



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

Todd Stoughton, Interim City Manager
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney

Thursday, August 8, 2024

9:00 AM

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: 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

Commissioner Hoover attended via media conferencing

Absent 1 - Mayor Johnston

Present 6 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

INVOCATION - Reverend Madeline Baum, Key West United Methodist Church

PLEDGE OF ALLEGIANCE - Gary Moreira, Senior Property Manager

CITIZEN COMMENTS

APPROVAL OF AGENDA

The agenda was unanimously approved as amended

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

- 1 *June 6, 2024 (Regular)

 Attachments: [Minutes](#)

 Passed

- 2 *June 26, 2024 (Special Meeting)

 Attachments: [Minutes](#)

 Passed

- 3 *July 16, 2024 (Budget Workshop)

 Attachments: [Minutes](#)

 Passed

- 4 *July 17, 2024 (Budget Workshop)

 Attachments: [Minutes](#)

 Passed

RESOLUTIONS

- 5 *Granting a Special Event Permit to Womankind, Inc. for a fundraiser event located at the intersection of Ann Street and Greene Street; Pursuant to Section 6-86 of the Code of Ordinances from 7:00 P.M. to 10:00 P.M. on Wednesday, October 9, 2024.

Sponsors: Interim City Manager Stoughton

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

Passed

Enactment No: Res 24-143

- 6 *Authorizing the Florida Keys Society for the Prevention of Cruelty to Animals, Inc. to conduct the Annual Royal Coronation Ball for the King & Queen of Fantasy Fest at the Key West Truman Waterfront Coffee Butler Amphitheater on Friday, October 18, 2024, from 6:00 P.M. to 9:30 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: Interim City Manager Stoughton

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

Passed

Enactment No: Res 24-144

- 7 *Authorizing We Cycle, Inc. and the Key West Art and Historical Society, Inc. to conduct the Annual Zombie Bicycle Ride Event starting at East Martello Towers and ending at the Truman Waterfront Coffee Butler Amphitheater on Sunday, October 20, 2024 from 6:00 P.M. to 8:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the closure of certain streets thereof for the Zombie Ride on Sunday, October 20, 2024 from 6:00 P.M. to 8:00 P.M.

Sponsors: Interim City Manager Stoughton

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

Passed

Enactment No: Res 24-145

- 8 *Authorizing the Key West Business Guild, Inc. to conduct the Annual Headdress Ball at the Truman Waterfront Coffee Butler Amphitheater on Thursday, October 24, 2024 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 within an enclosed area.

Sponsors: Interim City Manager Stoughton

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

Passed

Enactment No: Res 24-146

- 9 *Authorizing “Key West Half Marathon LLC” to conduct their "27th Annual Key West Half Marathon and Runfest" starting with a 5K & 10K Race on Saturday, January 18, 2025 at 6:30 A.M. & 7:30 A.M. departing from Higgs Beach, and a Half Marathon Race on Sunday, January 19, 2025, starting at 6:30 A.M. (set up 6:00 A.M.) departing from Trumbo Road and Grinnell Street, registration to be held on Friday, January 17, 2025, from 2:00 P.M. to 6:00 P.M. at 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 for by the City Manager.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Application](#)
[Race Maps](#)
[Noticing Package](#)

Passed

Enactment No: Res 24-147

- 10 *Authorizing the Monroe County Commercial Fishermen, Inc. to conduct the Annual Florida Keys Seafood Festival at the Truman Waterfront Park, Major Field, on Saturday, February 15th, 2025, from 11:00 A.M. to 8:00 P.M. and Sunday, February 16th, 2025, from 11:00 A.M. to 5:00 P.M. (set up Thursday, February 13 and Friday, February 14, 2025, and tear down on Sunday, February 16th, 2025); pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: Interim City Manager Stoughton

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

Passed

Enactment No: Res 24-148

- 11 *Approving the proposed Settlement Agreement with Michael McMahon in Bankruptcy Case No. 09-27475-AJC in the amount of \$125,000.00 in exchange for a Release of all Code Compliance liens; Authorizing the City Manager to execute all settlement documents with the advice and consent of the City Attorney.

