



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Wednesday, November 3, 2021

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

**Present** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

#### PLEDGE OF ALLEGIANCE TO THE FLAG

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

#### PROCLAMATIONS

**1** Zonta - 16 Days of Activism

**Sponsors:** Mayor Johnston

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

Received and Filed

**2** Veteran's Day

**Sponsors:** Mayor Johnston and Vice Mayor Kaufman

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

Received and Filed

**PRESENTATIONS**

**3** Historic Tours of America - Ed Swift  
(Verbal Presentation)

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

**Received and Filed**

**4** Stop the Violence - Phyllis Jackson, Founder - Grieving  
Families of Youth Violence

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)

**Received and Filed**

**City Attorney's Report**

Attachments: [2020 Census District Boundary Map](#)

**Received and Filed**

**City Manager's Report**

- Ranking Selection for 3.2 Acres
- Sidewalk Cafe' Program
- Truman Water Front Phase 1B - Ribbon cutting November

20, 2021

- Medical Clinic - Ribbon cutting December 9, 2021
- Frederick Douglass Band Room
- KOTS
- Hawks Missile Site
- Special Events - New Year's Eve

**CONSENT AGENDA\***

**\*Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member or citizen, in which event the item will be removed from the order and considered in its normal sequence on the agenda. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.**

**Minutes**

5 \*October 19, 2021

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

**Passed**

## RESOLUTIONS

6 \*Urging the State of Florida to designate the canopy of Australian Pines in Fort Zachary Taylor Park as an exception to any exotic and invasive removal programs and to initiate maintenance and controlled growth replacement programs.

**Sponsors:** Commissioner Lopez

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

**Passed**

Enactment No: Res 21-228

7 \*Urging the Board of Commissioners of Miami-Dade County Florida to protect regional environmental, economic, and water resources and uphold recommendations of planning staff to deny Comprehensive Development Master Plan (CDMP) Amendment Application CDMP20210003; Authorizing the City Clerk to provide copies of this Resolution to the Board of Commissioners of Miami-Dade County and to State and Federal Agencies reviewing the current CDMP Application 20210003.

**Sponsors:** Commissioner Weekley

**Attachments:** [Resolution](#)  
[FKNMS Resolution Miami Dade UDB Threat Oct 2021](#)  
[Monroe County CDMP Resolution 406-2021](#)  
[Village of Islamorada Resolution Miami-Dade\\_CDMP20210003-Ar](#)

**Passed**

Enactment No: Res 21-229

- 8 \*Sponsoring a Holiday Season Parade on Saturday, December 4, 2021 between the hours of 7:00 P.M. and 10:00 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 McLauchlin

**Attachments:** [Resolution](#)  
[Application](#)  
[COVID Plan](#)

**Passed**

Enactment No: Res 21-230

- 9 \*Authorizing "Key West Half Marathon LLC" to conduct their 24th Annual Key West Half Marathon and 5K Run starting with a registration on Friday, January 14th & Saturday, January 15, 2022 from 12:00 Noon to 5:00 P.M. and the half marathon on Sunday, January 16th starting at 7:00 A.M. (set up 6:00 A.M.) and a 5K run on Sunday, January 16, 2022 at 7:30 A.M. and ending at 1:00 P.M. at the Half Shelf Raw Bar, 231 Margaret St; 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.; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Pursuant to terms and conditions set forth by the City Manager.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Application](#)  
[COVID Plan](#)  
[Public Comment - Torrado](#)

**Passed**

Enactment No: Res 21-231

- 10                   \*Authorizing the Wesley House Family Services, Inc. to conduct its annual "Valentine's Day Fundraiser" at the Curry Mansion located at 511 Caroline Street on Monday, February 14, 2022 from 8:00 A.M. to 11:30 P.M; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the closure of Caroline Street from Duval Street to Simonton Street and Ann Street from Greene Street to Caroline Street from 8:00 A.M. to 11:30 P.M.; Granting a Special Event Permit Pursuant to Section 6-86 of the Code Of Ordinances from 8:00 A.M. to 11:30 P.M; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

**Sponsors:**           City Manager McLaughlin

**Attachments:**       [Resolution](#)  
                              [Executive Summary](#)  
                              [Application](#)  
                              [COVID Plan](#)

**Passed**

Enactment No: Res 21-232

- 11                   \*Approving the proposed Mediation Agreement between the City of Key West and Brian Kowalski in Circuit Court Case No. 2020-CA-79-K in the amount of \$98,700.00; Authorizing the City Manager to execute settlement documents upon the advice and consent of the City Attorney.

