission Liaison to the City of Key West Housing Authority.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
[Cover Memo](#)

Passed

Enactment No: Res 24-205

6 *Re-appointing Kathleen Kathy Marshall to the Key West Civil Service Board.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
[Resume](#)

Passed

Enactment No: Res 24-206

7 *Re-appointing Kawana Staffney-Ashe to the Key West Civil Service Board.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
[Resume](#)

Passed

Enactment No: Res 24-207

8 *Authorizing the "Rotary Club of Key West Kickball Tournament" at the Clayton Sterling Complex on Saturday, September 28, 2024 from 8:00 A.M. to 8:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Application](#)

Passed

Enactment No: Res 24-208

9 *Authorizing Florida Keys Media to conduct the Pet Masquerade at the Truman Waterfront Coffee Butler Amphitheater on Wednesday, October 23, 2024 from 5:00 P.M. to 9:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Application](#)

Passed

Enactment No: Res 24-209

10 *Authorizing Conch Republic Seafood Company to conduct the Florida Powerboat Club's Annual Powerboat Village at the 631 Greene Street parking lot and adjacent gravel lot on Wednesday, November 6, 2024, through Sunday, November 10, 2024 from 11:00 A.M. to 11:00 P.M; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Application](#)

Passed

Enactment No: Res 24-210

11 *Authorizing FAB Adventures, Inc. to conduct the Joy Ride Event ending at the Edward B. Knight Pier on Saturday, November 23, 2024 from 7:00 A.M. to 6:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of certain streets thereof for the Joy Ride on Saturday, November 23, 2024 from 7:00 A.M. to 6:00 P.M.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Application](#)

Passed

Enactment No: Res 24-211

- 12 *Authorizing Race World Offshore, LLC to conduct a concert on Thursday, November 7, 2024, from 6:00 P.M. to 10:00 P.M. at the Truman Waterfront Coffee Butler Amphitheater, a street closure on Greene Street from Duval to Ann Street on Thursday, November 7, 2024, from 6:00 P.M. to 10:00 P.M., a street closure from Front Street to Southard Street and Fitzpatrick to Simonton Street on Friday, November 8, 2024, from 6:00 P.M. to 10:00 P.M, a concert on Saturday, November 9, 2024, from 11:00 A.M. to 10:00 P.M. at the Truman Waterfront Coffee Butler Amphitheater and an awards ceremony on Sunday, November 10, 2024, from 3:00 P.M. to 10:00 P.M. at the Truman Waterfront Coffee Butler Amphitheater; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the barricaded area during each event.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Application](#)

Passed

Enactment No: Res 24-212

- 13 *Confirming Vincent Milione as an Assistant City Attorney pursuant to the Key West Charter.

Sponsors: City Attorney Ramsingh

Attachments: [Resolution](#)

Passed

Enactment No: Res 24-213

14 *Confirming Ryan Waterhouse as an Assistant City Attorney pursuant to the Key West City Charter.

Sponsors: City Attorney Ramsingh

Attachments: [Resolution](#)
 [Resume](#)

Passed

Enactment No: Res 24-214

15 *Approving the attached "First Amendment to Temporary Use Lease Agreement for a Homeless Safe Zone" between Monroe County Florida ("County") and the City of Key West ("City"); Authorizing necessary budget amendments or adjustments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Lease Extension](#)

Passed

Enactment No: Res 24-215

16 *Approving the assignment of the Contract for Independent Auditing Services between the City and Keefe McCullough & Co., LLP to Citrin Cooperman & Company, LLP on the same terms and conditions; Authorizing the City Manager to execute all documents consistent therewith upon the advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Resolution 23-349](#)
 [Request for Assignment](#)

