



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, June 2, 2020

5:00 PM

City Hall

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#### VIRTUAL MEETING

**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.

#### Instructions for Participating in the Virtual Meeting

**Attachments:** [Virtual Meeting Instructions](#)

Received and Filed

#### CALL MEETING TO ORDER - 5:01 PM

#### 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 approved unanimously as changed.

#### PROCLAMATIONS

**1** Men's Health Month

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

Received and Filed

**2** Recognizing Efforts of KOTS and SHAL

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

Received and Filed

**PRESENTATIONS**

City Attorney's Report

City Manager's Report

**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**

3 \*May 19, 2020

Attachments: [Minutes](#)

Passed

**RESOLUTIONS**

4 \*Denouncing bigotry and hateful speech, violent action, and the spread of misinformation related to COVID-19 that casts blame and promotes racism or discrimination; urging all residents and visitors of Key West to treat each other with respect and strive to keep every person safe during this unprecedented pandemic and beyond.

Attachments: [Resolution](#)  
[Comment from Todd Engle](#)

Passed

Enactment No: Res 20-090

- 5 \*Approving the attached "Sovereignty Submerged Land Fee Waived Lease" between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Key West Mooring Field (BOT File No. 440356745).

**Attachments:**     [Resolution](#)  
                                  [Executive Summary](#)  
                                  [Submerged Land Lease](#)  
                                  [Temp Use Agreement 2019-2020](#)  
                                  [Managment Agreement 2000-2010](#)  
                                  [Dec 1995 Permit #442021579](#)  
                                  [May 1999 Permit #44-0155987-001](#)  
                                  [Jan 2001 Permit # 44-0170774-001](#)

**Passed**

Enactment No: Res 20-091

- 6 \*Approving the attached "The Administrative Agreement for the Community Development Office between the City of Key West and the Housing Authority of the City of Key West, Florida" for the period of October 1, 2019 through September 20, 2024; Authorizing the City Manager to execute the renewal agreement upon consent of the City Attorney.

**Attachments:**     [Resolution](#)  
                                  [Executive Summary](#)  
                                  [2019 CDO Agreement](#)  
                                  [CDO Management Plan](#)

**Passed**

Enactment No: Res 20-092

- 7 \*Approving the attached "Administrative Agreement between the City of Key West, Florida (Grantee) and A.H. of Monroe County, Inc. (Sponsor) reference U.S. HUD HOPWA Grant #FLH190020"; Authorizing the City Manager to Execute the Administrative Agreement and Subsequent Amendments upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Request from CDO](#)  
                          [2020 Administrative Agreement City and AH 052820.pdf](#)  
                          [Exhibits A-D to Administrative Agreement FLH-190020](#)  
                          [Res 19-100](#)  
                          [HOPWA Annual Progress Report](#)

**Passed**

Enactment No: Res 20-093

- 8 \*Approving the attached "Amendment (2nd Amendment) to Agreement" ID #2288 to extend the termination date to December 31, 2020 for the Key West Amphitheater Enhancements Project; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [2nd Amendment Key West Amphitheater](#)  
                          [TDC DAC I time extension request to 12/31/2020](#)  
                          [Resolution 19-011](#)  
                          [Resolution 20-056](#)

**Passed**

Enactment No: Res 20-094

- 9 \* Awarding the Bid of Charley Toppino and Sons, Inc. for Pavement Marking, Striping & Roadway Signage on a Task Order basis, at unit prices identified in the Bid, in accordance with the terms specified in ITB 20-007; Authorizing the City Manager to execute necessary documents in substantial conformance with contract documents contained in the bid package and upon advice and consent of the City Attorney.

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[ITB 20-007 Pavement Marking, Striping & Roadway Signage](#)  
[Toppino Bid](#)

**Passed**

Enactment No: Res 20-095

- 10 \*Approving and Accepting the award of supplemental funding in the amount of up to \$159,460.00 under provisions of the Coronavirus Aid, Relief and Economic Security Act (CARES Act) towards housing opportunities for persons with AIDS (HOPWA) grantees to maintain operations and for rental assistance, supportive services and other necessary actions in response to the Coronavirus; Authorizing the Community Development Office (CDO) to submit necessary documentation with the City of Key West as "Applicant" and AIDS HELP, INC. (AHI) as "Sponsor"; Approving and Accepting the "Descriptive Budget Justification Narrative" provided by the CDO and AHI for existing HOPWA Grant #FLH-190020; Authorizing the City Manager to execute necessary documents and any subsequent amendments that may increase funding upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
[HOPWA Competitive CARES Letter from Harcrow 4-2-20](#)  
[CARES ACT - Supplement Plan FLH-190020 Draft BUDGET NARRATIVE 5-12-20](#)  
[HOPWA Notice on Implementing CARES ACT](#)

**Passed**

Enactment No: Res 20-096

### 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.

11

Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a Fundraiser at McCoy Indigenous Park and Fireworks on the Edward B. Knight Pier (formally White Street Pier) on July 4, 2020 (Set up July 2, 2020 starting at 7:00 a.m. through July 5, 2020 7:00 a.m.). Authorizing Fireworks display off the Edward B. Knight Pier on July 4, 2020 from 3:00 p.m. to 11:00 p.m. Authorizing the Sale and Consumption of Alcoholic Beverages at McCoy Indigenous Park.

