



# 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*  
*Keri O'Brien, City Clerk*  
*Ronald Ramsingh, City Attorney*

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Thursday, September 14, 2023

9:00 AM

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:** For City Commission meetings the City Clerk's Office will need a copy of the presentation for the agenda at least 7 days before the meeting.

#### MORNING SESSION

**CALL MEETING TO ORDER - 9:00 A.M.**

#### **ROLL CALL**

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

**INVOCATION - Reverend Chaplain Steve Torrence**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**CITIZEN COMMENTS**

**APPROVAL OF AGENDA - The agenda was unanimously approved as amended, including an add-on Proclamation for Reverend Steve Torrence**

**PROCLAMATIONS**

1 Reverend Chaplain Steve Torrence

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

2 Women's Equality Day

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

3 National Diaper Need Awareness Week

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

4 Fats Navarro Day

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

**PRESENTATIONS**

5 Legislative Priorities - Joseph Salzverg, Gray Robinson

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

**RESOLUTIONS**

- 6                    \*Approving a one (1) year renewal of the Engagement Letter for advisory services with Gray Robinson, PA, to serve as the City's Florida Government Lobbyist for the period October 1, 2023 through September 30, 2024.

**Sponsors:**            Commissioner Lopez

**Attachments:**        [Resolution](#)  
[Cover Memo](#)  
[Gray Robinson Executed Engagement Letter 2019](#)  
[Res 22-204 Gray Robinson Renewal 2022](#)  
[Res 19-321 Gray Robinson Engagement 2019](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Resolution be Passed with direction to the City Attorney to imbed more detailed language regarding expectations in the Engagement Letter as well as adding the list of legislative priorities as an Exhibit. 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: Res 23-212

**PRESENTATIONS - Cont'd**

- 7                    Lower Keys Medical Center - David Clay, CEO

**Sponsors:**            City Manager Childress

**Attachments:**        [Presentation](#)  
[Cover Memo](#)

**Received and Filed**

- 8                    American Cruise Lines, Inc. - Charles B. Robertson

**Sponsors:**            City Manager Childress

**Attachments:**        [Presentation](#)  
[Cover Memo](#)

**Received and Filed**

9 The College of the Florida Keys - Dr. Brittany Snyder,  
Executive VP and CFP

Sponsors: City Manager Childress

Attachments: [Presentation](#)  
[Cover Memo](#)

Received and Filed

11:41 A.M. - Meeting went into Recess

11:48 A.M. - Meeting Reconvened

10 City of Key West Employee Service Awards- September  
2023

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

11 Key West Water Quality Improvement Plan -  
Alison Higgins, Sustainability Coordinator

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)  
[Presentation](#)

Received and Filed

12 3.2 The Lofts at Bahama Village

Sponsors: City Manager Childress

Attachments: [Presentation](#)  
[Cover Memo](#)

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**

**13**                                    \*July 13, 2023 (Regular)

**Attachments:**      [Minutes](#)

**Passed**

**14**                                    \*July 24, 2023 (Workshop)

**Attachments:**      [Minutes](#)

**Passed**

**15**                                    \*July 25, 2023 (Workshop)

**Attachments:**      [Minutes](#)

**Passed**

**16**                                    \*July 26, 2023 (Workshop)

**Attachments:**      [Minutes](#)

**Passed**

**RESOLUTIONS - Cont'd**

**17**                                    \*Expressing opposition to consolidation of judicial circuits, specifically the consolidation of the 16th and 11th Circuits.

**Sponsors:**            Commissioner Weekley, Commissioner Hoover, Commissioner Wardlow, Mayor Johnston, Commissioner Lopez and Commissioner Carey

**Attachments:**      [Resolution](#)  
                                  [Cover Memo](#)

**Passed**

Enactment No: Res 23-213

18                    \*Restricting the use of phosphogypsum as a pavement aggregate in any construction projects within the City limits.

**Sponsors:**            Commissioner Weekley

**Attachments:**        [Resolution](#)  
                                  [Cover Memo](#)  
                                  [EPA Rule on National Emissions Standards](#)  
                                  [EPA Form on Radioactive Material from Fertilizer Production](#)

**Passed**

Enactment No: Res 23-214

19                    \*Approving and authorizing the Bahama Village Community Coalition Inc. to conduct a Goombay Festival sponsored and managed by the City of Key West to occur on October 20 & 21, 2023 from noon to midnight; Authorizing the closure of Petronia Street between Duval Street and Fort Street and a parade on ~~Friday, October 20, 2023~~ Saturday, October 21, 2023, starting at the Nelson English Park at 6:00 P.M; Authorizing the sale and consumption of alcoholic beverages within the barricaded area of the Festival; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances during the Festival.

