



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Mayor Teri Johnston
Vice-Mayor Sam Kaufman
Commissioner Lissette Carey
Commissioner Mary Lou Hoover
Commissioner Clayton Lopez
Commissioner Billy Wardlow
Commissioner Jimmy Weekley

Charter Officials

Albert Childress, City Manager
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney

Thursday, October 12, 2023

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 - 9:02 A.M.

ROLL CALL

Absent 1 - Commissioner Lopez

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

INVOCATION - Reverend Denise McLeod

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Jason Barroso, Fire Marshall

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 *September 7, 2023 (Special)

 Attachments: [Minutes](#)

 Passed

- 2 *September 14, 2023 (Regular)

 Attachments: [Minutes](#)

 Passed

- 3 *September 18, 2023 (Special)

 Attachments: [Minutes](#)

 Passed

RESOLUTIONS

- 4 *Appointing Thaddeus Cohen to the Housing Authority of the City of Key West Board of Commissioners.

 Sponsors: Mayor Johnston

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

 Postponed to November 9, 2023

- 5 *Appointing Robert Cintron to the Housing Authority of the City of Key West Board of Commissioners

Sponsors: Mayor Johnston

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

Postponed to November 9, 2023

- 6 *Authorizing the United States Navy to hold the Annual Veterans Day Parade on Duval Street from 4:00 P.M. to 7:00 P.M. (set up starting at 2:00 P.M.) Saturday, November 11, 2023; Authorizing the closure of certain streets or portions thereof for said parade from 4:00 P.M. to 7:00 P.M.; Waiving all fees for required City services.

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-260

- 7 *Sponsoring a Holiday Season Parade on Saturday, December 2, 2023, between the hours of 7:00 P.M. and 9:30 P.M. (setting up at around 3:30 P.M. at Bayview Park); Authorizing the closure of certain streets for the Parade.

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-261

- 8 *Sponsoring a Martin Luther King Birthday Celebration and March on Monday, January 15, 2024, between the hours of noon and 4:00 P.M. at Nelson English Park; Authorizing the closure of certain streets for the March from 5:00 P.M. to 6:00 P.M.

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-262

- 9 *Approving a Task Order from Artibus Design, LLC in the amount of \$86,012.00 for Professional Engineering Services for Southernmost Point seawall repair; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-263

- 10 *Ratifying an emergency transfer of funds and the City Manager's approval of a Task Order under the City's Right of Way Improvements Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$279,336.08 for asphalt paving and pavement markings on Petronia Street from Duval Street to Fort Street; Ratifying any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Signed Task Order](#)
 [Res 22-289](#)
 [Aerial](#)

Passed

Enactment No: Res 23-264

- 11 *Approving a Task Order under the City's Right of Way Improvements Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$132,461.04 to construct a temporary detour roadway for use during construction of the Lofts Project on the 3.2 acre Bahama Village site; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Site Plan](#)
 [Task Order Proposal](#)

Passed

Enactment No: Res 23-265

12 *Authorizing Purchase Exemptions for Cumulative Expenditures During Fiscal Year 23-24 to Entities Listed in Exhibit A in Excess of \$50,000.00.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Exhibit A - Detailed Listing of Exemptions Requested-Blanket Purchase Orders for Approval.docx](#)
 [Exhibit B - Blanket PO Acknowledgement](#)

Passed

Enactment No: Res 23-266

13 *Authorizing Key West Port Operations, with the Key West Police Department, to accept Grant Award No. EMW-2023-OU-00396-S01 in the amount of \$944,819.00 from the Department of Homeland Security Port Security Grant Program (PSGP) (City match \$314,940.00) for acquisition of a Mobile Command Center and Mobile Connectivity Trailer.