Sponsors: City Attorney Ramsingh

Attachments: [Resolution](#)
[Cover Memo](#)
[McMahon Liens filed 2009-2018](#)

Passed

Enactment No: Res 24-149

- 12 *Approving the proposed Settlement Agreement between the City of Key West and Edward Gates in his Workers' Compensation Case in the amount of \$122,366.00; Authorizing the City Manager to execute all settlement documents with the advice and consent of the City Attorney.

Sponsors: City Attorney Ramsingh

Attachments: [Resolution](#)
[Cover Memo](#)
[Mediation Agreement](#)

Passed

Enactment No: Res 24-150

- 13 *Approving a Change Order (#5) in the amount of \$27,000.06 for the Frederick Douglass Community Center Project, under the Contract awarded to Keystar Inc. in Res. #23-193; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Change order](#)
 [Res 23-193 Keystar Construction Award](#)
 [Res 24-024 Solar Addition CO2](#)
 [Res 24-114 CO3](#)
 [Res 24-115 IT Package and BDA System](#)

Passed

Enactment No: Res 24-151

- 14 *Approving the attached "Utility Agreement" proposal in the amount of \$149,040.00 with KW Resort Utilities Corp. for the Plant Capacity Charge (Impact Fee) for wastewater service for the John Jones Navigation Center (JJNC) Project (Project IS19002101); Authorizing any necessary budget transfers and amendments; Authorizing the (Interim) City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Exhibit C AFPI](#)
 [New KOTS Exhibit D](#)
 [Utility Agreement](#)

Passed

Enactment No: Res 24-152

- 15 *Approving the attached Amendment to "U.S. Department of Transportation Grant Agreement Under the Fiscal Year 2022 Safe Streets and Roads for All Grant Program" Award Number 693JJ32340014 with the Federal Highway Administration for a City-Wide Comprehensive Safety Action Plan in the amount of \$400,000.00 Federal/\$100,000.00 City match; Authorizing the City Manager to execute the Grant Agreement and related documents, upon advice and consent of the City Attorney; Authorizing the City Manager to approve and execute subsequent amendments to the Grant Agreement with may modify the project scope or period of performance, upon advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Grant Agreement Amendment](#)
 [RES 23-228](#)

Passed

Enactment No: Res 24-153

- 16 *Approving the attached "Interlocal Agreement" pursuant to Chapter 163, Florida Statutes, between the Florida Keys Aqueduct Authority and the City of Key West for asphalt paving of Newton Street between White Street and Eisenhower Drive.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Interlocal Agreement](#)
 [FKAA Work Order](#)

Passed

Enactment No: Res 24-154

- 17 *Approving Change Order No. 1 in the amount of \$35,425.63 to amend the Southernmost Point Plaza Project from one-way to 2-way design, under the Task Order awarded to BCC Engineering in Res #23-346; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Change Order #1](#)
[Original Task Order](#)
[Resolution 23-346](#)

Passed

Enactment No: Res 24-155

- 18 *Approving the attached "Interlocal Agreement" pursuant to Chapter 163, Florida Statutes, between the Florida Keys Aqueduct Authority, Monroe County, and the City of Key West and approving a Work Order with Charley Toppino & Sons, Inc. in a total amount not to exceed \$981,902.18 for improvements to Eaton Street from White Street to Simonton Street.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Work Order](#)
[Eaton Street ILA](#)
[Eaton Mill and Pave Drawing *Large File*](#)
[Resolution 22-289](#)
[ITB 22-010 *Large File*](#)
[ROW Contract 2022](#)
[ROW Contract Pricing](#)
[Drainage Design Task Order](#)

Passed

Enactment No: Res 24-156

19

*Accepting and approving the response to Request for Proposals (RFP) No. 24-007 for Holiday Lighting for City Hall, Duval Street, Mallory Square, and Front, Greene, and Caroline Streets; Authorizing the City Manager to negotiate and execute a five (5) year Contract in conformance with the RFP documents with Brandano Displays, Inc., with the first year award amount not-to-exceed \$75,000 to include the ability to add and/or deduct from displays on an annual basis in accordance the City of Key West's annual budget upon the advice and consent of the City Attorney; Authorizing budget transfers and adjustments, if necessary.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Bid Memo](#)
[Ranking Tabulation](#)
[Individual Ranking](#)
[Brandano Proposal](#)
[Brandano Negotiated Pricing](#)
[Brite Nites Proposal](#)
[Coastal Christmas Proposal](#)
[Universal Proposal](#)
[RFP #24-007](#)
[Addendum #1](#)
[Addendum #2](#)