**Sponsors:**            City Manager Childress

**Attachments:**        [Resolution](#)  
                                  [Cover Memo](#)  
                                  [Application](#)  
                                  [Newspaper Advertisement](#)

**Passed**

Enactment No: Res 23-215

- 20                    \*Authorizing Quepasa KW, Inc. to conduct the Pet Masquerade at the Truman Waterfront Amphitheater as a fundraiser for Lower Keys Friends of Animals on Wednesday, October 25, 2023 from 5:00 P.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 within an enclosed area.

**Sponsors:**            City Manager Childress

**Attachments:**        [Resolution](#)  
                                  [Cover Memo](#)  
                                  [Application](#)

**Passed**

Enactment No: Res 23-216

- 21                    \*Authorizing the Key West Business Guild, Inc. to conduct the annual Headdress Ball at the Truman Waterfront Coffee Butler Amphitheater on Thursday, October 26, 2023 from 6:30 P.M. to 11:00 P.M; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages with an enclosed area.

**Sponsors:**            City Manager Childress

**Attachments:**        [Resolution](#)  
                                  [Cover Memo](#)  
                                  [Application and Approvals](#)

**Passed**

Enactment No: Res 23-217

- 22 \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances to the Conch Republic Seafood Company at 631 Greene Street for a Static Boat & Car Display starting November 9-12, 2023, from 11:00 A.M. to 11:00 P.M.; Authorizing the Conch Republic to have numerous events during that time.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Application](#)  
[Newspaper Advertisement](#)

**Passed**

Enactment No: Res 23-218

- 23 \*Authorizing Race World Offshore, LLC to conduct a concert on Thursday, November 9, 2023, from 6:00 P.M. to 10:00 P.M. at the Truman Waterfront Coffee Butler Amphitheater, A street closure on Greene Street from Duval Street to Ann Street on Thursday, November 9, 2023, from 6:00 P.M. to 10:00 P.M.; A street closure from Front Street to Southard Street and Fitzpatrick to Simonton Street on Friday, November 10, 2023, from 6:00 P.M. to 10:00 P.M.; A concert on Saturday, November 11, 2023, from 6:00 P.M. to 10:00 P.M. at the Truman Waterfront Coffee Butler Amphitheater and an awards ceremony on Sunday, November 12, 2023, from 3:00 P.M. to 8:00 P.M. at the Truman Waterfront Coffee Butler Amphitheater; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the barricaded area during each event.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Applications and Approvals](#)

**Passed**

Enactment No: Res 23-219

24

\*Authorizing Wesley House Family Services, Inc. to conduct a Family Friendly Holiday Village "Pre-Party" and the Annual Belighted Bike Ride on Friday, December 1, 2023, at the Key West Coffee Butler Amphitheater at 4:00 P.M. to 10:00 P.M.; the Holiday Village will start at 4:00 P.M. to 8:00 P.M. with the Belighted Bike Ride following shortly afterward with the start traveling towards Whitehead Street to Front Street, taking a right on Duval Street, riding the length of Duval Street, and returning back to the Amphitheater; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Childress

Attachments: [Resolution](#)  
[Cover Memo](#)  
[Application & Approvals](#)

**Passed**

Enactment No: Res 23-220

- 25 Authorizing "Key West Half Marathon, LLC." to conduct their 26th Annual Key West Half Marathon and 5K Run starting with a registration on Friday, January 12, 2024 from 3:00 P.M. to 5:00 P.M. and Saturday, January 13, 2024 from noon to 6:00 P.M. and the Half Marathon on Sunday, January 14, 2024 starting at 6:30 A.M. ( Set up 6:00 A.M.) and a 5K on Sunday, January 14, 2024, at 7:30 A.M. and ending at 1:00 P.M. at the Half Shell Raw Bar - 231 Margaret Street; Authorizing certain street closures thereof during the event; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 A.M. to 7:30 A.M; Pursuant to terms and conditions set forth by the City Manager.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Application & Approvals](#)  
[Noise Exemption Notices](#)  
[Newspaper Advertisement](#)  
[Public Comment - Tompkins](#)