Passed

Enactment No: Res 24-216

17

*Authorizing the City Manager to place pursuant to Section 2-797(4)(b) of the Code of Ordinances, exempt contractual services, the City's Property and Casualty Insurance Program for 2024/25 by Public Risk Management of Florida (PRM) as submitted by World Risk Management (WRM) in the amount of up to \$3,451,155.00; Authorizing acceptance of World Risk Management as the Agent/Broker for the City's Property and Casualty Insurance Program for policy year 2024-2025; Approving Ancillary Policies in an amount not to exceed \$145,750.00 to include: from Brown & Brown, Marine Operators Legal Liability Coverage (\$52,000), Outer Mole Excess Liability Coverage (\$11,500), Wharfingers Liability Coverage (\$11,750), Hull and Machinery Coverage (\$21,500), Vessel Pollution Coverage (\$7,500), AD&D Coverage (\$10,500), Storage Tank Liability Coverage (\$8,000), and from WRM, Westchester Fire Insurance for Aircraft (Drone) Coverage (\$3,250) and Florida Fire Fighter Cancer Coverage (\$19,750); Authorizing the acceptance of Brown & Brown (formerly Pria) as the Agent/Broker for the City's Ancillary Policies, with the exception of Drone Coverage and Florida Fire Fighter Cancer Coverage (WRM); Authorizing the City Manager to execute all documents consistent therewith upon the advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[City of Key West Property & Casualty Renewal Proposal 24-25 - PRM](#)
[Public Risk Underwriters of Florida - No Bid Email Response](#)
[Evaluation of Renewal - Interisk](#)
[Evaluation of Renewal - Ben Few](#)
[City of Key West Ancillary Cost Estimation 24-25 - Brown & Brown](#)
[City of Key West Fire Cancer Renewal Policy 24-25 - Chubb](#)
[City of Key West Drone Renewal Quote 24-25 - Chubb](#)

Passed

Enactment No: Res 24-217

- 18 *Ratifying the emergency approval of Change Order 1 in the total amount of \$49,557.68 to be awarded to Pedro Falcon Inc. for installing twenty-eight structural piers for Smather's Beach Pavilions.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Change Order 1](#)
[Resolution 24-022 Construction Contract Award](#)
[Smathers Beach-Pavillions-Revised Plans](#)

Passed

Enactment No: Res 24-218

- 19 *Approving a Task Order under the City's Right of Way Improvement Contract (ITB 22-010) with Charley Toppino & Sons, Inc. in a total amount not to exceed \$170,826.30 portions of Bertha Street, Northside Drive and White Street ADA compliant sidewalks and curb ramps, and a mid-block pedestrian crosswalk with pavement markings and signage at the intersection of F. Moller Drive; Authorizing any necessary budget adjustments; Authorizing the City Manager or designee to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Work Order Proposal](#)
[Bertha Plan Large File](#)
[Northside Crossing Plan](#)
[White Street ADA Plan](#)
[ROW Contract 2022](#)
[ROW Contract Pricing](#)
[ITB 22-010 Large File](#)
[Res 22-289](#)
[Res 23-018](#)

Passed

Enactment No: Res 24-219

20

*Approving the attached "Agreement Between the State of Florida, Department of State and City of Key West, Grant Agreement No. 25.H.SM.100.074" in the amount of \$50,000.00 for a Small Matching Grant awarded by the Division of Historical Resources for Adaptation Surveys of the Waterfront Playhouse, Casa Cayo Hueso, and Tift Ice House; Authorizing the City Manager to execute the necessary documents; Authorizing approval and execution of subsequent amendments to this Grant Agreement which may adjust grant funding allocations to the City or modify the project scope and period of performance; and Authorizing any necessary budget amendments and transfers to accept the funding.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Grant Agreement](#)
[Application Ranking](#)
[Application](#)

Passed

Enactment No: Res 24-220

21

*Acknowledging and accepting for consideration the recommendations set forth in Key West Tree Commission Resolution "TC 24-03" approved on September 3, 2024; Directing staff to draft or amend certain LDR's pursuant to Sec. 90-518, incorporating the recommendations contained in TC 24-03 for consideration by the Planning Board and the City Commission, pursuant to F.S. 163.045.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[TC Resolution - Danger Tree Violations](#)

Passed

Enactment No: Res 24-221

22 *Approving the attached City of Key West Department of Transportation Transit Development Plan (TDP 2025-2034) "Key West on the Move" for submission to the Florida Department of Transportation for review and compliance determination.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Key West Transit Development Plan \(TDP\)](#)

Passed

Enactment No: Res 24-222

23 *Approving the attached Sixth Amendment to the City's Bus Shelter Agreement with Anderson Outdoor Advertising, Inc.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[6th Amendment](#)
[Resolution 14-293](#)
[Resolution 94-318](#)

Passed

Enactment No: Res 24-223

24 *Approving the attached Public Transportation Grant Agreement (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Fiscal Year (SFY) 2025 State Transit Block Grant for the transit bus service in the City of Key West (PTGA #G3159 / FM #436702-6-84-01).

