



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Wednesday, May 18, 2022

5:00 PM

City Hall

Revised May 12, 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.

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 301-715-8592, Meeting ID: 821 2679 0655, Passcode: 841032 or online at: <https://cityofkeywest-fl-gov.zoom.us/j/82126790655> Passcode: 841032

CALL MEETING TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 Pride Week - 2022

Sponsors: Mayor Johnston, Vice Mayor Kaufman, Commissioner Hoover, Commissioner Lopez and Commissioner Weekley

Attachments: [Proclamation](#)

PRESENTATIONS

2 Winner of the High School Division of the 2022 International Film Festival - Kara Norman

Sponsors: Mayor Johnston

3 Key West Land Transformation Presentation

Sponsors: Commissioner Wardlow

Attachments: [Presentation](#)

4 6 Month Budget Update - Christina Bervaldi, Finance Director

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)

City Attorney's Report**City Manager's Report**

- 27 Years of Service and Retirement- KYPD Captain J.R. Torres
- Monroe County Land Swap Discussions
- Diesel Plant
- Hawks Missile Site
- Higgs Beach
- Housing Authority Updates
- Budget Review Update
- Additional Assistant City Manager Position

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**5** *May 3, 2022

Attachments: [Minutes](#)

RESOLUTIONS

- 6 *Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a fundraiser at McCoy Indigenous Park and fireworks on the Edward B. Knight Pier on July 4, 2022 (set up July 2, 2022, starting at 7:00 A.M. through July 5th breakdown); Authorizing fireworks display off the Edward B. Knight Pier on July 2, 2022 from 9:00 P.M. to 10:00 P.M.; Authorizing the sale and consumption of alcoholic beverages at McCoy Indigenous Park on July 4, 2022 from 5:00 P.M. to 10:00 P.M.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 7 *Authorizing Literacy Volunteers of America - Monroe County, Inc. to conduct its Annual Caribbean Street Fair on Saturday, July 23, 2022 from 10:00 A.M. to 10:00 P.M. (set up 8:00 A.M); Pursuant to terms and conditions set forth by the City Manger; Authorizing the closure of the 100-300 blocks of Duval Street between the hours of 10:00 A.M. to 10:00 P.M.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 8 *Authorizing the Key West Business Guild, Inc. to conduct the Annual Headress Ball at the Truman Waterfront Coffee Butler Amphitheater on Thursday, October 27, 2022 from 6:30 P.M. to 11:30 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: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

- 9 *Authorizing a one-year extension of the Agreement for EMS billing services between the City and Advance Data Processing, Inc., a subsidiary of Intermedix Corporation (ADP Intermedix), to be effective October 1, 2022; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Confirmation Email](#)

[RESO 18-092](#)

[RESO 21-186](#)

- 10 *Approving Issuance of a Task Order to Black and Veatch Corporation to evaluate the feasibility of constructing a waste to energy plant in the Lower Keys in an amount not to exceed \$80,478.00; Authorizing a necessary budget transfer or adjustment; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Black & Veatch Proposal](#)

[Resolution 20-142](#)

[Black & Veatch Engineering Services Agreement](#)

Legislative History

4/5/22

City Commission

Postponed

11

*Approving the attached "Assignment of Water Testing Services Agreement" to assign a contract for water testing between the City and Flowers Chemical Laboratories to Eurofins Environment Testing Southeast, LLC on the same terms and conditions; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Assignment](#)

[Eurofins Insurance Certificate \(Flowers\) Key West](#)

[W-9 Eurofins Environment Testing Southeast, LLC - DBA Eurofins Flowers - W-Current Contract Fully Executed](#)

[EUROFINS ENVIRONMENT TESTING SOUTHEAST, LLC - DE - Department c](#)

[Flowers Acquisition Letter](#)

[FLOWERS CHEMICAL LAB HOLDING, LLC - DE - Department of State Divisi](#)

[FLOWERS CHEMICAL LAB HOLDING, LLC - FL - MERGER](#)