**Postponed to October 12, 2023**

- 26 \*Authorizing the Monroe County Commercial Fishermen, Inc. to conduct the Annual Florida Keys Seafood Festival at Bayview Park on Saturday, January 13th, 2024 from 11:00 A.M. to 8:00 P.M. and Sunday, January 14th, 2024, from 11:00 A.M. to 5:00 P.M. (Set up Thursday, January 11th, 2024, and tear down on Sunday, January 14th, 2024); 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 Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Application & Approvals](#)

**Passed**

Enactment No: Res 23-221

27

\*Approving the response to Request for Proposals (RFP) No. 006-23 for John Jones Navigation Center (JJNC) Homeless Shelter Management; Authorizing the City Manager to negotiate and execute a contract in conformance with the RFP documents with Cornerstone Resource Alliance, Inc., upon advice and consent of the City Attorney; Authorizing budget transfers and adjustments, if necessary.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[\\*Large File\\* RFP #006-23 Response Cornerstone Resource Alliance Inc.](#)  
[RFP 23-006 Bid Memo](#)  
[Pre-Bid Sign In](#)  
[RFP 23-006 Citizen Ad](#)  
[KOTS Management RFP 2023\\_FINAL](#)

**Passed**

Enactment No: Res 23-222

28

\*Approving the attached "Contract for Services - Code Compliance Special Magistrate"; Authorizing the City Manager to execute the Contract upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Special Magistrate Contract](#)

**Passed**

Enactment No: Res 23-223

29                   \*Approving the attached "Interlocal Agreement between Monroe County and the City of Key West for Joint Operation, Use and Maintenance of Bernstein Park, Stock Island."

**Sponsors:**           City Manager Childress

**Attachments:**       [Resolution](#)  
                              [Cover Memo](#)  
                              [Interlocal Agreement - Final](#)  
                              [2018 Agreement](#)

**Passed**

Enactment No: Res 23-224

30                   \*Approving the attached 'Independent Contractor Agreement' between the City of Key West and Terrence Richardson for Electrical and Mechanical Plan Review Services; Authorizing any necessary budget transfers or adjustments.

**Sponsors:**           City Manager Childress

**Attachments:**       [Resolution](#)  
                              [Cover Memo](#)  
                              [Agreement](#)  
                              [Exhibit A](#)

**Passed**

Enactment No: Res 23-225

31                   \*Approving the attached 'Independent Contractor Agreement' between the City of Key West and John A. Castro for Building Plan Review Services; Authorizing any necessary budget transfers or adjustments.

**Sponsors:**           City Manager Childress

**Attachments:**       [Resolution](#)  
                              [Cover Memo](#)  
                              [Agreement](#)  
                              [Exhibit A](#)

**Passed**

Enactment No: Res 23-226

32

\*Approving the attached "Frederick Douglass Gym Extension - Contract Amendment Number Four" for the design of Frederick Douglass Gym Expansion between the city and K2M Design, Inc. for additional tasks for the Frederick Douglass Gym Extension Project in an amount not to exceed \$49,062.50; Authorizing the City Manager to execute necessary documents on behalf of the City of Key West, upon consent of the City Attorney; Authorizing any necessary budget amendments and transfers.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Amendment 4](#)  
[Res 19-224 K2M Design Contract](#)  
[Res 20-028 Amendment 1 K2M](#)  
[Res 20-160 Amendment 2 K2M](#)  
[Res 22-123 Amendment 3 K2M](#)

**Passed**

Enactment No: Res 23-227

33

\*Approving and accepting the attached Grant Agreement with the Federal Highway Administration (FHWA) Division of the United States Department of Transportation (USDOT) for funding in the amount of up to \$400,000.00 for the City of Key West City-Wide Comprehensive Safety Action Plan; Approving any necessary budget adjustments; Authorizing the City Manager to execute the Agreement upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Grant Agreement](#)  
[Res 20-009](#)  
[Persons Killed FARS 2016-2020 + Key West Map](#)

**Passed**

Enactment No: Res 23-228

- 34 \*Approving a Task Order from Perez Engineering and Development, Inc. in the amount of \$68,930 for Professional Engineering Services for Coffee Butler Amphitheater Enhancements - Conceptual Design; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Proposal](#)

**Passed**

Enactment No: Res 23-229

- 35 \*Approving a Task Order under the City's General Utilities & Infrastructure Services Contract with Charlie Toppino & Sons, Inc. in a total amount not to exceed \$277,905.63 for the Truman Waterfront grass lot gravel resurfacing; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[TDC Grant](#)  
[Resolution 21-125](#)  
[Resolution 22-195 TDC grant approval](#)  
[Task Order Proposal](#)