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Public Transportation Grant Agreement](#)
[Resolution 23-113](#)

Passed

Enactment No: Res 24-224

- 25 *Approving the attached Public Transportation Grant Agreement (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Fiscal Year (SFY) 2025 Commuter Assistance Grant Program for the Lower Keys Shuttle (PTGA #G3157 / FM #415173-7-84-01).

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Public Transportation Grant Agreement](#)
[Resolution 23-113](#)

Passed

Enactment No: Res 24-225

Approval of the Consent Agenda

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

PROCLAMATIONS

- 26 National Diaper Need Awareness Week

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

- 27 Childhood Cancer Awareness Week

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

28 Keep Key West Beautiful Award

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Received and Filed

29 Employee Service Awards - Alice Parker, Human Resources

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Received and Filed

30 Key West Adaptation Plan, Vulnerability Assessment Portion - Georgia Vince, Tetra Tech

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)
[Presentation](#)

Received and Filed

DISCUSSION

31 MARC House/Poinciana Project

Discussed

RESOLUTIONS - Cont'd

32 Re-appointing James Robert Dean to The Housing Authority of The City of Key West, Florida Board of Commissioners.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
[KWA Packet](#)

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

No: 2 - Commissioner Haskell and Vice Mayor Kaufman

Yes: 5 - Commissioner Carey, Commissioner Hoover, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

Enactment No: Res 24-226

33

Rejecting all bids received in response to Request for Proposals (RFP) #24-009 for the demolition and reconstruction of the hockey rink roof structure, pursuant to Section 2-834(4) of the Code of Ordinances; Authorizing any budget transfers or adjustments.

Sponsors: Interim City Manager Stoughton

- Attachments:**
- [Resolution](#)
 - [Cover Memo](#)
 - [RFP 24 009](#)
 - [Bid Memo](#)
 - [Seaboard Proposal](#)
 - [Pedro Falcon Proposal](#)
 - [Pedro Falcon Contract Forms](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

Enactment No: Res 24-227

34

Approving the attached "Use Agreement" between the City of Key West and American Cruise Lines, Inc. for use of the Mallory T-Pier for a period of three years; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[ACL Use Agreement 3+3](#)
[Addendum B Fee Letter](#)
[Addendum A Docking Schedule \(2024-2027\)](#)
[Res 23-279 Mallory Compliant Ship Fee Structure](#)
[Resolution 22-073 Mallory Limits](#)
[Current 2 year ACL Agreement](#)
[Res 23-316 Approving 2 year ACL Agreement](#)
[Res 23-242 Agreement w/Ocean Key Resort](#)
[Jacobs Mallory Square Study 2024 Update Report 4-22-24](#)
[Public Comment - Support](#)
[Public Comment - Opposed](#)
[Public Comment -Support](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Haskell, that the Resolution be Passed with the following amendments:

1. Change the last sentence at Paragraph #6 of the Use Agreement to read 'This Agreement may be renewed by the City of Key West via Resolution.'
2. Direct staff to have some of the fencing removed during Sunset Celebration in order to accommodate artists' performances and if that is not possible, the Use Agreement would come back to the Commission for further consideration.
3. Gather ideas from Commission regarding ACL vendor list.

The motion failed with Commissioners Carey, Lee, Lopez and Mayor Henriquez voting No and Commissioners Haskell, Hoover, and Vice Mayor voting Yes. Commissioner Haskell then made a motion, seconded by Commissioner Lopez, to direct staff to accept ACL ship reservations from the end of their current agreement through Spring of 2027. That motion was withdrawn after debate. After a brief recess Commissioner Haskell revived her motion, seconded by Vice Mayor Kaufman. Again, that motion was withdrawn.

Then, Commissioner Lee made a motion, seconded by Commissioner Hoover, to reconsider the item. That motion passed with Commissioners Carey, Lopez, and Mayor Henriquez voting No and Commissioners Haskell, Hoover, Lee, and Vice Mayor Kaufman voting Yes.

