



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, November 15, 2022

5:00 PM

City Hall

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**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.

**ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**CALL MEETING TO ORDER - 5:00 P.M.**

#### ROLL CALL

**Absent** 1 - Commissioner Lopez

**Present** 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

#### PLEDGE OF ALLEGIANCE TO THE FLAG

**APPROVAL OF AGENDA - The agenda was unanimously approved as amended.**

#### PROCLAMATIONS

**1** 16 Days of Activism - Zonta Club

**Sponsors:** City Commission

**Attachments:** [Proclamation](#)

Received and Filed

**2** Irreverent Warriors Key West Silkies Hike Week

**Sponsors:** City Commission

**Attachments:** [Proclamation](#)

Received and Filed

3 Small Business Saturday

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

4 William Weech American Legion Post 168

Sponsors: Mayor Johnston, Commissioner Lopez and Vice Mayor Kaufman

Attachments: [Proclamation](#)

Postponed to December 6, 2022

**PRESENTATIONS**

5 Jonathan Gueverra, Ed. D. - President College of the Florida Keys

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)

Received and Filed

**City Attorney's Report**

**City Manager's Report**

**Employee of the Third Quarter - Juana M.**

**Centeno-Hernandez**

**KOTS Timeline**

**Short Term Rental Software Update**

**North Roosevelt Blvd Workshops**

**Diesel Plant Update**

**Bayview Park Update**

**Mallory Square Workshops**

**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**

6 \*November 1, 2022

Attachments: [Minutes](#)

Passed

**RESOLUTIONS**

7 \*Providing an exception to Section 26-100 of the Code of Ordinances, to permit individuals to actively engage in fishing at Mallory Square, Edward B. Knight Pier and waterfront property at the Truman Waterfront Park at any time.

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

Attachments: [Resolution](#)

**Passed with an amendment to exempt Mallory Square during Sunset Celebration**

Enactment No: Res 22-262

- 8                    \*Approving the attached 99-year public benefit "Lease Agreement" between the City and the Key West Botanical Garden Society, Inc. d/b/a Key West Tropical Forest and Botanical Garden for the operation of the Key West Botanical Garden, a 501(c) 3 exempt organization (Lessor) for the parcel located at 5210 College Road on Stock Island.

**Sponsors:**            City Manager McLauchlin

**Attachments:**        [Resolution](#)  
[Executive Summary](#)  
[Draft Lease](#)  
[Attachment A - Survey](#)  
[\\*Large File\\* Attachment B - Resolution 04-018](#)  
[\\*Large File\\* Attachment C - Resolution 11-164](#)  
[\\*Large File\\* Attachment D - Management Plan](#)  
[Attachment E - Ordinance 06-11](#)  
[\\*Large File\\* Attachment F - Resolution 15-365](#)  
[Attachment G - Monroe County Utility Easement](#)  
[Attachment H - Ord. 22-08 Botanical Gardens Referendum](#)

**Passed**

Enactment No: Res 22-263

- 9                    \*Approving the attached "State of Florida Department of Environmental Protection Standard Grant Agreement" Number 22PLN64 for the City of Key West Comprehensive Adaptation and Resilience Implementation Plan (CARIP) in a total amount up to \$905,500 State / \$246,000 City Match (\$1,151,500 total estimated project cost); Authorizing the Mayor to execute the Agreement, and to approve and execute any subsequent amendments that may adjust the grant funding allocations to the City or modify the project scope, upon consent of the City Attorney; Authorizing any necessary budget adjustments or transfers to accept the funding.