12

*Approving a Task Order from Perez Engineering and Development, Inc. in the amount of \$57,020.00 for professional services for Triangle Beautification Design (Project IS19002202); Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Perez Task Order Proposal](#)

[Res 21-194 Approve Grant Application](#)

[KW Grant Application 2021](#)

[FDOT Selection of KW Letter](#)

[KW Acceptance of Grant Letter](#)

[Perez Engineering Services Agreement](#)

[Res 17-207 Approve Gen Eng Svcs](#)

[Perez Contract Extension](#)

[Res 20-142 Renew Gen Eng Svcs](#)

[Perez Subconsultant Addition_GAI](#)

13

*Approve the ranking of responses to the Request for Qualifications (RFQ) No. 21-001 for Construction Engineering and Inspection (CEI) Services for the Southard Street Improvement Project (LAP Project FM#435497-2-68-01) by the selection committee; Authorizing the City Manager to execute a contract with the highest ranking firm HDR Construction Control Corporation (HDR) in an amount not to exceed \$138,299.57 and in substantial conformance with the RFQ upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Res 20-163-Southard LAP](#)

[Resolution 21-227-Reject Bids](#)

[LAP Agreement-Southard](#)

[RFQ 21-001](#)

[RFQ 21-001 Sign In](#)

[RFQ 21-001 Final Ranking Matrix](#)

[HDR Response \(Large File\)](#)

[RS&H Response](#)

[Summit Response](#)

[\(HDR\) Contract \(Large File\)](#)

14

*Ratifying an Emergency Change Order approved by the City Manager on April 29, 2022 in the amount of \$239,093.24, as provided for under Section 2-845 and 2-797(2) of the Code of Ordinances, to Charley Toppino & Sons, Inc. for additional tasks related to the Whitehead and Front Street Improvement Project, (ITB #21-009); Authorizing necessary budget adjustments and transfers; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[CM Emergency CO Approval](#)

[CTS CO3 with Price Quotes and Credit](#)

[CTS Contract ITB 21-009 Whitehead & Front](#)

[Res 21-113 Approve CTS Contract](#)

- 15 *Approving the attached Task Order to William P. Horn, Architect, PA under the General Architectural Services Contract, for "Architectural and Engineering Design Services for HMGP 4337-451-R Public Service Facilities Building Hardening Projects" at 627 Palm Avenue (Fleet), the Richard A. Heyman Environmental Protection Facility (RAHEPF) and the Rockland Key Transfer Station (Rockland) in an amount not to exceed \$134,854.00; 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](#)

[Horn Fee Proposal](#)

[Federal Grant Addendum to Horn Contract](#)

[Res-18-205_HMGP application approval](#)

[4337-451-R City of Key West-Package for Subrecipient Signature](#)

[Res 21-206_HMGP Grant Approval](#)

[Horn_Architectural Services Signed](#)

[Horn Contract Extension 10.6.2020](#)

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

[Res 20-141_Arch Gen Svcs Extension](#)

ORDINANCES – FIRST READING

- 16 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 5.01 of the Key West Charter be amended to eliminate the Civil Service Board; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Commission

Attachments: [Ordinance](#)

[Memo to CC for 2nd Reading of Charter Review Committee Proposals](#)

Legislative History

4/20/22

City Commission

Postponed

17

An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Land Development Regulations, Article IV "Districts", Subdivision III. - Single Family Residential District, Section 122-233. - Special Criteria Applicable to Accessory Units, and Section 122-232. - Accessory Units, to further incentivize construction of accessory units and to correct an error in Section 122-232; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Hoover

Attachments: [Ordinance](#)

[Executive Summary](#)

[PB Res 2022-015 LDR Accessory Units](#)

[Staff Report](#)

[Planning Board Resolution Draft](#)

[2021 Affordable Housing Income Limits and Rates](#)

[2021 Workforce Housing Income, Rent and Sales Limits](#)