Passed

Enactment No: Res 24-157

20

*Approving the attached "Memorandum of Understanding between the Monroe County School District (MCSD) and the City of Key West" to enable the MCSD Fire Academy at Key West High School and the Key West Fire Department to provide firefighting training to students during the 2024-2025 School Year; Approving any necessary budget adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[2024-2025 Fire Academy MOU](#)
[Insurance](#)

Passed

Enactment No: Res 24-158

21

*Approving the attached "Amendment No. 2 to Agreement No. LPA0246" between the Florida Department of Environmental Protection (FDEP) and the City of Key West to increase funding by an additional \$900,000.00 bringing the total funding amount to \$2,500,000.00 and to change the date of expiration to April 30, 2027 and task end date to October 31, 2026 for the construction of Key West Wastewater Treatment Plant Solids Dewatering Upgrades Project; Authorizing the City Manager to execute the necessary documents; Authorizing any necessary budget amendments or transfers.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Amendment 2](#)
[Resolution 22-007](#)
[Resolution 23-335](#)
[Resolution 13-067](#)
[Resolution 13-235](#)

Passed

Enactment No: Res 24-159

22

*Approving the attached "State of Florida Department of Environmental Protection Standard Grant Agreement No. KG001" in the amount of \$827,468.00 between the Florida Department of Environmental Protection (FDEP) and the City of Key West for the purchase and installation of a new Ultraviolet Disinfection System (UVDS) at the Wastewater Treatment Plant; Authorizing the City Manager execute the necessary documents; Authorizing approval and execution of subsequent amendments to this Grant Agreement which may adjust grant funding allocations to the City or modify the project scope and period of performance; Authorizing necessary budget amendments and transfers to accept the funding.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[KG001](#)
[Resolution 23-043 purchase UVDS](#)
[Resolution 24-010 install UVDS](#)
[Resolution 13-067 mayfield grant ILA](#)
[Resolution 13-235 amendment to mayfield grant ILA](#)

Passed

Enactment No: Res 24-160

- 23 *Ratifying the attached "Grant Award Agreement" Contract ID #3231 with the Monroe County the City of Key West Southernmost Plaza Phase 2 (Public Facility) Project in the amount of \$1,501,302.00 ; Approving any necessary budget adjustments; Authorizing the City Manager to execute the Agreement upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Agreement](#)
[Resolution 23-238](#)

Passed

Enactment No: Res 24-161

- 24 *Ratifying and approving the attached "Amendment for Time Extension of Public Transportation Grant Agreement" (PTGA) (Time Extension #3) FM 444447-1-94-01 and 444447-1-97-02 between the Florida Department of Transportation (FDOT) and the City of Key West for the Mallory T-Pier Extention/Improvements Project, to extend the end date of the Agreement to June 30, 2025; Approving any necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Time Extension #3](#)
[Resolution 19-129](#)
[Resolution 19-363](#)
[Resolution 21-119](#)
[Resolution 22-032](#)
[Resolution 23-197](#)

Passed

Enactment No: Res 24-162

- 25 *Approving the attached Collective Bargaining Agreement between the City of Key West and the International Association of Firefighters Local 1424 from October 1, 2024 through September 30, 2025.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[IAFF Agreement](#)
[2024 Contract Ratification Letter](#)

Passed

Enactment No: Res 24-163

- 26 *Approving four new murals by Sean P. Callahan and David Fortuna over the south walls at 255 Trumbo Road as a requirement of Art in Public Places.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Signed COA and Decision Letter](#)
[Murals Guidelines](#)
[HARC Staff Report](#)

Passed

Enactment No: Res 24-164

27

*Approving the award of a five (5) year Contract for holiday lighting at City Marina at Garrison Bight to Brandano Displays, Inc. in accordance with their response to Request for Proposals (RFP) No. 24-007 and additional negotiated terms; Authorizing the City Manager to execute a Contract in substantial conformance with terms contained in RFP 24-007, upon consent of the City Attorney; Authorizing necessary budget transfers or adjustments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Bid Memo](#)
[Ranking Tabulation](#)
[Individual Ranking](#)
[Brandano Proposal](#)
[Brite Nites Proposal](#)
[Coastal Christmas Proposal](#)
[Universal Proposal](#)
[RFP #24-007 Holiday Lighting 4.29.24](#)
[Addendum #1](#)
[Addendum #2](#)

