



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Tuesday, May 3, 2022

5:00 PM

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: Individuals are responsible to share their presentation at the meeting on their laptop through Zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

You may also attend these meetings virtually via Zoom by telephoning 646-558-8656, Meeting ID: 862 558 8656, Passcode: 503164 or online at: <https://cityofkeywest-fl-gov.zoom.us/j/86294321935> Passcode: 503164

CALL MEETING TO ORDER

ROLL CALL

INVOCATION - Pastor Terri Hill, Key West United Methodist Church

APPROVAL OF AGENDA

PROCLAMATIONS

1 Peace Officers Memorial Day & Key West Police Week

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

2 Emergency Medical Services Week

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

3 Haitian Heritage Month

Sponsors: Vice Mayor Kaufman and Commissioner Lopez

Attachments: [Proclamation](#)

4 Proposed Add-on: "Tortuga" Jack Hackett, Key West Poet Laureate 2022

Sponsors: Commissioner Weekley and Commissioner Lopez

Attachments: [Proclamation](#)

PRESENTATIONS

5 Multimodal Report

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)

6 Strategic Plan Update - Elisa Levy

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)

City Attorney's Report

City Manager's Report

- Ambassador Graduation Class 36
- Mallory Square
- Duval RFQ
- Budget

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

7 *April 5, 2022 (Regular)

Attachments: [Minutes](#)

8 *April 20, 2022 (Special)

Attachments: [Minutes](#)

RESOLUTIONS

- 9 *Adopting amended Rules of Procedure for City Commission meetings to allow extension of a meeting upon a majority vote; Providing that this resolution supersedes prior resolutions regarding Rules of Procedure for City Commission Meetings.
- Sponsors:*** Commissioner Davila
Attachments: [Resolution](#)
- 10 *Naming the "Ramos-Lopez Pedestrian Park and Sculpture Garden" in the 1400 Block of Duval Street in the City of Key West.
- Sponsors:*** Commissioner Lopez
Attachments: [Resolution](#)
- 11 *Rescheduling the Regular City Commission Meeting of May 17, 2022 to May 18, 2022; Stating that any matters scheduled or postponed at a prior meeting to the May 17th Agenda shall be placed on the May 18th Agenda.
- Sponsors:*** Commissioner Weekley
Attachments: [Resolution](#)
[2022 Meeting Dates](#)
- 12 *Authorizing the Key West Business Guild, Inc. to conduct a "Pride Street Fair on Saturday, June 4, 2022 from 7:00 a.m. to 11:00 p.m. (Set up at 7:00 a.m.) on the 600, 700, 800 and 900 blocks of Duval Street and the Key West Pride Parade on Sunday, June 5, 2022 from 5:00 p.m. to 7:00 p.m. staging at the Quay Wall at Truman Waterfront; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the Sale and Consumption of Alcoholic Beverages within an enclosed area.
- Sponsors:*** City Manager McLaughlin
Attachments: [Resolution](#)
[Executive Summary](#)
[Application](#)
[COVID Plan](#)

- 13 *Authorizing Key West Police Athletic League, Inc. to conduct a Mango Fest at Bayview Park on Saturday, June 25, 2022 from 7:00 a.m. to 4:00 p.m.; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the Sale and Consumption of Alcoholic Beverages within the enclosed area.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 14 *Authorizing Sunrise Rotary Foundation of Key West, Inc. the use of the City Property at 1405 Duval Street for a Brewfest Key West Festival on Saturday, September 3, 2022 from 3:00 p.m. to 8:00 p.m; Authorizing the sale and consumption of alcoholic beverages with the barricaded area.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

[COVID Plan](#)

- 15 *Accepting staff ranking and accepting the proposal of Paul Findlay D/B/A Island City Tennis in response to RFP 22-002, Tennis Professional Services, pursuant to terms in the attached proposal; Authorizing the City Manager to execute a contract in substantial conformance with the proposal package.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[RFP 22-002 Professional Tennis Services](#)

