



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Wednesday, November 4, 2020

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.

**CALL MEETING TO ORDER - 5:01 P.M.**

#### ROLL CALL

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

#### PLEDGE OF ALLEGIANCE TO THE FLAG

**APPROVAL OF AGENDA - The agenda was unanimously approved as amended.**

#### COMMENDATION

1 Emerging Leader Award - Laura Estevez

**Attachments:** [Commendation - Laura Estevez](#)

Received and Filed

#### PROCLAMATIONS

2 Veteran's Day

**Attachments:** [Veterans Day](#)

Received and Filed

3 Zonta - Anti-Violence Against Women

**Attachments:** [Zonta - Violence Against Women](#)

Received and Filed

**PRESENTATIONS**

- 4                   75th Anniversary of Key West Council/Manager Form of Government - Sarah Spurlock.  
Attachments:    [Certificate of Recognition](#)  
  
                  Postponed to November 17, 2020
  
- 5                   2020 Florida Water Environment Association Wastewater Collection System of the Year Award.  
  
                  Received and Filed
  
- 6                   Energy Manager Presentation and Discussion of 10 Year Energy Plan for National Energy Month.  
Attachments:    [Energy Manager Annual Update](#)  
  
                  Received and Filed  
  
                                  City Attorney's Report  
  
                                  City Manager's Report

**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                   \*October 20, 2020 (Regular)  
Attachments:    [Minutes](#)  
  
                  Passed

**RESOLUTIONS**

- 8                   \*Denouncing violence against women.  
Attachments:    [Resolution](#)  
  
                  Passed

Enactment No: Res 20-211

- 9 \*Authorizing the lease-purchase for the Fire Department of 55 Scott Air-Pak x3 Pro Self Contained Breathing Apparatus (SCBA) units with 90 Scott x3 Face Pieces, 100 Snap-Change 45 Minute 4500 PSI Cylinders and Four Rit-Pak Fast Attach Emergency Air Supply Units with accessories from Muncip Emergency Services, Inc., pursuant to Government Contract (Lake County Contract #17-0606G), pursuant to Section 2-797(3) of the Code of Ordinances in a total amount not to exceed \$483,365.00; Approving a "Lease to Own" Financing Capital Equipment Agreement with BB&T Bank.

**Attachments:**     [Resolution](#)  
                                 [Executive Summary](#)  
                                 [Lake County, FL Contract](#)  
                                 [Lake County, FL Contract Pricing](#)  
                                 [Approval to Piggyback](#)  
                                 [Municipal Emergency Services \(MES\) Quote](#)  
                                 [Community Leasing Partners Leasing Quote](#)  
                                 [BB & T Bank Leasing Quote](#)  
                                 [BB & T Bank Leasing Quote \(Revised\)](#)

**Passed**

Enactment No: Res 20-212

- 10 \*Approving a mural by Emily Strauss titled "*Leaf Me in the Tropics*" painted on the south wall of the front ADA Access Ramp Area of The Marker Hotel at 701 Caroline Street.

**Attachments:**     [Resolution](#)  
                                 [Executive Summary](#)  
                                 [Mural Regulations](#)  
                                 [Certificate of Appropriateness](#)

**Passed**

Enactment No: Res 20-213

- 11 \*Approving a Task Order under the City's General Utilities Contract with Charley Toppino & Sons, Inc. in an amount not to exceed \$749,772.54 for the Patricia and Ashby Neighborhood Stormwater Improvements Project, Phase II; Authorizing any necessary budget transfers; Authorizing the City Manager to execute documents upon consent of the City Attorney.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Task Order](#)  
[Resolution 18-322 Extension](#)  
[Resolution 15-292 Original Resolution](#)  
[Agreement](#)

**Passed**

Enactment No: Res 20-214

- 12 \*Approving the attached "Amendment No. 2 to Agreement No. LP44031" between the Florida Department of Environmental Protection (FDEP) and the City of Key West to extend the period of agreement to June 30, 2022; Authorizing any necessary budget amendments or adjustments; Authorizing the City Manager to execute the necessary documents.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[LP44031 Amendment No. 2](#)  
[Resolution 17-124](#)  
[Resolution 18-047](#)  
[Resolution 19-040](#)