Passed

Enactment No: Res 24-165

- 28 *Approving a Task Order to Jacobs Engineering Group, Inc., in an amount not to exceed \$144,883.80 for design and permitting of an improved Mallory T-Pier; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Task Order](#)
[Jacobs Contract](#)
[Add Terramar as Jacobs Subconsultant](#)
[Final Mallory T-Pier Design 4-22-24](#)
[Res 22-073 Mallory Limits](#)
[Res 23-242 Agreement with Ocean Key Resort](#)
[Res 23-029 Gen Eng Svcs](#)

Passed

Enactment No: Res 24-166

- 29 *Approving a two-year contract extension with Ralons Security LLC upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution #21-141 Ralons Security \(CM@GB\)](#)
[Signed Contract Agreement](#)
[Contract Extension Request](#)
[Rate Increase by CPI](#)

Passed

Enactment No: Res 24-167

- 30 *Approving the attached City Marina 15-Month Tenancy Dockage Agreement for Kingfish and Wahoo Piers; Approving the 15-month tenancy tenant slip rental rates; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[15-Month Tenancy Lease Agreement](#)
[Occupied Transient Slips](#)

Postponed to October 10, 2024

- 31 *Approving the attached "Consulting Agreement" between the City and Mote Marine Laboratory Inc., a 501(c)3 Non-Profit Organization, for the purpose of restoring and maintaining coral reefs adjacent to Key West; Authorizing any necessary budget transfers and adjustments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Mote Marine Consulting Agreement](#)

Passed

Enactment No: Res 24-168

- 32 *Approving the attached First Amendment to Lease Agreement between the City of Key West (Lessor) and Harborside Motel and Marina, Inc. (Tenant) for submerged lands adjacent to 903 Eisenhower Drive, as described in the Lease approved in Resolution 19-306.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[First Amendment to Lease](#)
[Exhibit A](#)
[Res 19-306](#)
[Sunbiz Entity Search - Harborside](#)

Passed

Enactment No: Res 24-169

- 33 *Approving the attached First Amendment to Lease Agreement between the City of Key West (Lessor) and Pelican Landing A Private Fishing Condominium, Inc. (Tenant), for submerged Lands adjacent to 915 Eisenhower Drive, as described in the Lease approved in Resolution 19-305.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[First Amendment to Lease](#)
[Exhibit A](#)
[19-305 915 Eisenhower](#)
[Sun Biz Entity Search](#)

Passed

Enactment No: Res 24-170

- 34 *Approving the attached "City of Key West Submerged Land Lease" between the City of Key West (Lessor) and SBY Key West, LLC (formerly A-1 Boat Services, Inc), (Tenant) for submerged lands adjacent to 701 Palm Avenue, as described in the Lease approved in Resolution 19-311.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Lease](#)
[Exhibit A](#)
[19-311 701 Palm Ave](#)
[Assignment](#)
[Sun Biz Entity Search](#)

Passed

Enactment No: Res 24-171

- 35 *Approving the attached "City of Key West Submerged Land Lease" between the City of Key West (Lessor) and Garrison Bight Investors, LLC, (Tenant) for submerged land adjacent to 1601-1605 N. Roosevelt Boulevard.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Lease](#)
[Exhibit A](#)
[19-312 1601-05 N Roosevelt](#)
[Sunbiz Entity Search GBI LLC](#)
[Sunbiz Entity Search GBI LTD](#)

Passed

Enactment No: Res 24-172

36

*Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for SFY2024 FTA Section 5339 Rural Bus and Bus Facility Capital Funds in an amount not to exceed \$59,678.00; Authorizing the City Manager to execute necessary documents and necessary budget amendments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution 23-113 Designation of Authority](#)
[Public Transportation Grant Agreement](#)

Passed

Enactment No: Res 24-173

37

*Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Fiscal Year (SFY)2025 Transit Corridor Development Program for the transit bus service, in the City of Key West (PTGA #G3144 / FM #415173-9-94-01) in a reimbursement amount not to exceed \$150,000.00 to repair battery pack on the transit hybrid diesel bus.