**Attachments:**    [Resolution](#)  
                              [Application](#)  
                              [Insurance](#)  
                              [Site Map](#)

A motion was made by Commissioner Jimmy Weekley, seconded by Vice Mayor Sam Kaufman, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 20-097

- 12 Authorizing grant funding in an amount of up to \$118,000 to Fair Insurance Rates for Monroe (FIRM) - a non-profit organization - for the purpose of engaging hydrologic engineering consultants to analyze the science and data utilized by the Federal Emergency Management Agency (FEMA) in the production of its new preliminary Flood Insurance Rate Maps with the aim of validating, contesting and/or appealing FEMA's conclusions, in the city of Key West.

**Attachments:**     [Resolution](#)  
                                 [Executive Summary](#)  
                                 [Consultant's Task Descriptions](#)  
                                 [Mayor's Request for FEMA Postponement](#)

**A motion was made by Vice Mayor Kaufman, 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: 20-098

- 13 Granting/Denying the Appeal of Alon Croitoru, by Affirming/Reversing the determination of the Planning Board rendered in Resolution 2020-12, Denying an Application for Outdoor Merchandise Display at 501C Greene Street (Island Cigar Factory).

**Attachments:**     [Resolution](#)  
                                 [Appeal](#)  
                                 [Staff Report - Revised per KPH on 4-9-20](#)  
                                 [PB RES 2020-12 DENIAL 501c Greene St OUT](#)  
                                 [Planning Board Minutes from 4-28-20](#)  
                                 [Powerpoint Presentation](#)

**A motion was made by Commissioner Weekley, seconded by Vice Mayor Kaufman, that the Resolution be amended from 10 months to 12 months and 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 20-099

**ORDINANCES – FIRST READING**

14

An Ordinance of the City of Key West, Florida, amending the boundaries of the Official Zoning Map categories of the Historic Medium Density Residential (HMDR) and the Historic Neighborhood Commercial District (HNC-3) pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
[Executive Summary](#)  
[Presentation](#)  
[Planning Board Resolution 2020-02](#)  
[\\*Large File\\* Planning Packet](#)  
[\\*Large File\\* 909 page submittal from Neighbors](#)  
[Request to Postpone](#)  
[Letters of Objection from surrounding neighbors](#)  
[Neighbors' Objection to Commission Proceedings](#)  
[Letter from Todd Santoro](#)  
[Letter from Robert Walsh](#)  
[Letter from Marci Rose](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Hoover, that the Ordinance be Postponed to the June 16, 2020 meeting. The motion carried by the following vote:**

**No:** 2 - Commissioner Weekley and Mayor Johnston

**Yes:** 5 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez and Commissioner Wardlow



15

An Ordinance of the City of Key West, Florida, amending the City's Comprehensive Plan, Chapter 1, entitled "Future Land Use Element", amending boundaries of the Historic Residential (HR) and Historic Commercial (HC); Pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
[Executive Summary](#)  
[Presentation](#)  
[Planning Board Resolution 2020-01](#)  
[\\*Large File\\* Planning Packet](#)  
[\\*Large File\\* 909 page submittal from Neighbors](#)  
[Request to Postpone](#)  
[Letters of Objection from surrounding neighbors](#)  
[Neighbors' Objection to Commission Proceeding](#)  
[Presentation on Flum Amendment.pdf](#)  
[Letter from Todd Santoro](#)  
[Letter from Robert Walsh](#)  
[Letter from Marci Rose](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Hoover, that the Ordinance be Postponed to the June 16, 2020 meeting. The motion carried by the following vote:**

**No:** 2 - Commissioner Weekley and Mayor Johnston

**Yes:** 5 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez and Commissioner Wardlow

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

16

Amending Chapter 63 of the Code of Ordinances entitled "Pensions and Retirement Plans" by Amending Section 46-63 to provide for Trustee terms of four years commencing at the end of current terms; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

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

Enactment No: Ord 20-06

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT -7:23 PM**