**Sponsors:**           City Attorney Smith

**Attachments:**       [Resolution](#)  
                              [Executive Summary](#)  
                              [Mediation Agreement](#)

**Passed**

Enactment No: Res 21-233

- 12 \*Approving the attached "DEP Agreement No. LP 44031 Change Order No. 2" between the Florida Department of Environmental Protection (FDEP) and the City of Key West to extend the task end date to June 30, 2022; Authorizing any necessary budget amendments or adjustments; Authorizing the City Manager to execute the necessary documents.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[LP44031 Change Order 2](#)  
[Resolution 17-124](#)  
[Resolution 18-047](#)  
[Resolution 19-040](#)  
[Resolution 20-215](#)

**Passed**

Enactment No: Res 21-234

- 13 \*Authorizing a two-year extension of the contract between the City and Beach Raker, LLC for beach cleaning services; Authorizing the City Manager to execute necessary documents for the contract extension upon consent of the City Attorney; Approving necessary budget transfers or adjustments.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Extension Request](#)  
[Increase Agreement](#)  
[Beach Cleaning Contract](#)  
[19-027 Awarding Bid to Beach Rakers LLC](#)  
[Beach Raker Bid\(Large File\)](#)  
[Bond](#)  
[Insurance](#)

**Passed**

Enactment No: Res 21-235

14

\*Authorizing the purchase of two (2) 2022 Ford F-250 Ton Pickup Trucks (\$48,025.53 Each/\$96,051.06 Total), one (1) 2022 Ford F-250 Ton Pickup Truck (\$51,329.17) and one (1) 2022 Ford Explorer (\$37,283.53) in a total amount not to exceed \$184,663.76 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 Fire 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](#)  
[Duval 250 & Explorer Quotes](#)  
[FSA Base Price Explorer](#)  
[FSA20-VEL28.0 Explorer OPTIONS](#)  
[FSA Base Price 250](#)  
[FSA20-VEL28.0 F250 OPTIONS](#)  
[Duval Ford Emergency Equipment Price List](#)

**Passed**

Enactment No: Res 21-236

15

\*Authorizing the purchase of one (1) 2021 TYMCO Model 600 Street Sweeper with related accessories in an amount not to exceed \$346,941.00 from Container & Equipment Co., Inc., through piggybacking on the Florida Sheriff's Association Contract No. FSA20-VAL28.0/FSA20-VEH 18.0/FSA20-EWU18.0, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Community Services Department; Authorizing any necessary budget transfers or adjustments; Authorizing City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Quote](#)  
[Florida Sheriffs Contract](#)  
[Bid Award](#)  
[Key West FL Container 600 10-22-2021 Sourcewell](#)

**Passed**

Enactment No: Res 21-237



16

\*Authorizing a budget amendment allowing the recognition of additional revenue in the amount of \$105,499.00 received in Solid Waste/Dumping Account 403-0000-343-4500, and in the amount of \$209,647.00 received in Solid Waste/Commercial Account 403-0000-343-4600 (total \$315,146 increased revenue), then applied to Solid Waste/Collections/Contractual Services Account 403-3404-534-3400 in the amount of \$17,523.00, to Solid Waste/Transfer Station Operations/Professional Services Account 403-3402-534-3100 in the amount of \$128,072.00, pursuant to Section 2-739(b) of the Code of Ordinances.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Budget Transfer](#)

**Passed**

Enactment No: Res 21-238

17

**\*QUASI-JUDICIAL HEARING: Minor Development Plan and Landscape Waiver - 1020 Margaret Street (RE# 00030490-000000) -** Granting a Minor Development Plan approval at 1020 Margaret Street (RE 00030490-000000) to renovate and redevelop an existing historic single-family structure and construct three new single-family structures, as well as install an inground pool and a paved parking lot in the Historic Medium Density Residential (HMDR) Zoning District and a request for approval to pay a Fee-in-Lieu to comply with the City of Key West's Workforce Housing Ordinance pursuant to Sections 108-91 and Section 122-1467(1)(A) of the Code of Ordinances of the City of Key West, Florida.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Presentation](#)  
[Staff Report](#)  
[Planning Package](#)  
[Unsigned Site Plans](#)  
[PB RES 2021-30 1020 Margaret Street MIDP](#)  
[\\*Large File\\* Noticing Package](#)  
[2.18.21 Noticing Package](#)  
[6.17.21 Noticing Package](#)  
[Signed and Sealed Site Plans 10.4.21](#)