**Passed**

Enactment No: Res 23-230

- 36 \*Approving a Task Order from Artibus Design, LLC in the amount of \$104,989.00 for Professional Engineering Services for Southernmost Point seawall repair; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Structural Evaluation Report](#)  
[23-029 Resolution](#)

**Postponed to October 12, 2023**

- 37 \*Approving Change Order #2 in the amount of \$4,683.41 for additional cost associated with work required for the installation of the VFD for Effluent Pump No. 1, under the contract awarded to D.N. Higgins, Inc. in Resolution 20-048; Authorizing any necessary budget transfers and amendments; Authorizing the City Manger to execute necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Change Order #2](#)  
[Resolution 20-048](#)  
[Resolution 22-278](#)

**Passed**

Enactment No: Res 23-231

38

\*Awarding the Bid of Air Mechanical & Service Corp. received in response to Invitation to Bid (ITB) #23-020 for Navy Exchange HVAC Upgrades Project in a total amount not to exceed \$442,000.00; Authorizing any necessary budget adjustments and amendments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents, up consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[ITB No. 23-020 NEX HVAC Upgrades](#)  
[Bid Tabulation Memo](#)  
[Gulf-Atlantic Construction Group Inc. Bid Proposal](#)  
[Air Mechanical & Service Corp. Bid Proposal](#)  
[Debonair Mechanical Inc. Bid Proposal](#)  
[Navy Approval Letter RE1/00032](#)

**Passed**

Enactment No: Res 23-232

39

\*Partially rescinding Resolution 19-047 with regard to the nomination and request for allocation of funds for the purpose of constructing workforce housing at the property located at 5220, 5224, 5228, 5230 College Road to the Monroe County Land Authority for funding in the amount of \$6,107,916 with an additional amount of approximately \$2,000,000 when it became available on September 30, 2019.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Resolution 19-047](#)  
[Resolution 19-065](#)  
[Resolution 19-318](#)

**Passed**

Enactment No: Res 23-233

40

\*Approving a purchase from REV-RTC, in an amount not to exceed \$501,486 for the purchase of one 2025 E-One Heavy Rescue Apparatus with associated options and equipment, pursuant to Government Contract, Section 2-797(3) of the Code of Ordinances; Authorizing pursuant to Section 2-771(3)(c) of the Code of Ordinances the Disposal of Surplus and Obsolete City-Owned Apparatus, Equipment, and Improvements, through a trade-in sale to REV-RTC for the amount of \$150,000; Authorizing necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Proposal](#)  
[FSA Contract](#)  
[Engine and aerial appraisals](#)

**Passed**

Enactment No: Res 23-234

41

\*Authorizing the purchase for the Fire Department of one (1) 2025 Osage Warrior Ambulance (on a 2024 Ford F-450 gas chassis) from Ten-8 Fire & Safety, LLC., pursuant to Government Contract (FL Sheriffs' Association/FL Association of Counties Contract FSA 23-VEF17.0), pursuant to Section 2-797(3) of the Code of Ordinances in a total amount not to exceed \$337,334; Authorizing necessary budget transfers and adjustments.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Key West Osage Proposal 6-21-23](#)  
[\\*Large File\\* FSA Contract Packet](#)

**Passed**

Enactment No: Res 23-235

42

\*Approving selection committee ranking of respondents to City of Key West Request for Proposals (RFP) No. 23-002 for EMS Billing Services; Directing the City Manager to negotiate and execute a contract with the first-ranked firm Digitech Computer LLC; Authorizing any necessary budget adjustments or transfers.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[RFP 23-002](#)  
[Addendum #1](#)  
[Citizen Ad \(1\)](#)  
[Meeting Notice ad \(2\)](#)  
[Bid Memo](#)  
[Score Sheets & Ranking Final](#)  
[\\*Large File\\* Captivate Billing Proposal](#)  
[\\*Large File\\* Digitech Computer LLC Proposal](#)  
[\\*Large File\\* EMS/MC Proposal](#)

**Passed**

Enactment No: Res 23-236

43

\*Approving and accepting the attached Grant Award Agreement with the Monroe County Tourist Development Council (TDC) for funding in the amount of up to \$641,830.00 for Key West Coffee Butler Amphitheater Enhancements Phase III Project - Install High-Traffic Turf and Rubber Surface Material; Approving any necessary budget adjustments; Authorizing the City Manager to execute the Agreement upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Grant Agreement](#)  
[Application](#)