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-267

- 14 *Approving a purchase form Ten-8 Fire & Safety, LLC in an amount not to exceed \$939,450.00 (with optional pre-payment discount) including the purchase of one 2026 Pierce Impel pumper apparatus including all necessary options and equipment pursuant to Government Contract, Section 2-797(3) of the Code of Ordinances; Authorizing necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Ten-8 Proposal](#)
[FSA Contract](#)

Passed

Enactment No: Res 23-268

- 15 *Approving the attached 'Professional Services Agreement' between the City of Key West and T.C. Adderly for Human Resources Consulting Services; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Agreement](#)
[T. C. Adderly Profile LinkedIn 2023](#)
[T. C. Adderly Resume](#)

Passed

Enactment No: Res 23-269

16

*Approving a "Development Services Review Consulting Agreement" between the City of Key West and the Corradino Group, Inc., for City of Key West Development Services Process Review in the amount of \$49,820.00; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager to execute necessary documents, upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[City of Key West Development Services Process Audit Scopt FINAL](#)
[The Corradino Group Scope of Work & Estimate](#)
[CGA & MT Causley a SAFEbuilt Company Scope of Work & Estimate](#)
[Henry Iler Proposal Declination](#)

Passed

Enactment No: Res 23-270

17

*Approving a Task Order under the City's Professional Planning Services Contract with Stantec Consulting Services, Inc., in a total amount not to exceed \$32,552.00 for tasks specific to a Downtown Key West Parking Assessment of the Mallory Square Master Plan; in conjunction with Transportation Coordination Team priorities and the Transportation Alternative Fund; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Key West Mallory Square Parking Proposal Letter](#)
[Key West Mallory Square Parking - Task Order Estimate](#)
[City Planning Services Executed Agreement 1.19.23](#)

Passed

Enactment No: Res 23-271

18

*Authorizing the purchase of thirteen (13) Fleet 3 In-Car Camera Systems and related equipment and software from Axon Enterprises, pursuant to Key West Code of Ordinances, Sec. 2-844(a) - Brand Name, 2-797(1)(b) & (c) - Sole Source, and 2-797(4)(b) - Best Interest, for a total amount of \$153,199.80, to be in equal installments of \$30,639.96 per year, for a period of five years; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Axon Fleet Cam Quote](#)
[Axon Sole Source Justification](#)
[Master Services and Purchasing Agreement for AgencyV17_Enterprise](#)

Passed

Enactment No: Res 23-272

- 19 *Authorizing the purchase of ten (10) Taser 7s, ten (10) Body Worn Cameras, and related equipment and software from Axon Enterprises, pursuant to Key West Code of Ordinances, Sec. 2-844(a) - Brand Name, 2-797(1)(b) & (1) (c) - Sole Source, and 2-797(4)(b) - Best Interest, for a total amount of \$139,293.05, to be paid in equal installments of \$34,823.27, for a period of four years; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Axon Taser & BWC Quote](#)
[Axon Sole Source Justification](#)
[Master Services and Purchasing Agreement for AgencyV17_Enterprise](#)

Passed

Enactment No: Res 23-273

- 20 *Authorizing the purchase of twenty (20) GETAC B360 Laptops, and related equipment and software from PCN Strategies, pursuant to Key West Code of Ordinances, Sec. 2-797(4)(b) - Best Interest and Sec. 2-844 (a)(b) - Brand Name, for a total amount of \$64,724.60; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[PCN Strategies Quote](#)
[CDW Quote](#)
[Barcode Giant Quote](#)

Passed

Enactment No: Res 23-274

21

*Authorizing a Change Order to the procurement authorized in Resolution 22-033 (PR#020588), adjusting in part the quantity and type of vehicles to twenty-one (21) Ford Police Interceptor EcoBoost SUV vehicles, from twenty-two (22) Ford Police Interceptor Hybrid SUV Vehicles, to be procured from Bartow Ford, through piggybacking on the Charlotte County Purchasing Contract No. 2021000541, pursuant to Section 2-797(3)(a)(b)(c) and 2-797(4)(b) of the Code of Ordinances for use by the Key West Police Department; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Bartow Ford quote](#)