[Mandatory Pre-Proposal Sign In](#)

[RFP 22-002 Bid Memo](#)

[RFP Committee Scoring](#)

[Paul Findlay Island City Tennis](#)

[Sunshine State Tennis Academy LLC](#)

- 16 *Approving Transfer of Mobile Vendor License (MVL) #569 with Mobile Food Service BTR #2020-000495 from Carlos DeLuna to Margarita Bellido DeLuna, due to hardship.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)
[Carlos DeLuna letter](#)
[Margarita DeLuna letter](#)
[Death Certificate](#)
[DeLuna BTR](#)
- 17 *Approving under the General Architectural Services Contract with Bender & Associates Architects, P.A., a task order for professional design services for Bayview Park in an amount not to exceed \$121,238.00; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)
[Executive Summary](#)
[Bender Bayview Park Proposal](#)
[Bender Extension 10.5.2020](#)
[Res 20-141 Gen Arch Svcs Extension](#)
[Bender Architectural Services Signed](#)
[Res 17-190 General Architectural Services](#)
- 18 *Approving a one year extension of the Contract between the City and Charley Toppino and Sons, Inc. for pavement markings, striping, and roadway signage on a task order basis, in accordance with the terms specified in ITB 20-007; Authorizing the City Manager to execute necessary documents upon advice of the City Attorney.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)
[Executive Summary](#)
[CTS Extension Letter](#)
[Executed Striping Contract CTS 06.05.2020](#)
[Res 20-095 Approve CTS Striping Contract](#)
[Res 18-294 Resident Parking Pgm](#)

- 19 *Approving the attached task order to William P. Horn, Architect, PA under the General Architectural Services Contract, for architectural and engineering design services for interior renovations at 627 Palm Avenue and the Chlorine and Administration Buildings at the Richard A. Heyman Environmental Protection Facility (RAHEPF) in an amount not to exceed \$67,796.00; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Proposal - City of KW Utilities](#)

[Res 17-190 General Architectural Services](#)

[Res 20-141](#)

[Horn Architectural Services Signed](#)

- 20 *Approving Amendment 1 to Task Order 3-21-SWR for Jacobs/CH2M Hill Engineers, Inc. in an amount not to exceed \$46,745.00 to amend the scope of services to include market and consumer analysis of compost sales and demand within the City of Key West; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[TO 3-21 SWR Amendment 1](#)

[TO 3-21 SWR Compost Pilot Study](#)

[RES 21-142](#)

- 21 *Approving three proposals from Raftelis Financial Consultants, Inc., in an amount not to exceed \$65,700.00 to provide Utility Rate Models for preparation of the City's FY 2022-23 sewer, stormwater and solid waste budget, pursuant to Section 2-797(4)(b) of the Code of Ordinances.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Key West Sewer Rate Model Update Proposal Letter \(3-29-22\)](#)
- [Key West Solid Waste Financial Model Update Proposal Letter \(3-29-22\)](#)
- [Key West Stormwater Rate Model Update Proposal Letter \(3-29-22\)](#)
- 22 *Authorizing the purchase of two fiberglass storage tanks from Plas-Tanks Industries, Inc. in an Amount not to exceed \$93,012.00, on a brand name basis, and in the best interests of the City, pursuant to Code 2-844, 2-797 (1), and 2-797(4) (b) of the Code of Ordinances; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Proposal](#)
- [Brand Name Ltr](#)
- [Design Drawings](#)
- 23 *Authorizing a \$500.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds) to the Key West High School Operation Graduation Program, pursuant to Florida Statutes Section 932.7055.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)
- [Executive Summary](#)
- [Request Letter](#)

24

*Authorizing a one year extension of the Lease Agreement with Rockland Operations, LLC for as-needed emergency management debris staging area; Authorizing the City Manager to execute any necessary documents, upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Signed Lease Agreement](#)

[Res. 19-055](#)

