



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, January 4, 2022

5:00 PM

City Hall

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 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.

RESOLUTIONS

1 Naming the Key West Police Station as "The Mary Canalejo Building".

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

Attachments: [Resolution](#)
[Executive Summary](#)

Passed

Enactment No: Res 22-001

PRESENTATIONS

2 Annual State of the City - Mayor Teri Johnston

Sponsors: Mayor Johnston

Received and Filed

3 Key West Forward Quarterly Update - Elisa Levy

Sponsors: City Manager McLauchlin

Attachments: [Quarterly Update on Key West Forward January 2022](#)
[Master Calendar for 2021-22 Updated January 2022](#)

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

4 *December 7, 2021 (Regular Meeting)

Attachments: [Minutes](#)

Passed

5 *December 13, 2021 (Workshop)

Attachments: [Minutes](#)

Passed

RESOLUTIONS - Cont'd

- 6 *Authorizing the Key West Art Center to conduct a Craft Show on Saturday, January 29, 2022 and Sunday, January 30, 2022, during the hours of 10:00 A.M. to 5:00 P.M.; (Set up at 4:00 P.M. on Friday, January 28, 2022) at the Key West Truman Waterfront Quay Wall; Pursuant to terms and conditions set forth by the City Manager.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Application](#)
 [Release Indemnification](#)

Passed

Enactment No: Res 22-002

- 7 *Authorizing A.H. of Monroe County, Inc. to conduct the Annual Taste of Key West at the Key West Truman Waterfront Quay Wall on Monday, April 25, 2022 from 6:00 P.M. to 9:00 P.M.; (Set up starting at 7:00 A.M.); 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 McLaughlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Application](#)

Passed

Enactment No: Res 22-003

- 8 *Authorizing the Finance Director to Issue Purchase Order in the Amount of \$795,354.60 to Monroe County as the City's share of the 1st Street/Bertha Street (Key West) Road Improvement Project, pursuant to the Interlocal Agreement approved in City Commission Resolution 19-009; Authorizing any necessary budget adjustments.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Bertha-CKW Bid Costs](#)
[Executed ILA](#)
[Res 19-009](#)

Passed

Enactment No: Res 22-004

- 9 *Rescinding Resolution 21-187; Authorizing the purchase of four (4) elliptical control valves and related equipment from Kershner Environmental Technologies, LLC on a Sole Source Basis, and in best interests of the City, Pursuant to Section 2-797(1) and 2-797(4)(b) of the Code of Ordinances, in a total amount not to exceed \$94,024.00; Authorizing necessary budget transfers or adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive summary](#)
[Proposal](#)
[Recommendation letter](#)
[Sole source letter](#)
[Blower alternative report](#)
[Pressure reduction - elliptical control valves](#)
[Pressure reduction - jet control valves](#)
[Energy master plan](#)

Passed

Enactment No: Res 22-005

- 10 *Authorizing an expenditure of Law Enforcement Trust Funds (Forfeiture Funds) in an amount not to exceed \$14,309.00 for tuition, lodging, fuel and per diem expenses for one KWPD Officer to attend the Southern Police Institute 90th Command Officers Development Course (SPI-CODC) between March and July, 2022.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Training Request Form](#)
 [Lariz CODC Registration](#)

Passed

Enactment No: Res 22-006

- 11 *Approving the attached "State of Florida Department of Environmental Protection Standard Grant Agreement No. LP0246" between the State of Florida Department of Environmental Protection and the City of Key West, for a maximum amount of \$1,600,000.00 for Florida Keys Stewardship Act Funding for Key West Treatment Plant Dewatering Upgrades Project; Authorizing any necessary budget amendments or adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [LPA0246 Key West Agreement](#)

Passed

Enactment No: Res 22-007

- 12 *Approving the attached "Final Mile Interlocal Agreement" (ILA) between the City and Monroe County, Florida ("County") for installation and maintenance of certain bike and pedestrian amenities on County property.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Final Mile Interlocal Agreement - Monroe](#)

Passed

Enactment No: Res 22-008

- 13 *Approving the attached "Final Mile Interlocal Agreement" (ILA) between the City of Key West ("Key West") and the City of Marathon, Florida ("Marathon") for installation and maintenance of certain bike and pedestrian amenities on Marathon City property.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Final Mile Interlocal Agreement - Marathon](#)

Passed

Enactment No: Res 22-009

- 14 *Approving the attached "Final Mile Interlocal Agreement" (ILA) between the City and the Key West Housing Authority (KWHHA) for installation and maintenance of certain bike and pedestrian amenities within KWHHA properties.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Final Mile Interlocal Agreement - KWHHA](#)

Passed

Enactment No: Res 22-010

- 15 *Approving the attached "Final Mile Interlocal Agreement" (ILA) between the City of Key West ("Key West") and the College of the Florida Keys ("CFK") for installation and maintenance of certain bike and pedestrian amenities on CFK property.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Final Mile Interlocal Agreement - CFK](#)

Passed

Enactment No: Res 22-011

- 16 ***Quasi-Judicial Hearing: Easement - 1200 Whitehead Street (RE# 00026390-000000) - Approving an Easement Agreement in order to maintain 270 square feet, more or less, of brick pavers onto the Catherine Street right-of-way located within the Historic High Density Residential (HHDR) Zoning District at 1200 Whitehead Street, Key West, Florida (RE#00026390-000000); 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.**

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [1200 Whitehead Street Agreement](#)
 [Planning Package](#)
 [Utilities Comments](#)
 [Keys Energy Comments](#)
 [Floodplain Comments](#)
 [Urban Forestry Comments](#)

Postponed

17

***Quasi-Judicial Hearing: Easement - 927 Catherine Street (RE# 00031710-000000) -** Approving an Easement Agreement in order to maintain 258 square feet, more or less, principle structure, covered porch, and concrete pad onto the Catherine Street right-of-way located within the Historic Medium Density Residential (HMDR) Zoning District at 927 Catherine Street, Key West, Florida (RE# 00037170-0000000); 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.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement](#)
[Planning Package](#)
[Utilities Comments](#)
[Keys Energy Comments](#)
[Engineering Comments](#)

Postponed to February 15, 2022

Approval of the Consent Agenda

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

- 18 Requesting approval of the attached Fee Schedule "Exhibit A" to adjust the Transient Rental Medallions, Transient Rental Medallion Allen Case, and Transient Rental Medallion Truman Annex inspection and enforcement fee in the City of Key West.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[EXHIBIT A Transient Rental Fee Schedule](#)
[Transient Medallion Fee Increase Staff Report](#)
[PB RES 2021-49 LDR Text Amendment - Transient Medallion Ordinance](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Resolution be Passed with added direction to the City Attorney to investigate future fee increases that could put monies into the Affordable Housing Trust Fund. 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 22-012

ORDINANCES - FIRST READING

- 19 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration" Article V, Division 8, Art in Public Places Board, by amending Section 2-487, entitled "Funding of Art in New Construction and Major Renovation Projects" to remove a provision for case-by-case exemption by the City Commission of non-profits; Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Davila

Attachments: [Ordinance](#)
[AIPP Minutes 12-9-21](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Davila, 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

20

An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by amending Section 2-939 "Licenses" to authorize the City Manager to permit the revocable use of City Right of Way for sidewalk dining under specified conditions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLauchlin

Attachments: [Ordinance](#)
[Executive Summary](#)
[Sidewalk Cafe 2021 Application](#)
[Fee Schedule Sidewalk Cafe Exhibit A](#)

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

No: 1 - Commissioner Wardlow

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

21

An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Code of Ordinances, entitled “Zoning”, Article V, entitled “Supplementary District Regulations”, Division 7, entitled “Transient Living Accommodations in Residential Zoning Districts”; by amending Section 122-1371 entitled, “Transient Living Accommodations in Residential Dwellings; Regulations” by increasing the inspection and enforcement fee through a City Commission Resolution, and establishing a renewal period, delinquent fee, and transfer fee; pursuant to Chapter 90, Article VI, Division 2; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLauchlin

Attachments: [Ordinance](#)
[Executive Summary](#)
[EXHIBIT A](#)
[Staff Report](#)
[PB RES 2021-49 LDR Text Amendment - Transient Medallion Ordinance](#)
[Resolution Transient Fee Schedule](#)

A motion was made by Commissioner Wardlow, 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

ORDINANCES - SECOND READING (Public Hearing)

22

An Ordinance of the City of Key West, Florida, to create a new Comprehensive Plan Element entitled, "Chapter 10, Property Rights Element", and Goal 10-1, Objective 10-1.1, and Policies 10-1.1.1 - 10.1.1.4 to comply with State of Florida Statutes Section 163.3177(6)(i)1.; Providing for transmittal to the State Land Planning Agency; Providing for filing with the Secretary of State; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date; and providing for inclusion into the City of Key West Comprehensive Plan.

Sponsors: City Manager McLaughlin

Attachments: [Ordinance - Second Reading](#)
[Executive Summary - Second Reading](#)
[DEO Objection 21-03ACSC \(P\) ORC](#)
[Ordinance - First Reading](#)
[Executive Summary - First Reading](#)
[Staff Report](#)
[PB RES 2021-40 Comp Plan Text Amend Property Rights Element](#)

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

No: 1 - Commissioner Weekley

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

Enactment No: Ord 22-01

DISCUSSION

23

Continued Training for Members Serving on City Boards and Committees

Sponsors: Vice Mayor Kaufman

Discussed

CITIZEN COMMENTS

24

Attachments: [Public Comment - Warren Email](#)
 [Public Comment - Warren Letter](#)

Received and Filed

COMMISSION COMMENTS

ADJOURNMENT - 6:53 P.M.