Passed

Enactment No: Res 23-275

- 22 *Authorizing the purchase of twenty-one (21) 2023 Ford Police Interceptor EcoBoost SUVs, for a total cost of \$1,276,153.83 from Bartow Ford, through piggybacking on the Charlotte County Purchasing Contract 202100541, pursuant to Section 2-797(3)(a)(b)(c) - Purchase Under Government Contract and Section 2-797 (4)(b) - Best Interest, of the Code of Ordinances; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Bartow Ford quote](#)
[Charlotte County Letter](#)
[Charlotte County Purchasing Contract](#)
[Alan Jay response to quote](#)
[Resolution Ford Intrcp. SUVs](#)

Passed

Enactment No: Res 23-276

- 23 *Approving the attached First Amendment to Assignment and Minor Modification of Lease Agreement between A-1 Boat Services, LLD, DBA Spencer's Boat Yard, SBY Key West, LLC and the City allowing elimination of the letter of credit requirement.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[First Amendment to Assignment Agreement](#)
[*Large File* Assignment Documents - All Executed Res 21-250](#)
[Change Order to Task Order 0223-01 - Seawalls Piers and Docks Replacement - Spencer's Boat Yard 08-28-2023](#)

Passed

Enactment No: Res 23-277

24

*Exercise an option to extend the City's lease term under the Lease between the United States of America, acting by and through the Department of the Navy, Naval Facilities Engineering Command Southeast, and the City of Key West, for the Outer Mole Pier, for an additional five (5) year term; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Second Option to Exercise Lease Extension](#)
[*Large File* Mole Pier Lease Executed 19 May2014](#)
[Res 21-111 Modification Navy Mole Lease](#)

Passed

Enactment No: Res 23-278

25

*Approving the fees set forth in the attached "Res. 22-073 Compliant Ship Fee Letter" to become effective on November 1, 2023; Providing that rates may be adjusted by the City Commission after one year.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution 22-073 Compliant Ship Fee Letter](#)
[Current Cruise Ship Fees \(Large Ships\)](#)
[Resolution 22-073 Mallory Limits](#)

Passed

Enactment No: Res 23-279

- 26 *Approving Amendment #1 to Service Order On-Demand Transit Software as a Service (SAAS) between the City and Via Mobility LLC, to extend the current term of the Service Order from one year to three years with two option years pursuant to the Code of Ordinances Section 2-797(4)(b) Exempt Purchases in the Best Interests of the City in a total amount not to exceed \$270,000 over a 5-year period; Authorizing any necessary budget transfers or adjustments; Authorizing the City manger to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Amendment #1 to Service Order](#)
[Resolution 22-141](#)
[Via Mobility On-Demand Service Order](#)

Passed

Enactment No: Res 23-280

- 27 *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) 2024 Commuter Assistance Grant Program for the Lower Keys Shuttle (PTGA #G2N25/FM #415173-7-84-01) in a reimbursement amount of up to \$616,340.00 in operating assistance (50% of total project cost of \$1,232,680.00).

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-281

- 28 *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) 2024 State Transit Block Grant for the transit bus service, in the City of Key West (PTGA #G2N24/FM #436702-5-84-01) in a reimbursement amount of up to \$290,832.00 in operating assistance (50% of total project cost of \$581,664.00).

Sponsors: City Manager Childress

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

Passed

Enactment No: Res 23-282

- 29 *Authorizing a Purchasing Exception pursuant to the Code of Ordinances Section 2-797(3) Purchases and Acquisitions Under Contracts of Federal Government, the State or its Political Subdivisions, and Governmental Purchasing Cooperative Programs to approve the attached 'Consultant Agreement' between the City of Key West and WSP USA Inc. for consultant services to develop the major update to the 10-year Transit Development Plan in a total amount not to exceed \$150,000; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Agreement](#)
 [Central Florida Regional Transportation Authority Contract](#)