Legislative History

3/17/22

Planning Board

Approved

18

An Ordinance of the City of Key West, Florida, amending Comprehensive Plan Chapter 1, Future Land Use Element, Objective 1-1.17: - Workforce-Affordable Housing Initiative, and Policy 1-1.17.1: - Distribution of Workforce-Affordable Housing Allocations, to provide for Building Permit Allocation System units for the properties at 241 Trumbo Road (RE# 00001720-000100) and 240 Trumbo Road (RE# 00001720-000300); Providing for transmittal to the State Land Planning Agency; Providing for the filing with Secretary of State; Providing for severability; Providing for repeal of inconsistent provisions; Providing for the inclusion in the City of Key West Comprehensive Plan; and Providing for an effective date.

Sponsors: City Manager McLaughlin

Attachments: [Ordinance](#)

[Executive Summary](#)

[PB Res 2022-016 241 Trumbo BPAS Comp Plan](#)

[Staff Report](#)

[MCSD Comprehensive Plan Amendment Application](#)

Legislative History

3/17/22

Planning Board

Approved

- 19 An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article XII entitled “Workforce-Affordable Housing Initiative”, Section 108-1153 entitled, “Period of allocation and distribution”, to provide for Building Permit Allocation System units for the properties at 241 Trumbo Road (RE# 00001720-000100) and 240 Trumbo Road (RE# 00001720-000300); 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](#)

[PB Res 2022-017 241 Trumbo BPAS LDR](#)

[Staff Report](#)

Legislative History

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|---------|----------------|----------|
| 3/17/22 | Planning Board | Approved |
|---------|----------------|----------|

ORDINANCES - SECOND READING (Public Hearing)

- 20 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 1.08 of the Key West Charter be amended to permit ~~annexation~~ or acquisition of any real property by any means via super majority vote for a specific public purpose of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Commission

Attachments: [Ordinance - Proposed 2nd Reading](#)

[Memo to CC for 2nd Reading of Charter Review Committee Proposals](#)

[Ordinance- 1st Reading](#)

Legislative History

| | | |
|---------|-----------------|--------------------------|
| 4/20/22 | City Commission | Passed to Second Reading |
|---------|-----------------|--------------------------|

- 21 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 1.04 of the Key West Charter be amended to add: "Gender Identity/Expression, Irreligion, and Immigration Status" to the "Equality of Rights" Section of the City Charter; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Commission

Attachments: [Ordinance](#)

[Memo to CC for 2nd Reading of Charter Review Committee Proposals](#)

Legislative History

4/20/22 City Commission Passed to Second Reading

- 22 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 3.02 of the Key West Charter be amended to add a one year residency requirement to qualify as a candidate for Mayor or City Commissioner; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Commission

Attachments: [Ordinance - Proposed 2nd Reading](#)

[Memo to CC for 2nd Reading of Charter Review Committee Proposals](#)

[Ordinance - 1st Reading](#)

Legislative History

4/20/22 City Commission Passed to Second Reading

- 23 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 3.10 of the Key West Charter be amended to eliminate the requirement for the City Clerk to issue blank petitions after a voter-initiated referendum or ordinance is filed; To eliminate references to specific genders; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Commission

Attachments: [Ordinance](#)

[Memo to CC for 2nd Reading of Charter Review Committee Proposals](#)

Legislative History

4/20/22 City Commission Passed to Second Reading

24

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](#)

[Memo to CC for 2nd Reading of Charter Review Committee Proposals](#)

Legislative History

5/3/22 City Commission Passed to Second Reading

25

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

5/3/22 City Commission Passed to Second Reading

PROPOSED ADD-ON RESOLUTION

26

Amending the City of Key West Personnel Policies and Procedures Employee Manual by adding observance of the Juneteenth National Independence Day, a Federal Holiday; Authorizing the City Manager to negotiate this holiday for City Employee Collective Bargaining Units.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)

[BVRAC Agenda 3.7.22](#)

CITIZEN COMMENTS

Attachments: [Celebrity Equinox](#)

COMMISSION COMMENTS

ADJOURNMENT