[RFP 002-19 As-Needed Emergency Management Debris Staging Area](#)

25

*Authorizing the procurement of four aluminum access gangways and railings, from Dowling Holdings of Florida in an amount not to exceed \$153,467.00 in the best interests of the City, pursuant to Section 2-797(4)(b) of the Code of Ordinances; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Quote / Dowling Holdings](#)

[Quote / Kubi Custom Metals](#)

[Quote / Ratcliff Welding](#)

- 26 *Authorizing the procurement of Hazardous Materials (Haz-Mat) Physicals for a period of up to two years at a cost of \$638.00 per candidate; Authorizing up to a total \$25,520.00 annual cost, from Life Extension Clinics, Inc. DBA Life Scan Wellness Centers through piggybacking on the City of Clearwater's Contract #901107FD, pursuant to Section 2-797(3) of the Code of Ordinances; Authorizing the City Manager to execute an Agreement upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[City of Clearwater RFP 51-20](#)

[*Large File* LifeScan Response to RFP 51-20](#)

[Clearwater Award Letter RFP 51-20](#)

[Clearwater Life Scan Contract](#)

[LifeScan Approval to Piggyback](#)

- 27 Authorizing the City Manager to enter into an Agreement with Robert Janicki, through his Representative Attorney Van Fischer, as Property Owner of 1205 11th Street, permitting a release of lien upon payment by the Owners of the amount of (\$100,000.00 requested); Providing conditions; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Lien mitigation request](#)

28

Quasi Judicial Hearing:

Major Development Plan, Conditional Use & Landscape Waiver- 5537 College Road (RE# 00072080-000101) - Granting Major Development Plan, Conditional Use, and Landscape Waiver approval to construct a new 20,948 square foot overnight homeless shelter in the Public and Semipublic Services (PS) zoning district pursuant to Sections 108-91.B.2., 122-62, 122-1018, and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[5537 College Final Landscape Approval 3-18-22](#)

[PB Res 2022-013 5537 College Rd MDP & CUP](#)

[Staff Report](#)

[Revised Site Plans](#)

[Environmental Site Assessment - Phase 1](#)

[Landscaping Package](#)

[Planning Package](#)

[Noticing Package](#)

[DRC Planning Package](#)

[DRC Plans 2.11.22](#)

[Landscape Buffer Diagram and Notes](#)

[DRC Site Plans 12.09.21](#)

[DRC Utilities Comments](#)

[DRC Keys Energy Comments](#)

[Perspective Drawings and Plans](#)

Legislative History

12/16/21	Development Review Committee	Received and Filed
3/17/22	Planning Board	Approved

ORDINANCES – FIRST READING

- 29 An Ordinance of the City Of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that all provisions of the City Charter making gender specific references be amended to reflect gender neutral references; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Commission

Attachments: [Ordinance](#)

- 30 An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Land Development Regulations, entitled "Planning and Development", Article X entitled, "Building Permit Allocation System", Section 108-997, entitled "Period of allocation and ranking/review of applications", to clarify existing and proposed provisions pursuant to Sections 90-520 and 90-522; 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: City Manager McLaughlin

Attachments: [Ordinance](#)

[Executive Summary](#)

[Staff Report](#)

[PB RES 2022-005 LDR Amendment BPAS 3.2](#)

[PB RES 2021-36 Comp Plan Text Amendment BPAS](#)

[PB RES 2021-37 LDR Text Amendment BPAS](#)

Legislative History

1/20/22

Planning Board

Approved

ORDINANCES - SECOND READING (Public Hearing)

31

An Ordinance of the City of Key West, Florida, pursuant to Section 7.03 of the City Charter, to call for a Referendum for the authority to lease real property located at 5210 College Road and owned by the City of Key West ("City"), such lease for a duration of up to 99 years, thereby exceeding the Charter limit of 10 years, exclusively for use as a botanical garden and arboretum, providing public access, public recreation, and wildlife habitat, the final terms of which must be approved by the City; Authorizing the City Clerk to take all necessary action to place this measure on the ballot for August 23, 2022; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Johnston and Vice Mayor Kaufman