**Passed**

Enactment No: Res 20-215

- 13 \*Approving a retroactive five-year renewal of the Agreement with Syncromatics Corporation for Real Time Passenger Information System (RTPI) Management/Hosting for use in Key West Department of Transportation Buses, on a Sole Source Basis pursuant to Section 2-797(1) of the Code of Ordinances.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Letter of Intent](#)  
                              [Sole Source Letter](#)  
                              [Syncromatics Agreement 12-1-13](#)

**Passed**

Enactment No: Res 20-216

- 14 \*Ratifying a Change Order to the Task Order No. 2 (2018) to Black & Veatch Corporation for additional permitting services related to the Dennis Street Pump Station near Key West High School in an amount not to exceed \$15,314.00.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Change Order](#)  
                              [Work Change Directive](#)  
                              [Black & Veatch Engineering Services Agreement](#)  
                              [Resolution 18-306](#)

**Passed**

Enactment No: Res 20-217

- 15 \*Approving the attached City Manager Goals and Objectives.

**Attachments:**    [Resolution](#)  
                              [Goals & Objectives](#)

**Postponed to November 17, 2020**

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

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

- 16 Authorizing the Monroe County Commercial Fishermen, Inc. to conduct their 16th Annual Florida Keys Seafood Festival at the Quay Wall on Saturday, January 16, 2021 from 10:00 A.M. to 9:00 P.M. and Sunday, January 17, 2021 from 10:00 A.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 with the enclosed area.

**Attachments:**    [Resolution](#)  
                              [Applications](#)  
                              [Release and Indemnification](#)

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

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

Enactment No: Res 20-218

- 17 Approving the attached Task Order to William P. Horn, Architect, PA under the General Architectural Services Contract, for Architectural and Engineering Design Services for the new Keys Overnight Temporary Shelter (KOTS) Project in an amount not to exceed \$298,900.00; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Horn Proposal](#)  
                              [Resolution 19-295 City/County KOTS ILA](#)  
                              [Resolution 17-190 Gen Arch Services](#)  
                              [Resolution 20-141 Arch Gen Services Extension](#)

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

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

Enactment No: Res 20-219

18

**QUASI JUDICIAL HEARING: Major Development Plan -  
727 Fort Street (RE# 00013990-000000)**

Requesting approval of a Major Development Plan for the reconstruction of a 3,693 square foot one-story building to create a community health center containing primary care offices, dental offices, laboratory testing, and clerical office space on property located within the Historic Medium Density Residential (HMDR) Zoning District and a landscape waiver pursuant to Sections 108-91.A.2 (b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [Planning Board Resolution 2020-32](#)  
                              [\\*Large File\\* Planning Package](#)  
                              [Site Plans](#)  
                              [Utilities Comments](#)  
                              [Floodplain Comments](#)  
                              [Engineering Comments](#)  
                              [Noticing Package](#)  
                              [\\*Large File\\* 727 Fort Street - Historic Planner](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Resolution be Passed with the conditions as outlined in the staff report. The motion carried by the following vote:**

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

Enactment No: Res 20-220

**ORDINANCES – FIRST READING**

19

An Uncodified Ordinance of the City of Key West, Florida, amending Ordinance 20-14 to mandate that individuals wear a face covering in public with certain exceptions; Declaring this Ordinance to be an emergency measure; Providing for penalties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective and sunset date.

**Attachments:** [Ordinance](#)

**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 Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 20-17

**ORDINANCES - SECOND READING (Public Hearing)**



20

**Proposed to be Postponed:**

**Future Land Use Map (FLUM) Amendment - 918 Fort Street (RE # 00001630-000801), 727 Fort Street (RE # 00013990-000000), 101 Geraldine Street (RE # 00013970-000000), 709 Fort Street (RE # 00013960-000000), 100 Angela Street (RE # 00013950-000000), 105 Geraldine Street (RE # 00013910-000000), 110 Angela Street (RE # 00013900-000000), 111 Geraldine Street (RE # 00013870-000000), 112 Angela Street (RE # 00013860-000000), 109 Geraldine Street (RE # 00013830-000000), and 114 Angela Street (RE # 00013820-000000).**

An Ordinance by the City Commission to amend The Future Land Use Map Legend from Historic Public / Semi-Public, Historic Commercial, and Historic Residential to Historic Commercial; and to add a new Future Land Use Map Zoning Subdistrict designation of "Historic Neighborhood Commercial Bahama Village Truman Waterfront" (HNC-4) and applying such designation to said properties; 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 transmittal to the State Land Planning Agency; Providing for the filing with the Secretary Of State and for an effective date; and Providing for the inclusion into The City Of Key West Comprehensive Plan.