**Passed**

Enactment No: Res 23-237

- 44 \*Approving and accepting the attached Grant Award Agreement with the Monroe County Tourist Development Council (TDC) for funding in the amount of up to \$1,000,000.00 for Southernmost Plaza (Public Facility) Project; Approving any necessary budget adjustments; Authorizing the City Manager to execute the Agreement upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Grant Agreement](#)  
[Application](#)

**Passed**

Enactment No: Res 23-238

- 45 \*Approving the pay out of accrued sick leave in excess of the 720 hour cap and accrued annual leave in excess of the 240 hours cap to City Manager Patty McLauchlin upon final separation from the City of Key West.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[P McLauchlin CM Contract](#)  
[Mc Lauchlin Interim CM Contract](#)  
[Greg Veliz CM Contract](#)  
[J Scholl CM Contract](#)

**Passed**

Enactment No: Res 23-239

46 \*Approving the attached 'Contract Employee Agreement' between the City of Key West and Thomas Pakenas for Citizen Review Board Executive Director services; Authorizing any necessary budget transfers or adjustments.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Contract](#)

**Passed**

Enactment No: Res 23-240

47 \*Approving the attached City Marina pricing structure for full-time and part-time livaboard tenant slip rental rates, inclusive of adjustments to the allocation of the per foot Capital Improvement Fee; Authorizing annual CPI adjustments; Approving as to form the attached Liveaboard Residency Questionnaire; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Liveaboard Residency Questionnaire](#)  
[2023 Lease Agreement](#)  
[Lease checklist 2023](#)

**Passed**

Enactment No: Res 23-241

48

\*Approving and accepting the attached "Conditional Consent to Proposed Submerged Land Lease Between the City of Key West and Florida Department of Environmental Protection" from Seaboard Associates Limited Partnership d/b/a Ocean Key Resort and Spa for use of overhang of riparian rights at Parcel B; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Ocean Key Conditional Consent Agreement](#)  
[Mallory TUA Addendum II \(Exp 10.7.2023\)](#)  
[Consent to Lease Riparian Rights \(5.5.1989\)](#)  
[Res 89-103 Ocean Key Pkng for Submerged Land](#)  
[Public Comment - Haskell](#)

**Passed**

Enactment No: Res 23-242

49

\*Authorizing the City Manager to place pursuant to Section 2-797(4)(b) of the Code of Ordinances, Exempt Contractual Services, the City's Property and Casualty Insurance Program for 2023/24 by Public Risk Management of Florida (PRM) as submitted by World Risk Management (WRM) in the amount of \$3,307,211.00; Authorizing acceptance of World Risk Management as the Agent/Broker for the City's Property and Casualty Insurance Program for policy year 2023-2024; Approving pursuant to Section 2-797(4)(b) of the Code of Ordinances the placement of the City of Key West's Ancillary Policies in an amount not to exceed \$125,430.00 to include: from Brown & Brown, Marine Operators Legal Liability Coverage (\$23,465.00), Outer Mole Excess Liability Coverage (\$10,450.00), Wharfingers Liability Coverage (\$9,798.00), Hull and Machinery Coverage (\$16,425.00), Vessel Pollution Coverage (\$6,823.00), AD&D Coverage (\$8,987.00), Storage Tank Liability (\$7,627) and Pollution Liability (3-Year Policy) Coverage (\$14,909.00) , and from WRM, Westchester Fire Insurance for Aircraft (Drone) Coverage in an amount not to exceed (\$3,830) and Florida Fire Fighter Cancer Coverage (\$23,116.00); Authorizing the acceptance of Brown & Brown (formerly Pria) as the Agent/Broker for the City's Ancillary Policies, with the exception of Drone Coverage and Florida Fire Fighter Cancer Coverage (WRM); Authorizing the City Manager to execute all documents consistent therewith upon the advice and consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[City of Key West Property & Casualty Renewal Proposal 23-24 - PRM](#)  
[Public Risk Underwriters of Florida - No Bid Email Response](#)  
[Evaluation of Renewal - Interisk](#)  
[Evaluation of Renewal - Ben Few](#)  
[City of Key West Ancillary Proposal 23-24 - Brown & Brown](#)  
[City of Key West Fire Cancer Renewal Policy 23-24 - Chubb](#)  
[City of Key West Drone Renewal Quote 23-24 - Chubb](#)

