



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Thursday, October 6, 2022

5:00 PM

City Hall

Revised October 6, 2022

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.

You may attend/participate virtually via Zoom by telephoning 646-558-8656 Meeting ID: 870 5593 7501 Passcode: 040645 or online at: <https://cityofkeywest-fl-gov.zoom.us/j/87055937501> Passcode: 040645

CALL MEETING TO ORDER

ROLL CALL

INVOCATION - Terri Hill, Retired United Methodist Pastor

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

- 1 Be Like Mike Day
Sponsors: City Commission
Attachments: [Proclamation](#)
- 2 Fire Prevention Month
Attachments: [Proclamation](#)

PRESENTATIONS

3 Adaptation Resources for Residents: Wind, Flood and Energy

Sponsors: City Manager McLauchlin

Attachments: [Presentation](#)

City Attorney's Report

City Manager's Report

- Ambassador Class #37 Graduation
- Hurricane Ian Update

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 *September 8, 2022 (Special)

Attachments: [Minutes](#)

5 *September 20, 2022 (Regular)

Attachments: [Minutes](#)

6 *September 22, 2022 (Special)

Attachments: [Minutes](#)

RESOLUTIONS

7 *Authorizing the Coast Guard Sector Key West to hold the Annual Veterans Day Parade on Duval Street from 4:00 P.M. to 7:00 P.M. Friday, November 11, 2022; Authorizing the closure of certain streets or portions thereof for said parade from 4:00 P.M. to 7:00 P.M. (Set up 2:00 P.M.); Waiving all fees for required city services.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 8 *Authorizing Wesley House Family Services, Inc. to conduct a Family Friendly Holiday Village "Pre-Party" and the annual Belighted Bike Ride on Friday, December 2, 2022, starting at the Key West Coffee Butler Amphitheater at 4:00 P.M. to 10:00 P.M; The Belighted Bike Ride will start traveling towards Whitehead Street to Front Street, taking a right on Duval Street, riding the length of Duval Street, returning back to the Amphitheater; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 9 *Authorizing "Integrity Multisport, Inc. & Florida Keys Healthy Start Coalition" to conduct a "Key West Triathlon" starting at 7:00 A.M. and ending at 9:30 A.M, December 11, 2022 (Set up, December 10, 2022 from 2:00 P.M. to 8:00 P.M.) at Higgs Beach; Authorizing certain street closures thereof during the event; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 10 *Sponsoring a Martin Luther King Birthday Celebration & March on Monday, January 16, 2023 between the hours of Noon and 4:00 P.M. at the Nelson English Park. Authorizing the closure of certain streets for the March.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 11 *Approving the purchase and installation of AstroTurf Artificial Turf at Clayton Sterling Complex by Burke Construction, in an amount not to exceed \$2,300,000.00, pursuant to Section 2-797(4)(b) of the Code of Ordinances, Best Interests of the City; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Clayton Sterling Complex Rendering](#)

[Burke Proposal](#)

[Turf of America Proposal](#)

[Jon Swift Construction Proposal](#)

- 12 *Approving the attached Amendment to the Collective Bargaining Agreement between the City of Key West and Teamsters Local 769, Office and Blue Collar Workers, effective October 1, 2022 through September 30, 2024.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Collective Bargaining Agreement](#)

- 13 *Approving the adjusted fees set forth in the attached "Cruise Ship Rate Sheet," to become effective on October 1, 2022, based on accumulative CPI adjustments for August 1, 2019, 2021 and 2022; Approving future annual rate adjustments based on the Consumer Price Index for U.S. City Average, all urban consumers as reported by the Bureau of Labor statistics for the 12 months prior to August 1 of each year.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Fee Letter](#)

[Fee Table](#)

[CPI Table August 2022](#)

[Res 18-291](#)

- 14 *Approving the attached "Temporary Use Agreement Addendum - BOT #440360555" between the City of Key West ("City") and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board") for the Key West Bar Pilot Vessel Mooring Area waterward of 700 Front Street.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[TUA Addendum \(BOT No. 440360555\)](#)

[Temporary Use Agreement \(BOT No. 440360555\)](#)

[Bar Pilot 99 Year Lease](#)

[Safer Cleaner Ships - Letter](#)

- 15 **QUASI-JUDICIAL HEARING:**
Approving an Easement over the parcel of accreted land adjacent to the Key West Marriott Beachside Hotel; Pursuant to Section 2-938(b)(3) of the Land Development Regulation of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.

Attachments: [Resolution](#)

[Easement Agreement](#)

- 16 **QUASI-JUDICIAL HEARING:**
Authorizing the City of Key West to enter into the attached "Revocable License Agreement for Nonpermanent Use of City Property" with Jill Snodgrass (DBA Daily Plan-It), to allow the operation of an Artisan Market at Indigenous Park (1801 White Street) on dates set forth in the Agreement, upon additional terms and conditions contained in the Agreement (October 23, 2022 - April 24, 2023).