**Attachments:**    [Ordinance](#)  
[Staff Report](#)  
[Executive Summary](#)  
[Planning Board Resolution 2019-85](#)  
[Planning Board Resolution 2020-28](#)  
[Presentation](#)  
[\\* Large File \\* Noticing Package](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Postponed to November 17, 2020. The motion

passed by unanimous vote.

21

**Proposed to be Postponed:**

**Official Zoning Map Amendment - 918 Fort Street (RE # 00001630-000801), 727 Fort Street (RE # 00013990-000000), 101 Geraldine Street (RE # 00013970-000000), 709 Fort Street (RE # 00013960-000000), 100 Angela Street (RE # 00013950-000000), 105 Geraldine Street (RE # 00013910-000000), 110 Angela Street (RE # 00013900-000000), 111 Geraldine Street (RE # 00013870-000000), 112 Angela Street (RE # 00013860-000000), 109 Geraldine Street (RE # 00013830-000000), and 114 Angela Street (RE # 00013820-000000).**

An Ordinance by the City Commission to amend the Official Zoning Map and the Official Zoning Map Legend to create a new zoning sub-section to be named the Historic Neighborhood Commercial District Bahama Village Truman Waterfront (HNC-4), 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 concurrent and conditional adoption upon adoption of Comprehensive Plan Future Land Use Map (FLUM) Amendments; providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Staff Report](#)  
[Executive Summary](#)  
[Planning Board Resolution 2019-86](#)  
[Planning Board Resolution 2020-29](#)  
[Presentation](#)  
[Noticing Package](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Postponed to November 17, 2020. The motion passed by unanimous vote.

22

**Proposed to be Postponed:**

An Ordinance by the City Commission amending Comprehensive Plan Policy 1-1.1.4, entitled "Affordable Housing and Compact Development Incentives," to add a revised FLUM, amending Comprehensive Plan Table 1-1.1.5, to add an additional subdistrict under Historic and Commercial Future Land Use District, and amending Comprehensive Plan Policy 1-1.1.9, entitled "Allowed Uses in Historic Neighborhood Commercial," to add a fifth corridor and a fourth HNC subdistrict to allow for up to 40 dwelling units per acre; Pursuant to Chapter 90, Article VI, Division 3; Providing for repeal of inconsistent provisions; Providing for an effective date; and Providing for the inclusion in the City of Key West Comprehensive Plan.

**Attachments:** [Ordinance](#)  
[Staff Report](#)  
[Executive Summary](#)  
[Planning Board Resolution 2019-87](#)  
[Planning Board Resolution 2020-30](#)  
[Presentation](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Postponed to November 17, 2020. The motion passed by unanimous vote.**

23

**Proposed to be Postponed:**

An Ordinance by the City Commission amending Chapter 122 of the Land Development Regulations, entitled "Zoning," Article IV, entitled "Districts," Division 8 entitled "Historic Neighborhood Commercial Districts," to create a new zoning district entitled the "Historic Neighborhood Commercial District Bahama Village Truman Waterfront" (HNC-4), providing amendments to Section 122-92, entitled "Future Land Use Map Designations and Zoning Districts," Section 122-1111, entitled "Table of Land Use by Districts," Section 122-1112, entitled "Table of Permitted and Conditional Commercial Retail Uses by Districts," and Section 122-1151, entitled "Size and Dimension," Providing for intent, permitted uses, conditional uses, prohibited uses, and dimensional requirements; Providing for residential density of up to 40 units per acre; Pursuant to Chapter 90, Article VI, Division 2; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
[Staff Report](#)  
[Executive Summary](#)  
[Planning Board Resolution 2020-31](#)  
[\\*Large File\\* Planning Board Resolution 2019-88](#)  
[Presentation](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Postponed to November 17, 2020. The motion passed by unanimous vote.**

**CITIZEN COMMENTS****COMMISSION COMMENTS****ADJOURNMENT - 6:24 P.M.**