**Sponsors:**            City Manager McLaughlin

**Attachments:**        [Resolution](#)  
                                  [Executive Summary](#)  
                                  [Grant Agreement](#)  
                                  [Grant Application](#)  
                                  [Resolution 22-177](#)

**Passed**

Enactment No: Res 22-264

10

\*Approving the attached "State of Florida Department of Economic Opportunity Federally-Funded Community Development Block Grant CARES (CDBG-CV) Subgrant Agreement" Number 22CV-S14 / H2485 to reconstruct the Keys Overnight Temporary Shelter (KOTS) in the amount of \$4,300,000 Federal / \$3,000,000 City Match (\$7,300,000 total estimated project cost). Authorizing the Mayor to execute the necessary documents; Authorizing the approval and execution of subsequent amendments to this grant agreement that may adjust the grant funding allocations to the City or modify the project scope, upon consent of the City Attorney; and authorizing any necessary budget amendments or transfers to accept the funding.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Grant Agreement](#)  
[Resolution 21-225](#)  
[Grant Application Part 1](#)  
[Grant Application Part 2](#)  
[Grant Application Part 3](#)  
[Grant Application Part 4](#)  
[Grant Application Part 5](#)  
[Grant Application Part 6](#)

**Passed**

Enactment No: Res 22-265

11

\*Authorizing the purchase of three (3) 2023 Ford F-150 Pickup Trucks with Liftgate (\$131,967.00) and one (1) 2023 Ford Transit Connect Cargo Mini-Van (\$30,165.00) in a total amount not to exceed \$162,132.00 from Duval Ford LLC, through piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA20-VEL28.0, Pursuit, Administrative and Other Vehicles Contract, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Key West Community Services Department; Authorizing necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Florida Sheriffs Contract](#)  
[Quote Three \(3\) F150s with Liftgates](#)  
[Quote Transit Connect Mini-Van](#)

**Passed**

Enactment No: Res 22-266

- 12 \*Authorizing the purchase from Stryker Medical of three (3) LifePak 15 Cardiac Systems plus accessories as a brand name product, on a sole source basis pursuant to Section 2-797(1) for brand name items, pursuant to the City Code Section 2-844(a) and (b) for the Key West Fire Department in an amount not to exceed \$100,370.16; Authorizing any necessary budget amendments or adjustments.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Lifepak15 quote](#)  
[STRYKER SOLE SOURCE](#)  
[Grant Evaluation Form](#)  
[State EMS Grant Award 2022](#)  
[Memorandum LP15](#)

**Passed**

Enactment No: Res 22-267

- 13 \*Authorizing the purchase from Stryker Medical Four (4) Lucas Chest Compression System Devices plus accessories as a brand name product, on a sole source basis pursuant to Section 2-797(1) for brand name items, pursuant to City Code Section 2-844(a) and (b) for the Key West Fire Department in an amount not to exceed \$69,610.00; Authorizing any necessary budget amendments or adjustments.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[LUCAS quote](#)  
[SOLE SOURCE](#)  
[Memorandum Lucas](#)

**Passed**

Enactment No: Res 22-268



- 14 \*Authorizing the purchase from Municipal Emergency Services of two (2) Hurst eDraulic 3.0 Rescue Tool Sets plus accessories on a sole source basis pursuant to Section 2-797(1) for the Key West Fire Department in an amount not to exceed \$89,120.00; Authorizing any necessary budget amendments or adjustments.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[MES Quote Hurst E3 Tools](#)  
[2022 Sole Source Verification Letter](#)

**Passed**

Enactment No: Res 22-269

- 15 \*Authorizing the purchase of one (1) 2023 Ford F-250 Pickup Truck with accessories at a total amount not to exceed \$72,102.30 from Duval Ford LLC, through piggybacking on the Florida Sheriff's association and Florida Association of Counties Bid No. FSA22-VEL30.0, Pursuit, Administrative and Other Vehicles Contract, Pursuant to Section 2-797(3) of the Code of Ordinances for use by the Key West Fire Department; Authorizing necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary document, upon consent of the City Attorney.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Duval Ford Quote](#)  
[FSA22-VEL30.0 Duval Ford Option List](#)  
[FSA22-VEL30.0 Terms and Conditions](#)  
[FSA22-VEL30.0 Duval Ford Bid](#)  
[FSA22-VEL30.0 Final Award](#)

**Passed**

Enactment No: Res 22-270

16

\*Requesting the Monroe County Land Authority for funding in the amount of \$4,089,750.00, for the construction of for sale workforce housing at the proposed Lofts at Bahama Village Development located at 318 Fort Street (otherwise known as the 3.2 acre site) pursuant to Section 380.0666 (3) (A), Florida Statutes, an in accordance with City of Key West Comprehensive Plan Policy 3-1.1.7.

