



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

*Mayor Teri Johnston*  
*Vice-Mayor Sam Kaufman*  
*Commissioner Lissette Carey*  
*Commissioner Mary Lou Hoover*  
*Commissioner Clayton Lopez*  
*Commissioner Billy Wardlow*  
*Commissioner Jimmy Weekley*

#### *Charter Officials*

*Albert Childress, City Manager*  
*Cheri Smith, City Clerk*  
*Ronald Ramsingh, City Attorney*

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Tuesday, May 2, 2023

5:00 PM

City Hall

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**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.

**CALL MEETING TO ORDER - 5:00 PM**

#### **ROLL CALL**

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

**INVOCATION - Deacon Peter Batty, The Basilica of Saint Mary Star of the Sea**

**PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Jim Young, Director of Code Compliance**

#### **CITIZEN COMMENTS**

**APPROVAL OF AGENDA - Approved as amended unanimously.**

**PROCLAMATIONS**

- 1                                   Key West Wildlife Center  
  Received and Filed
  
- 2                                   Peace Officers Memorial Day and Key West Police Week  
  2023  
  Received and Filed
  
- 3                                   Canon John H. Reece, Jr. Day  
  Received and Filed

**PRESENTATIONS**

- 4                                   Police Chief Sean Brandenburg  
  Received and Filed

**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**

- 5                                   \*April 18, 2023  
  Passed

**RESOLUTIONS**

- 6                   \*Urging the Florida Legislature to defeat HB 1317/SB 1346, which, among its provisions, would prohibit local governments from preventing the demolition of certain structures within a half mile of the coastline, and require local government to authorize replacement structures at the maximum development potential allowed by local development regulations; Directing the City Clerk to provide this resolution to certain members of the Florida Legislature.

**Passed**

Enactment No: Res 23-108

- 7                   \*Authorizing the Key West Business Guild, Inc. to conduct a Pride Street Fair on Saturday, June 10, 2023 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 starting at the Key West Truman Waterfront on Sunday, June 11, 2023 from 5:00 P.M. to 8:30 P.M. Staging at the Quay Wall at the Truman Waterfront; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Passed**

Enactment No: Res 23-109

- 8                   \*Authorizing the Key West Sunsets Basketball, Inc. to conduct a Coed Softball Tournament as a fundraiser at Wickers Field on Saturday, June 10, 2023 between 8:00 A.M. to 8:00 P.M.; Authorizing the sale and consumption of alcoholic beverages at Wickers Field complex on Saturday, June 10, 2023 from 8:00 A.M. to 8:00 P.M.

**Passed**

Enactment No: Res 23-110

- 9                   \*Authorizing Sunrise Rotary Foundation of Key West, Inc. the use of the property at 1405 Duval Street for Brewfest Key West Festival on Saturday, September 2, 2023 from 3:00 P.M. to 8:00 P.M; Authorizing the sale and consumption of alcoholic beverages within barricaded area.

**Passed**

Enactment No: Res 23-111

- 10                   \*Adopting amended Rules of Procedure for City Commission meetings; Providing that this Resolution supersedes prior Resolutions regarding Rules of Procedure for City Commission meetings.

**Passed**

Enactment No: Res 23-112

- 11                   \*Authorizing the authority to execute and submit grant documentation through the Transit Award Management System (TRAMS) to the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA), and to the Florida Department of Transportation (FDOT) and U.S. Department of Transportation (USDOT) to the City Manager Albert P. Childress, Key West Department of Transportation Director Rodrigo G. Delostrinos, Jr., and alternate designees Project and Grants Manager Carolyn Haia, Assistant City Manager Todd Stoughton and Finance Director Christina Bervaldi; Authorizing City Attorney Ronald J. Ramsingh, and Assistant City Attorney Nicholas Trovato to affirm the authority of the City and its designees to apply for and accept grant funding.

**Passed**

Enactment No: Res 23-113

- 12                   \*Authorizing pursuant to Section 2-797(3) the purchase of a S770 Bobcat Skid-Steer Loader in an amount not to exceed \$86,983.18, from Clark Equipment Co. through the Sourcewell Cooperative Purchasing Contract (Sourcewell) #040319-CEC, City of Key West Member Number 58115; Authorizing the City Manager to execute necessary documents.

**Passed**

Enactment No: Res 23-114

- 13                   \*Authorizing the purchase of one 2023 Ford F-250 Truck with liftgate (\$52,689.00) and one Ford F-350 Crane Truck (\$96,733.00) in a total amount not to exceed \$149,422.00 from Duval Ford LLC, through the Florida Sheriff's Association and Florida Association of County Bid No. FSA22-VEL30.0 and FSA22-VEH20.0 Contracts, pursuant to Section 2-797(3) of the Code of Ordinances for use by the sanitary sewer utility; Authorizing necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney.