A motion was then made by Vice Mayor Kaufman, seconded by Commissioner Hoover, to approve the Resolution with the following amendments:

- 1. Change the last sentence at Paragraph #6 of the Use Agreement to read 'This Agreement may be renewed by the City of Key West via Resolution.'
- 2. Direct staff to have some of the fencing removed during Sunset Celebration in order to accommodate artists' performances and if that is not possible, the Use Agreement would come back to the Commission for further consideration.

The motion carried by the following vote:

No: 3 - Commissioner Carey, Commissioner Lopez and Mayor Henriquez

Yes: 4 - Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman and Commissioner Lee

Enactment No: Res 24-228

Meeting went into Recess - 12:35 P.M.

Meeting Reconvened - 12:45 P.M.

35

Acknowledging and accepting for consideration the recommendations from the Tree Commission set forth in "TC Resolution 24-02".

Sponsors: Interim City Manager Stoughton

- Attachments:**
- [Resolution](#)
 - [Cover Memo](#)
 - [TC Res 24-02](#)
 - [Urban Forestry Manager Staff Report](#)

A motion was made by Commissioner Haskell, seconded by Commissioner Lee, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

Enactment No: Res 24-229

36

Authorizing the procurement of services from Reynolds Construction of Florida, LLC, for rehabilitation of the wellheads at the Richard A. Heyman Environmental Protection Facility, pursuant to purchases under a Government Contract between Reynolds Construction of Florida and the City of Marathon, in accordance with Section 2-797(3) of the Code of Ordinances, and in the Best Interests of the City, pursuant to Section 2-797(4)(b), in an amount not to exceed \$505,400.00; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Cost Proposal](#)
[General Contracting Services Agreement](#)
[City of Marathon Authorization to Use General Contracting Services Agreement](#)
[Reynolds Construction Authorization to Use General Contracting Services Agreement](#)
[City of Marathon Resolution 2023-46 General Contracting Services Agreements](#)
[*Large File* RFQ-2023-07 General Contracting Services Proposal](#)
[Notice of RFQ-2023-01 General Contracting Services 2023](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Haskell, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

Enactment No: Res 24-230

CITY MANAGER'S REPORT

37

Department Reports

- Attachments:** [August 2024 Building Dept](#)
[August 2024 Code](#)
[August 2024 Community Services](#)
[August 2024 Engineering](#)
[August 2024 Fire](#)
[August 2024 Housing](#)
[August 2024 HR](#)
[August 2024 IT](#)
[August 2024 KWPD](#)
[August 2024 Parking](#)
[August 2024 PIO](#)
[August 2024 Planning](#)
[August 2024 Port and Marine](#)
[August 2024 Property Management](#)
[August 2024 Transit](#)
[August 2024 Utilities](#)

Received and Filed

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

COMMISSION COMMENTS

RECESS - 1:22 P.M.

EVENING SESSION

RECONVENE - CALL TO ORDER - 5:00 P.M.

ROLL CALL

Present 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

INVOCATION - Pastor Lee Johnson, Metropolitan Community Church

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved as amended

PRESENTATIONS

38 Live Local Act - Senator Calatayud's Office

Attachments: [Cover Memo](#)

Not Received

39 Grants Update - Langton Consulting

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Received and Filed

ORDINANCES – FIRST READING

40 An Ordinance of the City of Key West, Florida, to amend Chapter 2 entitled "Administration", Article VII entitled "Financial Matters", by creating Division 4, entitled "Bond Expenditures", Section 2-801 entitled "Expenditure of Bond Funds" to require a supermajority vote for expenditure of bond funds; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Ramsingh

Attachments: [Ordinance](#)
[Cover Memo](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

41

An Ordinance of the City of Key West, Florida, amending Chapter 54 of the Code of Ordinances, entitled "Planning" by amending Article III - Impact Fees, Divisions 2 through 4, to amend the City's Impact Fee Ordinance to adjust fees and to conform with Florida Statutes Ch 163, Section 31801, as amended; By adding Division 5, Sections 54-171 through 51-182 to create a Stormwater Impact Fee; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[Chapter 163 Section 31801 - 2023 Florida Statutes](#)
[Utility Impact Fee Report 2023 LARGE FILE](#)
[Impact Fee Update PPT - 9-9-24](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