Sponsors: City Manager McLaughlin

Attachments: [Res. 22-158 3.2 Ground Lease - Housing Sales](#)

Postponed to December 6, 2022

#### 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.

17

Approving Task Order No. 8-22-STM from CH2M Hill Engineers, Inc. in the amount of \$278,861.82 for Professional Engineering Design for a tidal barrier, preliminary pump station sizing and associated improvement for the 10th Street and Harris Avenue Drainage Project (Project ST38022102); Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[\\*Large File\\* TO 8-22 STM-Final](#)  
[CH2M Hill Agreement](#)  
[CH2M Extension 2022](#)  
[CH2M Rate sheet FY 23](#)  
[Task Order 20-09 \(Perez\)](#)  
[Resolution 17-207](#)  
[Resolution 20-142](#)  
[Resolution 22-171](#)  
[Resolution 21-013](#)  
[Resolution 20-157](#)

**A motion was made by Vice Mayor Kaufman to postpone the item. That motion failed for lack of a second.**

**Then, a motion was made by Commissioner Hoover, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion carried by the following vote:**

**No:** 1 - Vice Mayor Kaufman

**Absent:** 2 - Davila and Commissioner Lopez

**Yes:** 4 - Commissioner Hoover, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 22-271

- 18 Approving a Change Order (2) to D.L. Porter Constructors, Inc. in an amount not to exceed \$29,928.46 for unforeseen circumstances and additional electrical work on the Mole Pier Boat Wash Facility; Authorizing necessary budget transfers/amendments; Authorizing the City Manager to execute necessary documents.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Change Order](#)  
[Navy RECO Approval Letter](#)  
[Resolution 21-145 - Construction Contract](#)  
[Resolution 18-355 - Mole Pier Lease](#)

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

**Absent:** 2 - Davila and Commissioner Lopez

**Yes:** 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 22-272

- 19 Approving a mural by Marlene Koenig painted on the retaining wall at 218 Whitehead Street.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[HARC approval letter and signed Certificate of Appropriateness](#)  
[218 Whitehead Street - HARC Submittals](#)  
[HARC Guidelines for Murals](#)  
[City Commission Resolution 99-430](#)

**A motion was made by Commissioner Wardlow, seconded by Vice Mayor Kaufman, that the Resolution be Passed with a \$1500 bond being paid by the property owner for future maintenance. The motion carried by the following vote:**

**Absent:** 2 - Davila and Commissioner Lopez

**Yes:** 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 22-273

20

Approving and accepting the attached "Solar Evaluation Form" prepared by the Key West Engineering Department for the Keys Overnight Temporary Shelter Project (KOTS); Directing that an add/alternate line item for design and construction of a roof mounted solar power system to provide electric services for the KOTS facility be included in the contract bid documents for the KOTS facility ~~determining that a solar energy system at KOTS would not be cost effective at this time.~~

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution 11.15.2022](#)  
[Resolution 11.1.2022](#)  
[Executive Summary 11.15.2022](#)  
[Executive Summary 11.1.2022](#)  
[WOOD Solar Evaluation Form](#)  
[WOOD Task Order Solar Design](#)

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

**Absent:** 2 - Davila and Commissioner Lopez

**Yes:** 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 22-274

21

An Ordinance of the City of Key West, Florida, amending Chapter 42 of the Code of Ordinances, entitled "Miscellaneous Offenses" by amending Section 42-12, to amend the juvenile curfew by adjusting the established hours when an unaccompanied minor may remain in a public place to between the hours of 9:00 P.M. and 5:00 A.M. from Sunday through Thursday, and between the hours of 10:00 P.M. and 6:00 A.M. on Friday, Saturday and legal holidays; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)

Withdrawn

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT - 7:13 P.M.**