Attachments: [Ordinance](#)

Legislative History

4/5/22	City Commission	Passed to Second Reading
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32

An Ordinance of the City Commission of the City of Key West, Florida, amending the Historic Architectural Review Commission Guidelines for windows and shutters as referenced in Section 90-142 of the City of Key West Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance - First Reading](#)

[Ordinance - Proposed Second Reading](#)

[Executive Summary](#)

[Planning Board Resolution 2022-010](#)

[Staff Report - Planning](#)

[Chapter 163 Section 04 - Florida Statutes Energy Devices Based on Renewable](#)

[List of buildings and sites individually listed in the National Register of Historic P](#)

[Handout for Guideline and Ordinance Changes](#)

Legislative History

2/17/22	Planning Board	Approved
3/15/22	City Commission	Postponed
4/5/22	City Commission	Passed to Second Reading

33

An Ordinance of the City Commission of the City of Key West, Florida, amending Chapter 102 of the Code of Ordinances entitled "Historic Preservation", Article IV entitled "Certificate of Appropriateness" by amending Division 2, entitled "Economic Hardship" by increasing the maximum household income for applicants seeking substitution of alternative building materials for historic or traditional materials; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)

[Executive Summary](#)

[Planning Board Resolution 2022-011](#)

[Staff Report Planning Board](#)

[2021 Work Force Housing Income Limits](#)

Legislative History

2/17/22	Planning Board	Approved
3/15/22	City Commission	Postponed
4/5/22	City Commission	Passed to Second Reading

34

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by amending Section 18-387, to clarify Insurance Requirements for Recreational Rental Vehicles; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)

[Executive Summary](#)

[Ord. 21-12](#)

Legislative History

4/5/22	City Commission	Passed to Second Reading
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35

An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, titled "Administration", Section VIII titled "City Property" by adding Section 2-942 titled "Purpose and Intent"; By adding Section 2-943 titled "Definitions"; By adding Section 2-944 titled "Residential Right of Way Hardscape and Paver Easements"; By adding Section 2-945 titled "Amortization of Unpermitted Improvements"; By adding Section 2-946 titled "Penalties"; By adding Section 2-947 titled "Appeal"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLaughlin

Attachments: [Ordinance](#)

[Executive Summary](#)

[Sec 2-942 Paver & Landscape Easement Agreement](#)

Legislative History

4/5/22

City Commission

Passed to Second Reading

36

An Ordinance of the City of Key West, Florida, creating or amending Comprehensive Plan sections - II. Glossary of Terms; Chapter 1. Future Land Use Element Policies 1-1.1.1, 1-1.1.16, 1-1.10.4 and 1-1.10.5; Chapter 1A Historic Preservation Element, Policies 1A-1.3.1, and 1A-1.5.3; Chapter 3. Housing Element, Policy 3-1.2.1, and Policy 3-1.2.2; Chapter 4. Public Facilities Element, Policies 4-3.1.5, and 4-3.1.6; Chapter 5. Coastal Management Element, Objective 5-1.7 and Policies 5-1.1.3, 5-1.3.2, 5-1.5.2, 5-1.5.3, 5-1.7.1, 5-1.7.2, and 5-1.7.4; Chapter 6. Conservation Element Policies 6-1.2.1, 6-1.2.19, and 6-1.3.1; Chapter 8. Intergovernmental Coordination Element Objective 8-1.6, and Policies 8-1.6.1, and 8-1.6.2; Pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLaughlin

Attachments: [Ordinance](#)

[Executive Summary](#)

[PDRRP Presentation](#)

[Staff Report](#)

[PB RES 2021-46 PDRRP Comp Plan Text Amendment](#)

Legislative History

9/16/21	Planning Board	Approved
10/19/21	City Commission	Passed to Second Reading

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT