



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, June 21, 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

Absent 1 - Commissioner Hoover

Present 6 - Commissioner Davila, 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.

City Attorney's Report

PRESENTATIONS

1 Monkeypox Virus Briefing - Dr. Mark Whiteside

Sponsors: Commissioner Lopez

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, to table the Presentation until Dr. Whiteside arrived. The motion carried unanimously. A motion was then made by Commissioner Lopez, seconded by Commissioner Weekley, to remove the tabled Presentation and hear it before the City Manager's Report. The motion carried unanimously.

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

2 June 7, 2022

Attachments: [Minutes](#)

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

RESOLUTIONS

3 *Authorizing MORO Management, Inc. DBA " Half Shell Raw Bar" to conduct a "50th Anniversary Seafood Festival" at the parking lot on 231 Margaret Street on Saturday, August 27, 2022 from Noon to 10:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from Noon to 10:00 P.M; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Application & Dept Approvals](#)

Passed

Enactment No: Res 22-138

- 4 *Authorizing a \$3,000.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds), pursuant to Florida Statute 932.7055, to Wesley House Family Services.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Wesley House Request Letter](#)

Passed

Enactment No: Res 22-139

- 5 *Authorizing the purchase for the Fire Department of one (1) 2023 Demers MXP170 Ambulance (on a 2024 Ford F-450 gas chassis) from Ten-8 Fire Equipment, Inc., pursuant to government contract (FL Sheriffs' Association/ FL Association of Counties Contract FSA 20-VEF14.01), pursuance to Section 2-797(3) of the Code of Ordinances in a total amount not to exceed \$245,737.00; Authorizing necessary budget transfers and adjustments.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Key West Demers Proposal 6-8-22-1](#)
[FSA Cooperative Purchasing Program](#)
[FSA20-VEF14.01 awarded vendors](#)
[FSA20-14.01 AMBULANCES & OTHER EQUIPMENT](#)

Passed

Enactment No: Res 22-140

- 6 *Approving the attached "Key West Transit Software as a Service Deployment Service Order" for on-demand Transit Software as a Service (SaaS), in an amount not to exceed \$248,880.00 as described in the attached price quote from Via Transportation, Inc. pursuant to Section 2-797(4)(b) exempt contractual services, best interest of the City; Authorizing the City Manager or Designee to execute any necessary documents.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement](#)
[Year 1 and 2 Cost Comparison](#)

Passed

Enactment No: Res 22-141

- 7 *Approving the attached "State of Florida Department of Economic Opportunity Federally Funded Community Development Block Grant Mitigation Program Subrecipient Agreement" (CDBG-MIT) Number IR037 for the Force Main Relocation Project in the amount of \$3,563,054.00; Authorizing the Mayor to execute the Agreement , and to approve and execute any subsequent amendments that may adjust the grant funding allocations to the City of modify the Project scope, upon consent of the City Attorney; Authorizing any necessary budget adjustments or transfers to accept the funding.

Sponsors: City Manager McLaughlin

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

Passed

Enactment No: Res 22-142

- 8 *Approving the attached "State of Florida Department of Economic Opportunity Federally Funded Community Development Block Grant Disaster Recovery Program Subrecipient Agreement" (CDBG-DR) Number IR008 for the Force Main Relocation Project in the amount of \$1,781,450.00; Authorizing the Mayor to execute the Agreement, and to approve and execute any subsequent amendments that may adjust the grant funding allocations to the City of modify the project scope, upon consent of the City Attorney; Authorizing any necessary budget adjustments or transfers to accept the funding.

Sponsors: City Manager McLauchlin

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

Passed

Enactment No: Res 22-143

- 9 *Approving the attached "State of Florida Department of Economic Opportunity - Federally Funded Community Development Block Grant Mitigation Program Subrecipient Agreement" (CDBG-MIT) Number MT011 for the Duval Street Economic Corridor Resiliency and Revitalization Plan, in a total amount of \$500,000.00 (\$565,310.00 City Match); Authorizing the Mayor to execute the Agreement, and to approve and execute any subsequent amendments that may adjust the grant funding allocations to the City or modify the project scope, upon consent of the City Attorney; Authorizing any necessary budget adjustments or transfers to accept the funding.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[MT011-KeyWest-MIT-Agreement](#)
[Grant Application](#)

Passed

Enactment No: Res 22-144

- 10 *Ratifying an emergency procurement dated June 9, 2022 and approved as provided for under Section 2-797(2) of the Code of Ordinances, authorizing a Purchase Order in an amount not to exceed \$150,000.00 for Customs and Border Protection (CPB) to refurbish the Key West Police Department's 27-foot safeboat; Authorizing any necessary budget transfers.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Emergency Declaration](#)
[Quote](#)
[Resolution 21-192](#)
[Original Award Package](#)

Passed

Enactment No: Res 22-145

Approval of the Consent Agenda

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

11

Awarding the bid of Charley Toppino & Sons, Inc. received in response to the Invitation to Bid (ITB) #22-003 for Southard Street Milling and Resurfacing (Project FM 435497-2-58/II41022102) in a total amount not to exceed \$1,094,457.85; Authorizing any necessary budget adjustments and amendments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents, upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[ITB 22-003 Bid Memo](#)
[ITB 22-003 Concurrence](#)
[FDOT Concurrence To Award](#)
[2022-06-07 \(Southard\) Intent to Award](#)
[ITB 22-003 Contract \(Large File\)](#)
[ITB 22-003 Attachments](#)
[ITB 22-003 Plans \(Large File\)](#)
[LAP Agreement-Southard](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by unanimous vote.

Enactment No: Res 22-146

12

Approving the attached three-year (2022-2024) "Agreement" with Key West Tourist Development Association, Inc. for certain Fantasy Fest events and activities in the City of Key West; Authorizing the City Manager to execute the Agreement upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Proposed Agreement](#)
[Res 16-128](#)

A motion was made by Commissioner Lopez, seconded by Vice Mayor Kaufman, that the Agreement be accepted with a Fantasy Zone Map to be added to it as an attachment. After discussion, Commissioner Lopez amended his motion to approve the Agreement as is and to bring back a resolution defining the boundaries of a 'Fantasy Zone'. Vice Mayor Kaufman did not join in on the amended motion. After further discussion, Commissioner Lopez withdrew his motion.

A motion was then made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed with language added to the Agreement at the end of the last sentence at Section B(1) stating, 'as specified by Section 42-9 of the City of Key West Code of Ordinances which may be amended from time to time.' The motion carried by the following vote:

No: 1 - Mayor Johnston

Absent: 1 - Commissioner Hoover

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

Enactment No: Res 22-147

ORDINANCES - FIRST READING

13

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by creating Article XIV entitled "Residential Tenancies"; By creating Article 1 entitled "Notice"; By creating Section 18-710 entitled "Written Notice Required"; By creating Section 18-711 entitled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions.

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

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

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

Absent: 1 - Commissioner Hoover

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

ORDINANCES - SECOND READING (Public Hearing)

- 14 An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Land Development Regulations, Article IV "Districts", Subdivision III. - Single Family Residential District, Section 122-233. - Special Criteria Applicable to Accessory Units, and Section 122-232. - Accessory Units, to further incentivize construction of accessory units and to correct an error in Section 122-232; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Hoover

Attachments: [Ordinance](#)
[Executive Summary](#)
[PB Res 2022-015 LDR Accessory Units](#)
[Staff Report](#)
[Planning Board Resolution Draft](#)
[2021 Affordable Housing Income Limits and Rates](#)
[2021 Workforce Housing Income, Rent and Sales Limits](#)

A motion was made by Commissioner Davila, seconded by Commissioner Lopez, that the Ordinance be Postponed to July 6, 2022. The motion passed by unanimous vote.

DISCUSSION

- 15 Legislative Priorities
Discussed

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 7:12 P.M.