**Passed**

Enactment No: Res 23-243

50

\*Authorizing the procurement of Computer Aided Dispatch and Automatic Vehicle Location for transit bus fleet at a cost of up to \$500,000 from CTS Software Services through piggybacking on the Florida Department of Transportation (FDOT) Modal Development Office Contract #APTS-21-S-CTS, pursuant to Section 2-797(3) of the Code of Ordinances; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)  
[Cover Memo](#)  
[FDOT APTS-21-S-CTS Contract](#)  
[FDOT Approval Hold the Pricing](#)  
[Quote](#)

**Passed**

Enactment No: Res. 23-244

- 51 \*Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West, in an amount up to \$250,000 in operating assistance (50% of total project cost of \$500,000) for the City of Key West Operationalizes Data to Enhance Service (CODES)/Key West Rides On-Demand Bus Service in Key West and Stock Island (Financial Project No. 452158-1-84-01; PTGA #G2M70); Authorizing the City Manager to execute necessary documents and effectuate any necessary budget amendments.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Service Operation Report](#)  
[Public Transportation Grant Agreement](#)  
[Resolution 23-113](#)

**Passed**

Enactment No: Res 23-245

- 52 \*Authorizing the procurement of power cells, baseplates and refurbish the scale decks from Mettler Toledo, Inc. in an amount not to exceed \$116,110.84, on a sole source basis, and in the Best Interests of the City, pursuant to Section 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 Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Finance Verification Memo](#)  
[Scale Upgrade Quote](#)  
[Sole Source Letter](#)  
[Legal Reviewed Terms and Conditions](#)

**Passed**

Enactment No: Res 23-246

- 53** \*Approving the attached "Third Amendment to Agreement" to the "Agreement for Operations, Maintenance, and Management Services for the City of Key West, Florida, Wastewater Facilities" between the City and Operations Management International, Inc. (OMI), to extend the current term of the Agreement to September 30, 2024 to align with the City of Key West Fiscal Year; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)  
[Cover Memo](#)  
[Amendment #3](#)  
[OMI Contract \\*Large File\\*](#)  
[Resolution 13-304](#)  
[Resolution 18-366](#)  
[Resolution 21-159](#)

**Passed**

Enactment No: Res 23-247

- 54** **Withdrawn:** Approving an allocation of funding in the amount of \$91,753 for Fiscal Year 2022-2023 for the operational support for the Community Development Office; Authorizing a budget transfer in the amount of \$91,753 from Affordable Housing Account 104-5401-554-9100 to Community Development Office Account 120-0000-381-1040.

Sponsors: City Manager Childress

**Withdrawn**

### Approval of the Consent Agenda

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

12:35 P.M. - Meeting went into Recess

3:00 P.M. - Meeting Reconvened with all members present

**PRESENTATIONS - Cont'd**

55 Building Department Update - Raj Ramsingh, Chief Building Official

Sponsors: City Manager Childress

Attachments: [Presentation](#)  
[Cover Memo](#)

Received and Filed

**RESOLUTIONS - Cont'd**

56 Approving and authorizing the City Manager to execute a Lease Agreement with Senator Ana Maria Rodriguez for the lease of office space at the City of Key West City Hall located at 1300 White Street, Key West, Florida, 33040; To operate and maintain a District Office; With said Lease having a term of thirty-seven months commencing on October 1, 2023 and expiring on November 3, 2026; Authorizing the City Manager to execute the Lease Agreement on behalf of the City; Providing for implementation.

Sponsors: City Manager Childress

Attachments: [Resolution](#)  
[Cover Memo](#)  
[Demised Premise](#)  
[Sen Rodriguez Lease](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. 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: Res 23-248

57

Approving the attached Collective Bargaining Agreement between the City of Key West and the Dade County Police Benevolent Association, Inc. (Key West Chapter) from October 1, 2023 through September 30, 2026.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[PBA Approved Course Appendix E](#)  
[2023-2026 Ratification Letter](#)  
[2023-2026 PBA Collective Bargaining Agreement](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. 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: Res 23-249

#### **Commissioner Hoover left Meeting**

58

Authorizing an FY 2022-23 Budget Amendment pursuant to Section 2-729(b) of the Code of Ordinances, by approving an additional allocation of Affordable Housing Trust Funds from Account No. 104-5401-554-8200 in the amount of \$50,000 for FY 22-23 to A.H. of Monroe County, Inc. for predevelopment costs related to the redevelopment of the Poinciana Plaza Special Needs Project; Authorizing the City Manger to execute all documents consistent therewith upon consent of the City Attorney.