Sponsors: Interim City Manager Stoughton

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

Passed

Enactment No: Res 24-174

- 38 *Approving the attached "Public Transportation Grant Agreement" (PTGA) #G2M70 Amendment 2, FM #452158-1-84-01, between the Florida Department of Transportation (FDOT) and the City of Key West, to increase the Grant Award from \$250,000 to \$500,000, reflecting an increase amount of \$250,000, to be used for the City of Key West Operationalizes Data to Enhance Services (CODES)/Key West Rides On-Demand Bus Service in Key West and Stock Island; Authorizing the City Manager to execute necessary documents and effectuate any necessary budget amendments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Proposed Amendment](#)
[Resolution 23-245](#)
[Resolution 23-113](#)

Passed

Enactment No: Res 24-175

- 39 *Authorizing pursuant to Section 2-771(3)(c) of the Code of Ordinances the disposal of two (2) surplus and obsolete personal property; Authorizing the City Manager to execute necessary documents.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Bus 813 Release of Lien Packet](#)
[Bus 814 Release of Lien Packet](#)

Passed

Enactment No: Res 24-176

40

*Approving the attached Amendment to "Florida Department of Transportation Grant Agreement G2T51 for Rural Bus and Bus Facility Capital Funds; Authorizing the City Manager to execute the Grant Agreement Amendment and related documents, upon advice and consent of the City Attorney; Authorizing the City Manager to approve and execute subsequent amendments to the Grant Agreement which may modify the project scope or period of performance, upon advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[PTGA \(G2T51\) Amend1](#)
[Resolution #24-050](#)
[Resolution 23-113](#)

Passed

Enactment No: Res 24-177

41

*Approving procurement of services, pursuant to Section 2-797(1) of the Code of Ordinances, Sole Source Provider, for the Richard A. Heyman Environmental Protection Facility Generator to recore the radiator and service the engine, from Pantropic Power, Inc., in an amount not to exceed \$82,369.76; Authorizing any necessary budget transfers.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Service Estimate](#)
[Sole Source Letter](#)

Passed

Enactment No: Res 24-178

- 42 *Approving a Change Order in the amount of \$137,624.39 in accordance with Section 2-845(a) of the Code of Ordinances, for additional tasks due to unforeseen conditions, to remove and clean out the excessive form material and debris, repair concrete damage and seal leaks in the chlorine contact basin at the Richard A. Heyman Environmental Protection Facility (RAHEPF) under the Contract approved for Charley Toppino & Sons, Inc. (Toppino) in Resolution 23-286; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Change Order 2](#)
[Feb 8, 2023 Cover Memo](#)
[Task Order Proposal](#)
[Estimate from Paints Coating Inc.](#)
[Estimat from Engineered Coatings Solutions LLC](#)
[Resolution 23-286](#)

Passed

Enactment No: Res 24-179

- 43 *Amending Resolution 24-051 authorizing necessary budget transfers and adjustments due to an increased volume of leachate generated from operations at the City's Transfer Station located on Rockland Key.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution 24-051](#)

Passed

Enactment No: Res 24-180

- 44 *Approving the Fourth Amendment 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 authorize a five-year term extension, pursuant to Section 4.1 of the Agreement; Authorizing the City Manager to execute necessary paperwork upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Fourth Amendment](#)
[*Large File*Agreement](#)
[EXHIBIT B Facilities](#)
[Resolution 13-304](#)
[Resolution 18-366](#)
[Resolution 21-159](#)
[Resolution 23-247](#)
[*Large File*RFP 09-13](#)

Passed

Enactment No: Res 24-181

- 45 *Authorizing the purchase of two (2) Can Structures used to stabilize station pumps, from PSI Technologies, Inc. in a Sole Source Basis, pursuant to Section 2-797(1)(b) of the Code of Ordinances, and in The Best Interests of the City, pursuant to Section 2-797(4), in a total amount not to exceed \$80,372.00; Authorizing any necessary budget transfers.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[MWI Quote White Street PS Two CANS ONLY.pdf](#)
[MWI Sole Source Letter PSI Signed.pdf](#)

Passed

Enactment No: Res 24-182

- 46 *Approving the partial rescission of Resolution 23-241 City Marina Liveaboard Pricing Structure; Rescind the questionnaire; Rescind the Revised Lease Agreement and provide new Lease Agreement; Rescind the date of enactment and provide new date; Rescind approved pricing structure and approve a new single-rate pricing structure; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Liveaboard Workshop Brief](#)
 [2024 Liveaboard Lease Agreement](#)
 [Resolution #23-241 LAB Pricing Structure](#)

Postponed to October 10, 2024

- 47 *Approving the attached "Interlocal Agreement Between the District School Board of Monroe County, Florida and the City of Key West" for joint use of Poinciana Elementary School, Horace O'Bryant School, Gerald Adams Elementary School, and the Hockey Rink at the Key West High School sports and recreational facilities.