**Passed**

Enactment No: Res 23-115

- 14                   \*Approving Task Order TO-2-23 for Jacobs Engineering Group, Inc. in an amount not to exceed \$154,934.50 to prepare Phase I - Sewer Collection System Master Plan; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

**Passed**

Enactment No: Res 23-116

- 15                    \*Authorizing an increase to purchasing exception pursuant to Sections 2-797(3) and 2-797(4)(b) of the Code of Ordinances, to allow an increase not to exceed \$30,000.00 in cumulative additional expenditures during FY 22-23 to Ten-8 Fire and Safety (From \$60,000.00 to \$90,000.00); Authorizing any necessary budget adjustments or transfers.
- Passed**
- Enactment No: Res 23-117
- 16                    \*Authorizing the procurement of public safety physicals for members of Key West Fire Department at a cost of up to \$65,550.00/\$690.00 per candidate, from Life Extension Clinics, Inc. DBA Life Scan Wellness Centers through piggybacking on the City of Clearwater's Contract RFP #51-20, pursuant to Section 2-797(3) of the Code of Ordinances; Authorizing the City Manager to execute documents upon consent of the City Attorney.
- Passed**
- Enactment No: Res 23-118
- 17                    \*Approving the attached "Memorandum of Understanding for Law Enforcement Agency Access to Driver and Vehicle Information Database System (DAVID)" between the Key West Police Department and the Florida Department of Highway Safety and Motor Vehicles for a term of up to six (6) years; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.
- Passed**
- Enactment No: Res 23-119
- 18                    \*Approving the attached "Administrative Agreement Between the City of Key West, Florida (Grantee) and A.H. of Monroe County, Inc. (Sponsor) Reference U.S. HUD HOPWA Grant #FLH220017"; Authorizing the City Manager to execute the Administrative Agreement and subsequent amendments upon consent of the City Attorney.
- Passed**

Enactment No: Res 23-120

- 19 \*Approving the staff ranking for Professional Surveying Services in response to Request for Qualification (RFQ) No. 23-004; Authorizing the City Manager to negotiate and execute contracts on a Task Order basis with the four top-ranked firms upon consent of the City Attorney.

**Passed**

Enactment No: Res 23-121

- 20 \*Approving the staff ranking for General Traffic Engineering Services in response to Request for Qualifications (RFQ) No. 23-003; Authorizing the City Manager to negotiate and execute contracts on a Task Order basis with the four top-ranked firms upon consent of the City Attorney.

**Passed**

Enactment No: Res 23-122

- 21 \*Approving one way, one lane traffic flow in a northbound direction on Ashe Street from Olivia Street to Southard Street.

**Postponed to June 8, 2023**

- 22 \*Confirming Eric Nordback as an assistant city attorney pursuant to the Key West City Charter.

**Passed**

Enactment No: Res 23-123

- 23 .  
\*Directing the City Attorney to commence legal action related to enforcement of the Parking Agreement benefiting the Marker Resort.

**Postponed to June 8, 2023**

#### **Approval of the Consent Agenda**

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

24

**Quasi-Judicial Hearing:****Easement - 302 Amelia Street (RE #00026280-000000) -**

Approving an easement of approximately one-hundred forty-eight (148) square feet, more or less, at a property located at 302 Amelia Street, in order to repair an existing wood fence that encroaches on the Amelia Street and Thomas Street rights-of-way in the Historic Medium Density Residential zoning district, pursuant to Section 2-938(B)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; providing fees and conditions.

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, that the Resolution be Postponed to June 8, 2023. The motion passed by an unanimous vote.

**ORDINANCES – FIRST READING**

25

An Ordinance of the City of Key West, Florida, amending Chapter 86 of the Land Development Regulations, entitled “General Provisions”, Section 86-9 entitled, “Definition of terms.”; and Chapter 122 of the Land Development Regulations, entitled “Zoning”, Article II entitled “Nonconformities”, Section 122-30 entitled, “Abandonment of nonconforming use”; to provide for an amended definition of the term “Abandon”; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

**Yes:** 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

**ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)**

- 26 Amending Chapter 26 of the Code of Ordinances, entitled "Environment", Division VIII, entitled "Single Use Plastics" by amending Section 26-312, to add a definition of marine biodegradable, and amend the definition of single-use plastic beverage straw or stirrer; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 23-19

- 27 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 property located at 907 Caroline Street (RE #00072082-004505); 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.

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 23-20

28 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 property located at 907 Caroline Street (RE #00072082-004505); 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.

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 23-21

29 An Ordinance of the City of Key West, Florida, amending the Comprehensive Plan, City of Key West's Vision, Mission Statement and Core Value as found in Section "I. Introduction City of Key West Comprehensive Plan"; Providing for inclusion in the City of Key West Comprehensive Plan; Providing for an effective date.

**A motion was made by Commissioner Lopez, seconded by Commissioner Hoover, that the Ordinance be Adopted. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 23-22

#### **CITY MANAGER'S REPORT**

#### **CITY ATTORNEY'S REPORT**

#### **CITY CLERK'S REPORT**

**COMMISSION COMMENTS**

**ADJOURNMENT - 6:31 PM**