**Postponed**

Enactment No: PB Resolution 2021-30

### **Approval of the Consent Agenda**

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

18 Denouncing youth violence and expressing the importance of taking action to protect the youth of Key West by preventing violence.

**Sponsors:** Commissioner Lopez and Commissioner Hoover

**Attachments:** [Resolution](#)  
[Youth Violence Facts CDC](#)  
[Youth Violence Statistics from WHO](#)  
[Youth Violence Datasheet - CDC](#)

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

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-239

19 Directing the City Manager to develop a plan to be implemented on or before January 1, 2022, to require verification of pump out services for vessel owners using the Key West Bight Dinghy Dock.

**Sponsors:** Vice Mayor Kaufman

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

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

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-240

20

Urging the Florida Fish and Wildlife Conservation Commission to fund and expedite an anchorage study of Key West nearshore waters, pursuant to Florida Statutes Section 327.4109; Authorizing the City Clerk to provide certifies copies of the Resolution to Florida Legislative Delegation members.

**Sponsors:** Vice Mayor Kaufman

**Attachments:** [Resolution](#)  
[FS Sec 327-4109](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed with an amendment to correct the date the anchorage study was requested to 2019. The motion carried by the following vote:**

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-241

21

**QUASI-JUDICIAL HEARING:**

Authorizing the City of Key West to enter into a 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 on dates set forth in the Agreement, upon additional terms and conditions contained in the Agreement (commencing October 24, 2021).

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[License Agreement](#)  
[Neighbor Response - Non Objection](#)  
[Neighbor Response - Non Objection](#)  
[Neighbor Response - Objection](#)  
[Applicant Response to Objection](#)  
[Neighbor Response - Non Objection](#)  
[Neighbor Response - Non Objection](#)  
[Neighbor Response - Non Objection](#)  
[Neighbor Response - Non Objection](#)

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

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-242

22

**QUASI-JUDICIAL HEARING:****Major Development Plan and Landscape Waiver -  
210-216 Duval Street (RE# 00001420-000000)**

Granting a Major Development Plan and Landscape Waiver approval at 210-216 Duval Street (RE 00001420-000000) to renovate an existing historic mixed-use structure and enclose a portion of space between buildings of the property located in the Historic Residential Commercial Core (HRCC-1) Zoning District and a request for approval to ~~pay a fee in lieu~~ to record a deed restriction for one on-site dwelling unit to comply with the City of Key West's Workforce Housing Ordinance pursuant to Sections 108-91, 108-517, and Section 122-1467(1)(A) of the Code of Ordinances of the City of Key West, Florida.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Final Plans for City Commission Approval 10.8.2021](#)  
[Planning Board Resolution 2021-29 for 210-216 Duval St MDP](#)  
[Planning Board Resolution 2021-28 Variances](#)  
[Planning Package \\*LARGE FILE\\*](#)  
[Staff Report](#)  
[HARC Approval Letter and Signed COA](#)  
[Urban Forester's Landscape review](#)  
[Utilities Comments](#)  
[Keys Energy Comments](#)  
[Engineering Comments](#)  
[Noticing Package](#)  
[Plans from Planning Board](#)

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

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-243

**ORDINANCES - SECOND READING (Public Hearing)**

23

An Ordinance of the City of Key West, Florida, amending Chapter 66 of the Code of Ordinances, titled "Taxation", by amending Sec. 66-109 titled "Schedule of Taxes" by adjusting the schedule of business tax receipts; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager McLauchlin

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

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

**Yes:** 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 21-18

**CITIZEN COMMENTS**

**Attachments:** [Public Comment](#)

**COMMISSION COMMENTS**

**ADJOURNMENT- 6:45 P.M.**