Sponsors: Commissioner Carey and Vice Mayor Kaufman

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Proposed Agreement](#)
 [PRAB Resolution 24-03](#)
 [Current ILA Agreement](#)

Postponed to October 10, 2024

- 48 *Approving the proposed Settlement Agreement between the City of Key West and Harborside, LLC Case No. 2023-CA-550-K in the amount of ~~\$400,000.00~~ \$500,000.00 plus \$25,000 annually; Authorizing the City Manager to execute all settlement documents with the advice and consent of the City Attorney.

Sponsors: City Attorney Ramsingh

Attachments: [Resolution - Amended](#)
 [Cover Memo](#)
 [Settlement Agreement](#)

Passed

Enactment No: Res 24-183

Approval of the Consent Agenda

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

COMMENDATIONS

- 49 HARC Commissioner Letisia Powell Commendation

Sponsors: Vice Mayor Kaufman and City Commission

Received and Filed

PROCLAMATIONS

- 50 Black Business Month

Sponsors: Mayor Johnston and City Commission

Attachments: [Proclamation](#)

Received and Filed

- 51 Women's Equality Day

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

- 52 Employee Service Awards - Bridget Flores, Human Resources Director
- Sponsors:** Interim City Manager Stoughton
- Attachments:** [Cover Memo](#)
- Received and Filed
- 53 Employee of the Quarter March 2024 - June 2024 - Bridget Flores, Human Resources Director
- Sponsors:** Interim City Manager Stoughton
- Attachments:** [Cover Memo](#)
[Martha Castro Nomination](#)
- Received and Filed
- 54 Keep Key West Beautiful Award
- Sponsors:** Interim City Manager Stoughton
- Attachments:** [Cover Memo](#)
- Received and Filed

RESOLUTIONS - Cont'd

- 55 Requesting urgent action ~~by Lower Keys Hospital District and/or Baptist Hospital~~ to re-establish a comprehensive Cancer Treatment Center in the City of Key West; Authorizing the City Clerk to transmit a certified copy of this Resolution to designated members of LKHDB ~~and Baptist Health~~.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)

A motion was made by Commissioner Wardlow, seconded by Commissioner Lopez, that the Resolution be Passed with an amendment to remove 'by Lower Keys Hospital District and/or Baptist Hospital' from the title and replace with 'comprehensive' and to replace the word 'radiology' with 'medical' in the third whereas clause. The motion carried by the following vote:

Absent: 1 - Mayor Johnston

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

Enactment No: Res 24-184

56

Requesting funding from the Monroe County Comprehensive Plan Land Authority in the amount of \$1,242,207.00, for the construction subsidy of the homeownership workforce housing units at the Lofts of Bahama Village Development located at 918 Fort Street (otherwise known as the 3.2 Acre Site); Authorizing the City Manager to execute all necessary documents upon consent of the City Attorney.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)
[Cover Memo](#)
[Res No 22-290 MCLA Funding Request 2022 Original](#)
[Res No 23-289 MCLA Funding 2nd Allocation Request 2023](#)

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

Absent: 1 - Mayor Johnston

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

Enactment No: Res 24-185

57

Approving preliminary authorization to enter into the Development Agreement process and pursue negotiations with the property owner for the properties located at 715 Seminole Avenue (Re # 00037230-000100; AK# 8735669) and 811 Seminole Avenue (Re # 00037160-000100; AK# 8735677) pursuant to Section 90-679 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Request for Preliminary Action](#)
[Public Comment](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed with direction for a minimum of two public workshops (with planning staff present) to take place prior to any Development Agreement being heard by the Planning Board. The motion carried by the following vote:

Absent: 1 - Mayor Johnston

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

Enactment No: Res 24-186

58

Acknowledging and accepting for consideration the recommendations from the Sustainability Advisory Board set forth in "SAB Resolution 24-02".