42

An Ordinance of the City of Key West, Florida, amending Chapter 56 of the Code of Ordinances, entitled "Solid Waste" by amending Section 58-66, to amend the dumping fee or tipping fee for Key West residents, commercial establishments and licensed business, and to add fees for recycling and tire disposal; Amending Section 58-67 to provide that fees may be annually adjusted administratively by a percentage up to or equal to the annual CPI; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

43

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances, entitled "Traffic and Vehicles", by amending Article XIII entitled "Mobile Billboards" and by amending Section 70-803 entitled "Definitions"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lee, Commissioner Lopez and Mayor Henriquez

44

Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida, to amend Chapter 86 of the Land Development Regulations entitled “General Provisions”, Section 86-9 entitled “Definition of terms” in order to amend the definition of the terms “Accessory structure”, “Building coverage”, “Open space (green area)”, and “Principal structure”; To rename and amend Chapter 122 entitled “Zoning”, Article V entitled “Supplementary District Regulations”, Division 4 entitled “Accessory Uses and Structures” to be titled “Accessory Uses, Accessory Structures, and Other Structures”, Section 122-1181 entitled “Permitted and restricted uses” to maintain the required 5’ setback for decking 30” or greater in height; and to add Section 122-1187 entitled “Covered patios, gazebos, and other roofed structures” to maintain rear and side yard setback requirements for the construction of non-principal roofed structures; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-012 Text Amendment Accessory Structure Definition](#)
[Staff Report](#)

A motion was made by Commissioner Carey, seconded by Commissioner Lopez, that the Ordinance be Postponed to October 10, 2024. The motion passed by unanimous vote.

45

Text Amendment of the Land Development

Regulations - An Ordinance of the City Commission to amend Chapter 122, entitled “Zoning,” Article II, entitled “Nonconformities,” Section 122-26, entitled “Definitions,” Section 122-27, entitled “Intent,” Section 122-28, entitled “Replacement or Reconstruction,” and Section 122-29, entitled “Repairs and Maintenance,” Section 122-30 entitled “Abandonment of Nonconforming Use,” Section 122-31 entitled “Noncomplying lots or building sites of record,” Section 122-32 entitled “Additional regulations,” Section 122-33 entitled “Eminent domain/public purpose waiver,” and Section 122-34 entitled “Status of parcels during or after acquisition by eminent domain action or voluntary conveyance for public transportation or other public purpose”; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-017 Text Amendment Nonconformities](#)
[Staff Report](#)
[Chapter 122, Article II - Nonconformities](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Carey, that the Ordinance be Postponed to October 10, 2024. The motion passed by unanimous vote.

46

Text Amendment of the Land Development

Regulations - An Ordinance of the City of Key West, Florida amending Chapter 122 of the Code of Ordinances, entitled "Zoning", Article V, entitled "Supplementary District Regulations", Division 3, entitled "Area Requirements", Section 122-1145, entitled "Required yards," to amend yard coverage and nonconformity regulations to reduce regulatory barriers to the elevation of dwelling units; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-016 Text Amendment Home Elevations](#)
[Staff Report](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Carey, that the Ordinance be Postponed to October 10, 2024. The motion passed by unanimous vote.

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

47

Public Hearing: An Ordinance of the City of Key West, Florida, amending Chapter 74 of the Code of Ordinances, entitled "Utilities" by amending Section 74-246, to amend annual sewer rates, charges and components; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[Res 23-208 Sewer Rate Increase](#)
[Res 22-212 Sewer Rate increase](#)

A motion was made by Commissioner Carey, seconded by Commissioner Hoover, that the Ordinance be Adopted. The motion passed by unanimous vote.

Enactment No: Ord 24-24

48

Proposed to be Postponed to October 10, 2024: Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida, to amend Chapter 122 of the Land Development Regulations, entitled "Zoning", Article V entitled "Supplementary District Regulations, Division 3 entitled "Area Requirements", Section 122-1143 entitled, "Impervious Surface Requirements for all Uses" to allow seventy-five percent (75%) of the water surface area of an uncovered water-retaining feature on residential properties to be considered a pervious surface, subject to freeboard requirements; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB Resolution 2024-006](#)
[Staff Report](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Carey, that the Ordinance be Postponed to October 10, 2024. The motion passed by unanimous vote.

ADJOURNMENT - 6:07 P.M.