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)

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

**Absent:** 1 - Commissioner Hoover

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

Enactment No: Res 23-250

**CITY MANAGER'S REPORT**

**59 August Department Reports**

- Attachments:**    [Building August 2023](#)  
                              [Code August 2023](#)  
                              [Community Services August 2023](#)  
                              [Engineering August 2023](#)  
                              [Housing August 2023](#)  
                              [HR August 2023](#)  
                              [IT August 2023](#)  
                              [KWFD August 2023](#)  
                              [KWPD August 2023](#)  
                              [Parking August 2023](#)  
                              [PIO August 2023](#)  
                              [Planning August 2023](#)  
                              [Port and Marine August 2023](#)  
                              [Property Management August 2023](#)  
                              [Transit August 2023](#)  
                              [Utilities August 2023](#)

**Received and Filed**

**CITY ATTORNEY'S REPORT**

**CITY CLERK'S REPORT**

**COMMISSION COMMENTS**

**MEETING WENT INTO RECESS - 4:24 P.M.**

**EVENING SESSION**

**MEETING RECONVENED - CALL TO ORDER - 5:00 P.M**

**ROLL CALL - Commissioner Hoover was absent at Evening Session. All others members were in attendance.**

**INVOCATION - Rabbi Shimon Dudai and Rabbi Yaacov Zucker**

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMENTS**

**APPROVAL OF AGENDA**

**RESOLUTIONS**

**60**

**Naming the Key West Firehouse Museum, the Alex Vega Firehouse Museum at the Key West Historic Firehouse.**

**Sponsors:** Commissioner Wardlow and Commissioner Lopez

- Attachments:**
- [Resolution](#)
  - [Cover Memo](#)
  - [Letter of Support from Chief Michael Davila \(ret\)](#)
  - [Letter of Support from Chief David Fraga KWFD \(Ret\)](#)
  - [Letter of Support from Chief Tim Fehey KWFD \(Ret\)](#)
  - [Letter of Support from Greg & Jason Barroso KWFD Division Chiefs](#)
  - [Letter of Support from Craig Marston KWFD \(Ret\)](#)
  - [Letter of Support from Alan & Mary Vidal](#)

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

- Absent:** 1 - Commissioner Hoover
- Yes:** 6 - Commissioner Carey, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 23-251

61

**Quasi-Judicial Hearing:** Authorizing the City of Key West to enter into the attached "Revocable License Agreement for Nonpermanent Use of City Property" with Jill Snodgrass (DBA Daily Plan-It), to allow the operation of an Artisan Market at Indigenous Park (1801 White Street) on dates set forth in the Agreement, upon additional terms and conditions contained in the Agreement (October 22, 2023 - April 28, 2023).

**Sponsors:** City Manager Childress

**Attachments:** [Resolution](#)  
[Cover Memo](#)  
[Revocable License](#)  
[Rev License Agreement - 2022](#)

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

**No:** 1 - Commissioner Hoover

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

Enactment No: Res 23-252

## ORDINANCES – FIRST READING

62

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by creating Article XIV titled "Fitness Centers", Division 1, entitled "Automated External Defibrillators"; Creating Sec 18-710 titled "Definitions"; Creating Section 18-711 entitled "Regulations"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley

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

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading. The motion passed by unanimous vote.**

63

An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled "Vehicles for Hire" by amending Section 78-233, to amend the number of sightseeing vehicles operated pursuant to business license from seven to eight; To create a random selection process for any new licenses for electric vehicles; To create Section 78-240 to permit transferability of new licenses with approval of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley

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

**A motion was made by Commissioner Weekley, seconded by Commissioner Carey, that the Ordinance be Passed to Second Reading. The motion failed by the following vote:**

**No:** 4 - Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Mayor Johnston

**Absent:** 1 - Commissioner Hoover

**Yes:** 2 - Commissioner Carey and Commissioner Weekley

64

An Ordinance of the City of Key West amending the City of Key West Police Officers' and Firefighters' Retirement Plan codified in Chapter 46, Article IV; Amending the Sections pertaining to disability and death benefits to incorporate the conclusive cancer presumption established by Section 112.18, 112.181 and 175.231, Fla. Stat; amending the Section pertaining to compliance with the Internal Revenue Code; Repealing all Ordinances in conflict herewith and providing an effective date.