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[SAB Resolution 24-02](#)

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

Absent: 1 - Mayor Johnston

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

Enactment No: Res 24-187

Meeting went into Recess - 10:53 A.M.

Meeting Reconvened - 11.09 A.M.

59

Authorizing a search for candidates for the position of City Manager pursuant to Sec. 2-143(b) of the Code of Ordinances; Authorizing an amount not to exceed \$50,000.00 for a candidate search to be conducted by the Human Resources Department ~~to engage an executive search firm~~; Expressing the intention to focus on candidates with experience and knowledge within the State of Florida.

Sponsors: Commissioner Lopez

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

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed with authorization for the Human Resources Department to conduct the search instead of an outside firm. The motion carried by the following vote:

No: 2 - Commissioner Hoover and Vice Mayor Kaufman

Absent: 1 - Mayor Johnston

Yes: 4 - Commissioner Carey, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 24-188

60

Adopting the attached "The City of Key West Job Description - City Manager".

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)
[Cover Memo & Attachments](#)
[October 2022 Job Description](#)

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

No: 2 - Commissioner Hoover and Vice Mayor Kaufman

Absent: 1 - Mayor Johnston

Yes: 4 - Commissioner Carey, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 24-189

61

~~Creating-Appointing members to an Advisory Screening Committee for a new City Manager; Providing duties and for sunset.~~

Sponsors: Commissioner Lopez

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

A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Resolution be Passed with an amendment to the title stating 'creating' instead of 'appointing members to', removing the names of departing commission members and listing their districts instead, and requesting appointees be named by August 30, 2024. The motion carried by the following vote:

No: 1 - Vice Mayor Kaufman

Absent: 1 - Mayor Johnston

Yes: 5 - Commissioner Carey, Commissioner Hoover, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 24-190

CITY MANAGER'S REPORT

62 Department Reports

- Attachments:** [July 2024 Code Compliance](#)
[July 2024 Housing](#)
[July 2024 HR](#)
[July 2024 KWFD](#)
[July 2024 KWPD](#)
[July 2024 PIO](#)
[July 2024 Planning](#)
[July 2024 Port and Marine Services](#)
[July 2024 Property Management](#)
[July 2024 Transit](#)
[July 2024 IT](#)
[July 2024 Building](#)
[July 2024 Engineering](#)
[July 2024 Parking](#)
[July 2024 Utilities](#)
[July 2024 Community Services](#)

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

63 January through June 2024

- Attachments:** [Report](#)

COMMISSION COMMENTS

RECESS - 12:26 P.M.

EVENING SESSION

RECONVENE - CALL TO ORDER - 5:02 P.M.

ROLL CALL

Commissioner Hoover attended via media conferencing

Absent 1 - Mayor Johnston

Present 6 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

INVOCATION - Reverend Madeline Baum, Key West United Methodist Church

PLEDGE OF ALLEGIANCE - Gary Moreira, Senior Property Manager

CITIZEN COMMENTS

APPROVAL OF AGENDA

The agenda was unanimously approved as amended to include add-on proclamation

COMMENDATIONS

64

Shirlee Ezmirly Commendation

Sponsors: Commissioner Lopez and City Commission

Attachments: [Commendation](#)

Received and Filed

PROCLAMATIONS

Robert Albury Day

PRESENTATIONS

- 65 Recognizing departing Commission Members for their service to the City of Key West.

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Received and Filed

- 66 Grants Update - Langton Consulting

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Postponed to September 12, 2024

RESOLUTIONS

- 67 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 (August 11, 2024 - August 31, 2026).

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)

[Cover Memo](#)

[Rev License w/Exhibits A & B](#)

[Rev Lic Agreement - Res 23-252](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion passed by unanimous vote.

Enactment No: Res 24-191

68

Easement - 423 Front St (RE# 00000160-000000) -

Approving an Easement of approximately six hundred and twenty-five (625) square feet, more or less, at a property located at 423 Front Street, in order to accommodate historic building features and other property fixtures encroaching on the Front Street, Wolfson Street, and Exchange Street rights-of-way in the Historic Residential Commercial Core Zoning District, 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: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Planning Package](#)
[Keys Energy Comments](#)
[Utilities Comments](#)
[Easement Agreement](#)
[Presentation](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Passed with a change to Condition #2 striking the word 'planner'. The motion passed by unanimous vote.

Enactment No: Res 24-192

- 69** **Public Hearing:** Relating to the collection and disposal of Solid Waste in the City of Key West, Florida; Imposing Solid Waste Service Assessments against certain real residential property located within the City of Key West, Florida, approving the Solid Waste Assessment Roll for the Solid Waste Assessments; Confirming the Preliminary Assessment Resolution for Fiscal Year 2024-25.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Preliminary Rate Resolution 24-136](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Passed with 2.5% increase added to assessments and incorporating the discussions from the budget workshops of July 16-17, 2024. The motion carried by the following vote:

Absent: 1 - Mayor Johnston

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

Enactment No: Res 24-193

- 70** **Public Hearing:** Relating to the provision of Stormwater Services; Imposing Stormwater Service Assessments against certain real property within the City of Key West; Approving the Stormwater Assessment Roll for the Stormwater Service Assessments for Fiscal Year 2024-25.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [13-10 Ord St Water Rate Assessments](#)

A motion was made by Commissioner Wardlow, seconded by Commissioner Weekley, that the Resolution be Passed with a 3% increase added to assessments and incorporating the discussions from the budget workshops of July 16-17, 2024. The motion carried by the following vote:

Absent: 1 - Mayor Johnston

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

Enactment No: Res 24-194

ORDINANCES – FIRST READING

71

Public Hearing: An Ordinance of the City of Key West, Florida, amending Chapter 74 of the Code of Ordinances, entitled "Utilities" by amending Section 74-246, to amend annual sewer rates, charges and components; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[Res 23-208 Sewer Rate Increase](#)
[Res 22-212 Sewer Rate increase](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading with a 10% annual sewer rate increase and incorporating the discussions of the budget workshops of July 16-17, 2024. The motion carried by the following vote:

Absent: 1 - Mayor Johnston

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

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

72

An Ordinance of the City of Key West, Florida, amending Chapter 46, Section 113 of the Code of Ordinances to extend the DROP participation period from five years to eight years for members of the General Employees' Retirement Plan; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Wardlow, Commissioner Carey, Commissioner Lopez and Commissioner Hoover

Attachments: [Ordinance](#)
[Cover Memo - City Attorney](#)
[Cover Memo - Finance Director](#)
[Teamsters Letter](#)
[BIE](#)
[Actuary](#)
[Impact Study](#)

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

Absent: 1 - Mayor Johnston

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

Enactment No: Ord 24-19

73

An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled "Vehicles for Hire" by amending Section 78-1 titled "Definitions" to include live, recorded or GPS enabled to the definition of sightseeing vehicles; By amending Section 78-232 to delete reference to the Chief of Police and City Manager making recommendations to amend sightseeing provisions; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

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

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

Absent: 1 - Mayor Johnston

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

Enactment No: Ord 24-20

74

An Ordinance of the City of Key West, Florida, pursuant to Section 8.01 of the Key West Charter proposing that Section 1.08 of the Key West Charter be amended to permit acquisition of real property for public parks, recreation, affordable housing, or civic buildings via supermajority vote of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Ramsingh

Attachments: [Ordinance - Second Reading](#)
[Cover Memo](#)

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

Absent: 1 - Mayor Johnston

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

Enactment No: Ord 24-21

75

An Ordinance of the City of Key West, Florida, amending Chapter 14 of the Code of Ordinances, entitled "Buildings and Building Regulations", by amending Article I entitled "In General", amending Section 14-1 to add person or business, special event and off duty details by City personnel, providing for enforcement, fees and penalties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

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

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

Absent: 1 - Mayor Johnston

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

Enactment No: Ord 24-22

76

Text Amendment of the Historic Architectural

Guidelines- An Ordinance of the City of Key West, Florida, to amend the Historic Architectural Review Commission Guidelines for fences, specifically Section VI (v) Fences and Walls, Subsection (9), as referenced in Chapter 90 (Administration), Article II, Division 4 - Historic Architectural Review Commission of the City of Key West Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[Business Impact Estimate](#)
[PB RES 2024-023 HARC Text Amendment - Fences](#)
[Staff Report](#)
[March 26, 2024 HARC Meeting Minutes](#)

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

Absent: 1 - Mayor Johnston

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

Enactment No: Ord 24-23

ADJOURNMENT - 5:56 P.M.