Passed

Enactment No: Res 23-283

- 30 *Ratifying approval authorizing the City Manager to enter into an agreement with the Office of Local Defense Community Cooperation (OLDCC) in the amount of \$404,640.00 for the development of a Resilience Plan for the Richard A. Heyman Environmental Protection Facility; Authorizing necessary budget adjustments and transfers; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Grant Agreement-Signed](#)

Passed

Enactment No: Res 23-284

- 31 *Authorizing the purchase of an MWI Submersible Pump, from PSI Technologies, Inc. on 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 \$122,305.00; Authorizing any necessary budget transfers.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[PCI Quote](#)
[Repair Quote](#)
[MWI-Sole Source Letter](#)
[Sole Source Verification](#)

Passed

Enactment No: Res 23-285

32

*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 \$104,664.67 for concrete and leak repairs at the Richard A. Heyman Environmental Protection Facility (RAHEPF) contact basins; Authorizing any necessary budget adjustments; Authorizing City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[CTS-Task Order Proposal](#)
[CTS-Work Order](#)
[Resolution 21-125](#)
[CTS-GU Contract Executed](#)

Passed

Enactment No: Res 23-286

33

*Approving a Task Order from Perez Engineering and Development, Inc. in the amount of \$111,260.00, for Bid Phase, Permit Renewal Services, and Field-Testing Phase Services for Mechanical Integrity Testing (MIT) of the deep injection well IW-1 and IW-2 (FDEP Permit Number 327710-003004-UO/5W; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Task Order](#)
[Resolution 23-029](#)
[Perez Engineering Agreement](#)
[Permit Well Operation](#)

Passed

Enactment No: Res 23-287

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.

COMMENDATIONS

34 Key West High School Band

Sponsors: Vice Mayor Kaufman and City Commission

Received and Filed

35 Paul Menta

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

Attachments: [Commendation](#)

Received and Filed

PROCLAMATIONS

36 Fire Prevention Week

Sponsors: City Commission

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

Received and Filed

37 Key West E-Waste Day

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

38 World Polio Day

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

39 Hispanic Heritage Month

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

40 Breast Cancer Awareness Month

Sponsors: Commissioner Lopez and City Commission

Attachments: [Proclamation](#)

Received and Filed

DISCUSSION

41 Charter County Presentation - Monroe County Atty Robert Shillinger

Sponsors: City Attorney Ramsingh

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

Discussed

PRESENTATIONS

42 City of Key West Employee Service Awards - Bridget Flores, Director of Human Resources

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

- 43 Water Quality Partnership - Quarterly Report
- Dr. Patrick Rice, College of the Florida Keys

Sponsors: City Manager Childress

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

Received and Filed

- 44 Mount Sinai Medical Center- Oscar Llorente

Sponsors: City Manager Childress

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

Received and Filed

- 45 Langton Consulting - Grants Update - Christine Lane, Sr.
Public Affairs Consultant

Sponsors: City Manager Childress

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

Received and Filed

- 46 Key West Community Sailing Center - Ben Hermelin,
Executive Director

Sponsors: City Manager Childress

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

Received and Filed

11:05 A.M. - Meeting went into Recess

11:15 A.M. - Meeting Reconvened

47 Transit Department Presentation - Rod Delostrinos, Director of Transportation

Sponsors: City Manager Childress

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

Received and Filed

48 Keep Key West Beautiful Award - Jim Young, Director of Code Compliance

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

RESOLUTIONS - Cont'd

49

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

Sponsors: City Manager Childress

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

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Passed with an amendment to the start location which will be moved further along Trumbo Road and closer to the former MCS D bus depot. The motion passed by unanimous vote.

