



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

---

Wednesday, April 20, 2022

5:00 PM

City Hall

---

#### Special

**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.**

**CALL MEETING TO ORDER -**

**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.**

**ORDINANCES – FIRST READING**

1

An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 1.07 of the Key West Charter be amended to permit the Citizens Review Board (CRB) to delete reference to any specific civic organizations to select members from, to require the CRB to perform its own investigations, to eliminate language that created the first CRB Board that is no longer relevant to CRB operations, to eliminate the requirement for the CRB Director to coordinate a nomination process or to coordinate meeting notices, to eliminate any exception to open meetings law, to eliminate a provision to stay a decision of the CRB if an outside agency appeals, to add the ability of CRB to delay an investigation if there is a parallel investigation, delete expressed requirements of compliance with Ch. 112 and Ch. 119 of Florida Statutes, delete requirement of City Commission approval of CRB budget prior to making expenditures, and delete the requirement for the City Manager to assign clerical staff; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**     [Ordinance](#)  
                                  [Memo to City Commission](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Denied. The motion carried by the following vote:**

**No:** 2 - Commissioner Davila and Commissioner Weekley

**Yes:** 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Mayor Johnston

- 2 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.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading. 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

- 3 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 1.05 of the Key West Charter be amended to permit for height variances to 50 feet in appropriately zoned mixed use projects outside of the Historic District that contain a minimum of 70 percent Workforce Housing; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Denied. The motion carried by the following vote:**

**No:** 1 - Commissioner Davila

**Yes:** 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

4

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 of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**     [Ordinance](#)  
                                  [Memo to City Commission](#)

**A motion was made by Commissioner Davila, seconded by Commissioner Weekley, that the Ordinance by Passed to Second Reading with amendments to remove annexation from super-majority voting, define super-majority as 6 members, and define property by adding the language 'for a specific for public benefit'. After discussion, the motion was withdrawn in order to take separate votes on the proposed changes in the Ordinance.**

**A motion was then made by Vice Mayor Kaufman, seconded by Commissioner Davila, that the first line of Section 1.08 should read: 'Annexation by any means, of any and all real property may only be by a vote of the electors of the City'. The motion carried by the following vote:**

**No: 1 - Commissioner Wardlow**

**Yes: 6 - Commissioner Hoover, Commissioner Davila, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Weekley, and Mayor Johnston**

**After a motion was made by Commissioner Lopez, who withdrew his motion, a motion was made by Vice Mayor Kaufman, seconded by Commissioner Davila, that the second sentence of Section 1.08 should read: 'Acquisition by any means, of any and all real property may only be by an affirmative vote by 6 members of the City Commission for a specific public purpose'. The motion failed by the following vote:**

**No: 4 - Commissioner Hoover, Commissioner Lopez, Commissioner Wardlow, and Commissioner Weekley**

**Yes: 3 - Commissioner Davila, Vice Mayor Kaufman, and Mayor Johnston**

**A motion was then made by Commissioner Lopez, seconded by Vice Mayor Kaufman, that the second sentence of Section 1.08 should read: 'Acquisition by any means, of any and all real property may only be by a vote of a super-majority of the City Commission for a specific public purpose'. The motion carried by the following vote and thereby Passed the Ordinance to Second Reading as amended:**

**No: 2 - Commissioner Wardlow and Mayor Johnston**

**Yes:** 5 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez and Commissioner Weekley

**5**

An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 3.01(A) of the Key West Charter be amended to change the term of Mayor from two years to four years; Proposing that Section 3.01(B) of the Key West Charter be amended to eliminate term limits for future members of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

The proposed changes in the Ordinance were taken individually. A motion was made by Vice Mayor Kaufman, seconded by Commissioner Davila, to change the mayor's term from two years to four years. The motion failed by the following vote:

**No:** 4 - Commissioner Hoover, Commissioner Lopez, Commissioner Wardlow, and Commissioner Weekley

**Yes:** 3 - Commissioner Davila, Vice Mayor Kaufman, and Mayor Johnston

Then, a motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Denied. The motion carried by the following vote:

**No:** 2 - Commissioner Davila and Commissioner Weekley

**Yes:** 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Mayor Johnston

- 6 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.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading requiring a one year residency within the City of Key West for all persons running for mayor and commissioner. The motion carried by the following vote:**

**No:** 1 - Commissioner Hoover

**Yes:** 6 - Commissioner Davila, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

- 7 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 3.07 of the Key West Charter be amended to eliminate the requirement for personal notice of special City Commission meetings to be perfected on individual City Commission members; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Denied. The motion carried by the following vote:**

**No:** 1 - Commissioner Davila

**Yes:** 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

- 8 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 3.09 of the Key West Charter be amended to eliminate gender specific references regarding the duties of Mayor; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

Withdrawn

- 9 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.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading with exception to gender neutral language which will be covered in a separate, forthcoming Ordinance. 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

- 10 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 4.01 of the Key West Charter be amended to eliminate references to gender regarding the City Manager; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

Withdrawn

- 11 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 4.03 of the Key West Charter be amended to eliminate references to gender regarding the absence of the City Manager; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

Withdrawn

- 12 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 4.04 of the Key West Charter be amended to eliminate references to gender regarding the duties of the City Manager; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

Withdrawn

- 13 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 4.05 of the Key West Charter be amended to eliminate the inclusion of department heads in the Civil Service System; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Denied. The motion carried by the following vote:**

**No:** 1 - Commissioner Davila

**Yes:** 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston



- 14 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.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

**A motion was made by Commissioner Clayton Lopez, seconded by Vice Mayor Sam Kaufman, that the Ordinance be Postponed to May 17, 2022. The motion passed by unanimous vote.**

- 15 An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 6.01 of the Key West Charter be amended to increase the term of Mayor from two to four years; Proposing that Section 6.01 of the Key West Charter be amended to eliminate defunct language that aligned city elections with state and federal elections; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Memo to City Commission](#)

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

**No:** 1 - Commissioner Davila

**Yes:** 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

16

An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 8.01 of the Key West Charter be amended to eliminate gender specific references regarding the method of amending the City Charter; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                                  [Memo to City Commission](#)

Withdrawn

**ADJOURNMENT - 7:42 PM.**