**Sponsors:** Commissioner Wardlow

**Attachments:** [Ordinance](#)  
[Cover Memo - Pension Attorney](#)  
[Actuarial Study](#)

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

**Absent:** 1 - Commissioner Hoover

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

65

An Ordinance of the City of Key West, Florida, amending Chapter 90 of the Code of Ordinances, entitled "Administration" by amending Article II, Division 2 titled "Planning Board", Section 90-52, titled "Membership, Terms, and Removal" to amend certain requirements for membership and removal; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Hoover

**Attachments:** [Ordinance](#)  
[Cover Memo](#)  
[CKW Boards Residency Memo](#)  
[PB RES 2023-13 Amendment to Requirements for Membership](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Postponed to October 12, 2023. The motion passed by unanimous vote.

66

An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration" by amending Article V, Division 2, entitled "Uniform Provisions for Advisory Boards" Section 2-282, to amend certain requirements for membership appointment and tenure; Amending Section 2-283 to require annual elections for chairperson and vice-chairperson; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Vice Mayor Kaufman

**Attachments:** [Ordinance](#)  
[Cover Memo](#)  
[CKW Boards Residency Memo](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

**No:** 1 - Commissioner Hoover

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

67

An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration" by amending Article 22, Division 11, entitled "Bahama Village Redevelopment Advisory Committee" Sections 2-600 through 2-604, to amend certain requirements for membership and removal from the Bahama Village Redevelopment Advisory Committee; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Vice Mayor Kaufman

**Attachments:** [Ordinance](#)  
[Cover Memo](#)  
[CKW Board Residency Memo](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion passed by unanimous vote.

68

An Ordinance of the City of Key West, Florida, amending Chapter 30 of the Code of Ordinances, entitled "Fire Prevention and Protection" by amending Section 30-9, to adjust the schedule of inspection fees; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Childress

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

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion passed by unanimous vote.

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

69

An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration" by creating Section 2-116, titled "Definitions"; Creating Sec. 2-117, titled "Lobbying Regulated"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Childress

**Attachments:** [Ordinance - 2nd Reading](#)  
[Cover Memo - City Manager](#)  
[Cover Memo - City Attorney](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion passed with a 5-1 voice vote with Commissioner Carey voting No.**

**No:** 1 - Commissioner Carey

**Absent:** 1 - Commissioner Hoover

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

Enactment No: Ord 23-26

70

An Ordinance of the City of Key West, Florida, amending Chapter 14 of the Code of Ordinances, entitled "Buildings and Building Regulations" by amending Sections 14-35 and 14-38, to update and amend certain floodplain regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Childress

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

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Weekley, that the Ordinance be Adopted. The motion passed by unanimous vote.**

Enactment No: Ord 23-27

71

An Ordinance of the City of Key West, Florida, amending Chapter 34 of the Code of Ordinances, entitled "Floods," Article II - Floodplain Management, by amending 34-122 through 34-139 to update and amend certain floodplain regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Childress

**Attachments:** [Ordinance](#)  
[Cover Memo](#)  
[Non-Conversion Agreement Fillable Form 2023](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion passed by unanimous vote.**

Enactment No: Ord 23-28

72

An Ordinance of the City of Key West, Florida, amending Chapter 62 entitled "Streets and Sidewalks", Article V of the Code of Ordinances, entitled "News Racks" by amending Section 62-152 to adjust criteria; Amending Section 62-178 to adjust indemnification and liability insurance requirements; Amending Section 62-183 to prioritize news rack registration applications based on the frequency of publication; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Childress

**Attachments:** [Ordinance - 2nd Reading](#)  
[Cover Memo](#)  
[Comment](#)

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

**Absent:** 1 - Commissioner Hoover

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

Enactment No: Ord 23-29

73

An Ordinance of the City of Key West, Florida, amending Chapter 62 of the Code of Ordinances, entitled "Streets and Sidewalks" by amending Section 62-31, to allow Code Compliance to issue a notice of code violation, to amend authorization for plantings from the Tree Commission to the Urban Forestry Manager, pursuant to City Code Section 2-944, to provide that plantings shall not obstruct parking of motor vehicles on the City Right of Way, and to amend penalty provisions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager Childress

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

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

**Absent:** 1 - Commissioner Hoover

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

Enactment No: Ord 23-30

**ADJOURNMENT - 6:10 P.M.**