Enactment No: Res 23-288

- 50 Requesting funding from the Monroe County Land Authority in the amount of \$900,000 for the construction of the For Sale Workforce Housing units at the Lofts at Bahama Village Development located at 918 Fort Street (otherwise known as the 3.2 acre site) pursuant to Section 380.0666(3) (a), Florida Statutes, and in accordance with the City of Key West Comprehensive Plan Policy 3-1.1.7; Authorizing the City Manager to execute all documents consistent therewith upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution No. 22-290](#)

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 23-289

- 51 Establishing a "Fantasy Zone" during certain hours and locations during Fantasy Fest 2023 in the City of Key West; establishing responsibilities and procedures for the Tourist Development Association and for City staff

Sponsors: City Attorney Ramsingh

Attachments: [Cover Memo](#)
[Resolution](#)
[Exhibit A 2023 Fantasy Zone](#)
[Public Comment In Favor - Walsh](#)

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 23-290

CITY MANAGER'S REPORT

52 Department Reports

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

Received and Filed

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

53 January through September 2023

- Attachments:** [Report](#)

Received and Filed

COMMISSION COMMENTS

RECESS - 12:50 P.M.

EVENING SESSION

SWEARING IN CEREMONY- Deputy Chief of Police, Captain Randall Smith

RECONVENE - CALL TO ORDER - 5:05 P.M.

ROLL CALL

Absent 1 - Commissioner Lopez

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

INVOCATION - Rabbi Yaakov Zucker of Chabad of the Florida Keys

PLEDGE OF ALLEGIANCE - Led by Jason Barroso, Fire Marshal

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved as amended

54 Supporting Israel as it defends itself in the war launched by the terrorist organization Hamas.

Sponsors: Vice Mayor Kaufman, Mayor Johnston and Commissioner Carey

Attachments: [Resolution](#)

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

Absent: 1 - Commissioner Lopez

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

Enactment No: Res 23-291

PRESENTATIONS

55 Key West Ambassadors Academy Class #39 Graduation

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

RESOLUTIONS

56 Appointing Amanda Velazquez to the Citizens Review Board (CRB).

Sponsors: City Manager Childress

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

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 23-292

57 Authorizing the City of Key West to enter into the attached "Revocable License Agreement for NonPermanent Use of City Property" with the Key West Film Society (DBA Tropic Cinema, Inc.), a 501(c)3 Corporation, to allow the operation of a free outdoor "Movie Under the Stars" program on Eaton Street between Duval and Whitehead immediately adjacent to 416 Eaton Street on specific dates set forth in the Agreement, upon additional Terms and Conditions contained in the Agreement (November 4, 2023-April 6, 2024).

Sponsors: City Manager Childress

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

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 23-293

ORDINANCES – FIRST READING

58

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

Sponsors: Commissioner Hoover

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

A motion was made by Vice Mayor Kaufman to approve without the additional residency expansion language in subsection (a). After discussion, the motion was withdrawn.

Then, a motion was made by Commissioner Weekley, seconded by Commissioner Carey, to approve as presented. The motion failed with Vice Mayor Kaufman, Commissioner Wardlow, and Mayor Johnston voting No and Commissioner Carey, Commissioner Hoover, and Commissioner Weekley voting Yes.

A motion was then made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading without the additional residency expansion language and only the direct removal of appointments and other clean-up language. The motion carried by the following vote:

Absent: 1 - Commissioner Lopez

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

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

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

Sponsors: City Manager Childress

Attachments: [Ordinance](#)
[Cover Memo](#)
[Business Impact Estimate](#)

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

Enactment No: Ord 23-32

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

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)
[Cover Memo](#)
[CKW Boards Residency Memo](#)
[Business Impact Estimate](#)

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

Enactment No: Ord 23-33

61

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

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)
[Cover Memo](#)
[CKW Board Residency Memo](#)
[Business Impact Estimate](#)

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

Enactment No: Ord 23-34

62

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

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)
[Cover Memo](#)
[Business Impact Estimate](#)

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

Enactment No: Ord 23-35

63

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

Sponsors: Commissioner Wardlow

Attachments: [Ordinance](#)
[Cover Memo - Pension Attorney](#)
[Actuarial Study](#)
[Business Impact Estimate](#)

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

Enactment No: Ord 23-36

ADJOURNMENT - 5:49 P.M.