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[License Agreement Artisans Market 2022 -2023](#)

[2021 Artisan Market agreement fully executed](#)

ORDINANCES - FIRST READING

- 17 An Ordinance of the City of Key West, Florida, amending Chapter 46, Section 246 of the Code of Ordinances to increase the post retirement of supplement paid to retirees of the Police Officers' and Firefighters' Retirement Plan; Creating Chapter 46, Section 328 of Code of Ordinances to provide for ad-hoc thirteenth check to be paid funded by net investment returns of the plan over nine percent: Providing for severability; Providing for repeal of inconsistent provision; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [ORDINANCE PROPOSED TO BE SUBSTITUTED](#)

[Ordinance](#)

[Executive Summary](#)

[Pension Memo](#)

[Actuarial Report](#)

Legislative History

8/16/22	City Commission	Postponed
9/20/22	City Commission	Postponed

- 18 An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by amending Section 18-359, to add additional safety regulations and decal identification for golf carts and similar vehicles; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

19

Request to be Postponed by Applicant to October 19, 2022:

An Ordinance of the City of Key West, Florida, amending the boundaries of the Official Zoning Map category from Historic Medium Density Residential (HMDR) to Historic Neighborhood Commercial (HNC-3) Zoning District for the parcel identified by RE# 00014010-000000, including addresses of 318 and 320 Petronia Street, and 802, 804 and 806 Whitehead Street, pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Lopez

Attachments: [Ordinance - 10.6.22](#)

[Executive Summary - 10.6.22](#)

[Ordinance - 9.16.20 Draft](#)

[Executive Summary - 9.16.20](#)

[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](#)

[Letter from Todd Santoro](#)

[Letter from Robert Walsh](#)

[Letter from Marci Rose](#)

Legislative History

5/23/19	Development Review Committee	Received and Filed
6/20/19	Planning Board	Postponed
7/18/19	Planning Board	Postponed
8/15/19	Planning Board	Postponed

9/19/19	Planning Board	Postponed
10/17/19	Planning Board	Postponed
11/21/19	Planning Board	Postponed
1/16/20	Planning Board	Passed
3/3/20	City Commission	Postponed
4/7/20	City Commission	Postponed
5/5/20	City Commission	Postponed
6/2/20	City Commission	Postponed
6/16/20	City Commission	Postponed
7/21/20	City Commission	Postponed
9/16/20	City Commission	Postponed

20

Request to be Postponed by Applicant to October 19, 2022:

An Ordinance of the City of Key West, Florida, amending the boundaries of the Comprehensive Plan Future Land Use Map (FLUM) Category from Historic Residential (HR) to Historic Commercial (HC) for the parcel identified by RE# 00014010-000000, including addresses of 318 and 320 Petronia Street, and 802, 804 and 806 Whitehead Street, 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 the repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Lopez

Attachments: [Ordinance -10.6.22](#)

[Executive Summary - 10.6.22](#)

[Ordinance - 9.16.20 Draft](#)

[Executive Summary - 9.16.20](#)

[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](#)

[Letter from Todd Santoro](#)

[Letter from Robert Walsh](#)

[Letter from Marci Rose](#)

Legislative History

5/23/19	Development Review Committee	Received and Filed
6/20/19	Planning Board	Postponed
7/18/19	Planning Board	Postponed
8/15/19	Planning Board	Postponed
9/19/19	Planning Board	Postponed
10/17/19	Planning Board	Postponed

11/21/19	Planning Board	Postponed
1/16/20	Planning Board	Passed
3/3/20	City Commission	Postponed
4/7/20	City Commission	Postponed
5/5/20	City Commission	Postponed
6/2/20	City Commission	Postponed
6/16/20	City Commission	Postponed
7/21/20	City Commission	Postponed
9/16/20	City Commission	Postponed

ORDINANCES - SECOND READING (Public Hearing)

21

An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances, entitled "Environment" by adding Sections 26-71 through 26-72 to provide regulations and permits for wedding ceremonies on the beach; Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLauchlin

Attachments: [Ordinance-Ammended for Second Reading](#)

[Exec Summary Update for 2nd Reading](#)

[Ordinance - First Reading](#)

[Executive Summary - First Reading](#)

[Exhibit A - Site Locations](#)

[Exhibit B- Proposed Fee Schedule](#)

Legislative History

7/6/22	City Commission	Passed to Second Reading
8/2/22	City Commission	Postponed
9/20/22	City Commission	Postponed

Resolutions Continued

22

Proposed Add-on

Approving the attached "Temporary Use Agreement Addendum BOT #440769265" between the City of Key West ("City") and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board") for Mallory submerged lands adjacent to Mallory T-Pier.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Proposed TUA Addendum](#)

[Current Temporary Use Agreement Addendum](#)

[Safer Cleaner Ships - Letter](#)

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT