



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, July 20, 2021

5:00 PM

City Hall

Revised

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.

PRESENTATIONS

1 Key West Day at Miami Marlins Stadium

Sponsors: Vice Mayor Kaufman

Received and Filed

2 JIATFS Community Engagement - Rear Admiral Douglas M. Fears

Sponsors: Mayor Johnston

Attachments: [Presentation](#)

Received and Filed

3 eScooters - Marc Meisel

Sponsors: Commissioner Hoover

Attachments: [Presentation](#)

Received and Filed

4 Strategic Plan Presentation - Environmental Protection - Elisa Levy

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)
[Final Draft Environmental Protection](#)

Postponed to August 3, 2021

City Attorney's Report

City Manager's Report

- George Wallace, Assistant City Attorney - Retirement
- Tim Staub, Multimodal Transportation Coordinator -

Retirement

- Extra Mile Award
- City Picnic - August 7th

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

5 *June 15, 2021

Attachments: [Minutes](#)

Passed

RESOLUTIONS

6 *Re-appointing Billy Davis to the Key West Civil Service Board.

Sponsors: Mayor Johnston

Attachments: [Resolution](#)
[Resume](#)

Passed

Enactment No: Res 21-129

7 *Re-appointing Mark Albury to the Civil Service Board.

Sponsors: Mayor Johnston

Attachments: [Resolution](#)
[Resume](#)

Passed

Enactment No: Res 21-130

8 *Directing the City Manager to expeditiously obtain estimates on the expense and time frame of cleaning up the Diesel Plant property, and to identify potential grant funding sources; Directing the City Manager to report progress to the City Commission on a regular basis.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)

Passed

Enactment No: Res 21-131

- 9 *Approving the attached Employment Agreement between the City of Key West and Patty K. McLauchlin for the position of City Manager.

Sponsors: City Commission

Attachments: [Resolution](#)
 [Contract](#)
 [MONROE CO LEADERSHIP SALARIES 7.13.2021](#)

Passed

Enactment No: Res 21-132

- 10 *Authorizing the Sunrise Rotary Foundation of Key West, Inc. the use of city property at 1405 Duval Street for a Brewfest Key West Festival on Saturday, September 4, 2021 from 3:00 P.M. to 8:00 P.M. (Rain Date of Sunday, September 5, 2021); Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager McLauchlin

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

Passed

Enactment No: Res 21-133

11

*Authorizing the purchase of one (1) 2021 Ford Escape (\$20,981.00), one (1) 2022 Ford F-250 (\$35,293.00), one (1) 2022 Ford F-250 Extended Cab (\$31,366.00), and one 2022 Ford F350 with 3,000 LB Auto Crane (\$54,418.00) in a total amount not to exceed \$142,058.00 from Duval Ford Fleet Sales, through piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA20-VEH18.0/FSA20-VEL28.0 Contract, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Utilities Department; Authorizing necessary budget transfers and adjustments.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Florida Sheriffs Contract](#)
[2021 Ford Escape Quote](#)
[2022 Ford F250 Quote](#)
[2022 Ford F250 Extended Cab Quote](#)
[2022 Ford F350 with Crane Quote](#)

Passed

Enactment No: Res 21-134

- 12 *Authorizing pursuant to Code of Ordinances Section 2-797 (4)(b) Best Interests of the City, the purchase of 100 Avon Protective Masks and related accessories from SRT Supply in an amount not to exceed \$62,078.00 using FDLE Supplemental Funding under the CESF Funding Program; Authorizing any necessary budget adjustments; Authorizing the City Manager or designee to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[SRT Supply Quote](#)
[Galls Quote](#)
[Accurate Law Enforcement Quote](#)
[Res 20-232 approval of CESF grant](#)

Passed

Enactment No: Res 21-135

- 13 *Awarding the Bid of Daily Plan-It in response to RFP 006-21, for Truman Waterfront Farmers Market; Authorizing the City Manager to execute a Revocable License Agreement for use of City property upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Current Agreement - Farmers Market at Truman Waterfront](#)
[Original Agreement 2019- Farmers Market at Truman Waterfront](#)
[*Large File* RFP No 006-21 by Jill Snodgrass dba Daily Plan-it](#)
[Daily Plan-It Ledger Account](#)
[FARMERS MARKET RFP 006-21](#)
[Mandatory Pre-Bid Meeting Sign In 6-9-2021](#)
[Pre-Proposal Agenda and Guidelines](#)
[Formal Notification Broadcast Date 06 02 21](#)
[Letter to Evaluation Committee](#)

Passed

Enactment No: Res 21-136

- 14 *Approving a change order to Charley Toppino & Sons, Inc. for additional tasks and unanticipated conditions related to the Dennis Street Pump Station Project in an amount not to exceed \$70,105.93; Authorizing necessary budget adjustments; Authorizing the City Manager or designee to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Contract Resolution 20-041](#)
[Resolution 20-050 Interlocal Agreement](#)
[Change Order Request](#)

Passed

Enactment No: Res 21-137

- 15 *Approving Task Order 2-21-STM for CH2M Hill, Inc./Jacobs in an amount not to exceed \$125,536.10 for a Stormwater Master Plan Update, Phase 2; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[CH2M Hill Engineering Services Agreement](#)
[Resolution 17-207](#)
[Resolution 20-142](#)
[*Large File* Resolution 21-006](#)
[Jacob's/CH2M Hill Executed Extension](#)
[TO 2-21 STM](#)

Passed

Enactment No: Res 21-138

- 16 *Approving Task Order 2-20 Amendment 1 Ports for CH2M Hill Engineers, Inc./Jacobs in an amount not to exceed \$13,576.00 for Mallory Square Mooring Improvements Additional Services #1; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [TO 2-20 PORTS Mallory Pier Improvements Additional Services](#)

Passed

Enactment No: Res 21-139

- 17 *Authorizing a Task Order (CGA Proposal No. 19-3329) between the City and Calvin Giordano & Associates (CGA) for Key West Wickers Sports Complex transportation improvements and design services in the amount of \$150,210.00; Authorizing any necessary budget amendments and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Wickers Excerpt from Bicycle Pedestrian Master Plan](#)
 [CGA Task Order Wickers Design](#)

Passed

Enactment No: Res 21-140

18

*Approving staff ranking of responses to request for proposals (RFP) No. 005-21 for Key West Private Security Services (City Marina at Garrison Bight); Authorizing the City Manager to execute a contract in substantial conformance with the bid documents, upon advice and consent of the City Attorney; Authorizing budget transfers and adjustments, if necessary.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Memo Sheet](#)
[Kemp Group Int. Corp](#)
[American Guard Services, Inc](#)
[Ralons Security, LLC](#)
[Blue Shield Security & Protection](#)
[St Moritz Security Services](#)
[RFP #005-21 City of Key West Private Security Services](#)
[Addendum #1 RFP 005-21 City of Key West Private Security](#)
[Submittal Requirement Review](#)
[Reviewer Summary](#)
[Full scoring sheets](#)
[Review Sheets](#)

Passed

Enactment No: Res 21-141

19

*Approving task order 3-21-SWR for Jacobs/CH2MHILL Engineers, Inc. in an amount not to exceed \$99,711.00 for Composting Pilot Study at the wastewater treatment plant; Authorizing any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Technical Memorandum](#)
[Task Order 3-21 SWR](#)
[Resolution 17-207](#)
[Resolution 20-142](#)
[*Large File* Resolution 21-006](#)
[Letter of Support](#)

Passed

Enactment No: Res 21-142

20

*Approving a Task Order for the "Final Mile" Project between the City and Tetra Tech, Inc. in the amount of \$40,896.00 for the preparation for certain plans and specifications for the project; Authorizing funding from the Transportation Alternative Fund Reserves Account 111-4903-549-9803 and any necessary budget amendments and adjustments; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Scope - Cultural Resources Assessment and Case Study](#)
[Res 20-039 Approve Env Eng Svcs](#)
[Task Order #1](#)
[Task Order #2](#)

Passed

Enactment No: Res 21-143

21

*Approving the attached "Interlocal Agreement to Amend that Agreement Between the Florida Keys Aqueduct Authority (Authority) and City of Key West (City) on Wastewater Fee Collections" to provide for City reimbursement of credit card fees related to billing and collection services for wastewater charges; Authorizing the City Manager to execute the agreement upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Amendment & Original Agreement](#)

Passed

Enactment No: Res 21-144

22

*Awarding the bid of D.L. Porter Constructors, Inc. for Outer Mole Pier - Boat Wash (Project OM19001601), in accordance with the terms specified in the ITB #21-012, in an amount not to exceed \$574,458.00, inclusive of specified alternates; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package upon advice and consent of the City Attorney; Authorizing any necessary budget transfers and amendments.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive summary](#)
[Bid tabulation](#)
[Navy authorization 2021](#)
[Navy authorization 2018](#)
[Boat wash facility drawings](#)
[D.L. Porter bid](#)
[JTCC Inc bid](#)
[Marino Construction bid](#)
[Pedro Falcon bid](#)
[Seatech bid](#)

Passed

Enactment No: Res 21-145

23

*Approving a task order under the City's General Utilities and Infrastructure Contract with Charley Toppino & Sons, Inc in a total amount not to exceed \$106,819.39 for American with Disabilities Act (ADA) compliant sidewalk on 19th street from Duck Avenue to Flagler Avenue; Authorizing any necessary budget adjustments; Authorizing City Manager or designee to execute documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[CTS Task Order Proposal](#)
[19TH St Sidewalk Plans](#)
[CTS Gen Util & Infrastructure Svcs Contract](#)
[Res 21-125 CTS Gen Util & Infrastructure Svcs](#)

Passed

Enactment No: Res 21-146

24

*Accepting/Denying the attached Contract Amendment Request from Waste Management of Florida, Inc. (WMI) for amendments to solid waste and recycling collection service rates for residential and commercial units.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[SAB Waste Contract Letter](#)
[Waste Management Commercial Disposal Amended Request](#)
[WMI Request](#)
[Res. 14-134 - Contract](#)
[Res. 14-254 - Amendment 1](#)
[Res. 16-048 - Amendment 2](#)

Postponed to August 3, 2021

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.

25

Expressing support for the citizens of Cuba

Sponsors: Commissioner Davila

Attachments: [Resolution](#)

A motion was made by Commissioner Lopez, seconded by Vice Mayor Kaufman, that the Resolution be Approved with the wording "against Castro's communist authoritarian regime" added to the end of the sentence in Section 1. 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 21-147

26

Urging immediate repeal of the Florida Department of Education's amendment to Florida Rule 6A-1.094124(3) (b)"Required Instruction Planning and Reporting," which describes Critical Race Theory as an "Example of Theories that distort Historical Events and are inconsistent with State Board approved standards" and specifically states that "instruction may not utilize material from the 1619 Project"; Authorizing the City Clerk to provide copies of this resolution to Governor Ron DeSantis, Florida Education Commissioner Richard Corcoran, State Senator Ana Maria Rodriguez and to State Representative James "Jim" Mooney Jr.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[FL Dept of Education Documents Changing Rule NO. 6A-1.094124](#)
[Press Release Gov DeSantis 6-10-2021](#)

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

Enactment No: Res 21-148

27

Urging immediate repeal of Florida House Bill No. 233 which among numerous provisions prohibits the state board of education from shielding institutions, including students faculty and staff within the Florida College System, from "Speech that they may find uncomfortable, unwelcome, disagreeable or offensive," and requires annual assessment surveys of students, faculty and staff with regard to intellectual freedom and viewpoint diversity; Authorizing the City Clerk to provide copies of this resolution to Governor Ron Desantis, Florida House Speaker Chris Sprowls, Florida Education Commissioner Richard Corcoran, State Senator Ana Maria Rodriguez and to State Representative James "Jim" Mooney, Jr.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[Ch 2021-159 FI House Bill 233 as enacted - From FL Senate webpage](#)
[HB 233 Final Bill Analysis - House of Representatives](#)

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

Enactment No: Res 21-149

28

Authorizing a waiver of the one percent public art set-aside requirement for the Community Health of South Florida, Inc. (CHI) Health Center at 727 Fort Street, with permission to use donated or loaned art works to fulfill that obligation, pursuant to Section 2-487(c)(1)c of the Code of Ordinances.

Sponsors: City Manager McLauchlin

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

A motion was made by Commissioner Weekley, seconded by Commissioner Hoover, that the request to waive the one percent public art set-aside for CHI be denied. The motion carried by the following vote:

No: 1 - Commissioner Lopez

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

Enactment No: Res 21-150

29

PUBLIC HEARING:

Relating to the collection and disposal of solid waste in Key West, Florida; Describing the method of assessing solid waste costs against assessed property located within the City of Key West; Determining the solid waste cost and the solid waste service assessments; Directing the preparation of an assessment roll; Authorizing a Public Hearing and directing the provision of Notice thereof.

Sponsors: City Manager McLauchlin

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

After conducting a Public Hearing with no citizen comments received, a motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the Resolution be Passed. The motion passed by unanimous vote.

Enactment No: Res 21-151

30

PUBLIC HEARING:

Community Development Block Grant-Coronavirus (CDBG-CV) Small Cities Grant Application.

Sponsors: City Manager McLaughlin

Attachments: [CDBG-CV Small Cities Full Application - Key West](#)

The Public Hearing was held. There were no citizen comments.

ORDINANCES - SECOND READING (Public Hearing)

31

An Ordinance of the City Of Key West, Florida, amending Chapter 6 of the Code Of Ordinances, Entitled "Amusements and Entertainment" by amending Section 6-116, to amend definitions; By amending Chapter 18 of the Code Of Ordinances, entitled "Businesses" by amending Section 18-354, Section 18-355, Section 18-359, Section 18-381, Section 18-382, Section 18-383, Section 18-384, Section 18-385, to amend the Chapter to conform with Florida Statutes and add additional safety regulations; By amending Chapter 70 of the Code Of Ordinances, entitled "Traffic and Vehicles" by amending Section 70-1, to amend definitions; By amending Chapter 70 of the Code Of Ordinances, entitled "Traffic And Vehicles" by amending Section 70-119, to amend parking in undesignated area; By adding Article IX, entitled "Electric Bicycle, Motorized Scooters and Micromobility Devices" Section 70-901 to 70-902; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)

[Executive Summary](#)

[SUGGESTIONS FOR ADDING E-BIKES SAFELY TO OUR STREETS](#)

—

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the Ordinance be Adopted with wording added that applications submitted and received by the City after April 10, 2021 are subject to moratorium. 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

Enactment No: Ord 21-12

32

An Ordinance of the City of Key West amending Chapter 108 of the Land Development Regulations, entitled "Planning and Development", Article X entitled "Building Permit Allocation System", Division 2 entitled "Building Permit Allocation System", to create Section 108-1001. - Density Limited to Building Permit Allocation System; 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](#)
[PB Resolution](#)
[Staff Report](#)

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 21-13

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 7:53 P.M.