



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, November 17, 2020

5:00 PM

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.

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

ADMINISTERING THE OATH OF OFFICE - Commissioner Lopez, District 6

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

PROCLAMATIONS

1 Martin Luther King Jr. Day - Proclamation

Attachments: [Proclamation - Martin Luther King Day](#)

Received and Filed

Proposed Add-On:
National Hunger and Homelessness Awareness Week

Attachments: [Homelessness and Hunger Awareness](#)

Received and Filed

PRESENTATIONS

- 2 Retirements - Key West Fire Department
 - Captain Michael Budde
 - Captain Jeffrey Hernandez
 - Captain Joseph Hughes

Received and Filed

- 3 Future of Wisteria Island - Ed Russo

Received and Filed

- 4 Annual Land Conservation Report

Attachments: [Land Conservation Annual Report](#)

Received and Filed

- 5 Update COVID Recovery Plan - Elisa Levy

Attachments: [Presentation](#)

Received and Filed

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.**

RESOLUTIONS

- 6 *Supporting the efforts of the United States Bicycle Route System's (USBRS) proposed realignment of US Bicycle Route 1 to traverse South Roosevelt Boulevard and terminate at the Southernmost Point in Key West.

Attachments: [Resolution](#)
[USBRS Adventure Cycling Association Information](#)

Enactment No: Res 20-221

- 7 *Requesting that the Monroe County Health Department provide regular updates relating to Covid-related safety measures to the City Commission; and Requesting that the Monroe County Health Department to participate with the local Covid Recovery Task Force along with other community partners to review Covid-related data/research to make recommendations.

Attachments: [Resolution](#)

Passed

Enactment No: Res 20-222

- 8 *Approving the attached “Federally Funded Subaward and Grant Agreement” for FEMA Phase I Hazard Mitigation Grant Program (HMGP) funds for Project Number 4337-501-R / Agreement Number H0559 Force Main Relocation Project in the amount of \$540,843.62 Federal / \$613,156.38 City match (FAIN: FEMA-DR-4337-FL); Authorizing the City Manager to execute the subaward and grant agreement and related documents, upon consent of the City Attorney; Authorizing the City Manager to approve and execute subsequent amendments to this grant agreement which may adjust to increase funding allocations to the City or modify the project scope, Authorizing any necessary budget amendments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [4337-501-R - Contract](#)
 [Resolution 18-205](#)

Passed

Enactment No: Res 20-223

- 9 *Approving the attached "Federally-Funded Subaward and Grant Agreement" for FEMA Hazard Mitigation Grant Program (HMGP) funds for Project Number 4334-492-R / Agreement Number H0558 Critical Facilities Generators Project in the amount of \$107,316.75 Federal / \$35,772.25 City Match (FAIN: FEMA-DR-4337-FL); Authorizing the City Manager to execute the Subaward and Grant Agreement and related documents; Authorizing the City Manager to approve and execute subsequent amendments to this Grant Agreement which may adjust to increase grant funding allocations to the City or modify the project scope; Authorizing necessary budget amendments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [4337-492-R - Contract](#)
 [Resolution 18-205](#)

Passed

Enactment No: Res 20-224

- 10 *Authorizing a Sole Source Purchasing Exception pursuant to section 2-797(1) of the Code of Ordinances, for the procurement of a "Small Enterprise Agreement County and Municipality Government" with Environmental Systems Research Institute (ESRI) for ARGIS Mapping Software Licenses and support for the City of Key West Information Technology Department in a total amount not to exceed \$27,500.00 per year for a three year term.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Enterprise License Agreement & Quote](#)
 [Resolution 14-342](#)

Passed

Enactment No: Res 20-225

- 11 *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 Sonny McCoy Indigenous Park on dates set forth in the Agreement, upon additional terms and conditions contained in the Agreement (commencing November 15, 2020).

Attachments: [Resolution](#)
 [Executive Summary](#)
 [License Agreement](#)
 [EXHIBIT A - Artisan Market Vendor Layout](#)
 [EXHIBIT B - Artisan Market Dates](#)
 [KW Wildlife Center Letter of Support - Artisan Market](#)
 [fictitious name filing for Daily Plan-It](#)

Passed

Enactment No: Res 20-226

- 12 *Rescinding Resolution 20-183, which authorized Local Agency Program (LAP) Supplemental Agreement #6 for design of SR A1A/South Roosevelt Boulevard; Authorizing an updated LAP Supplemental Agreement #6 between the City of Key West and FDOT in the amount of \$475,319.00 for the SR A1A/South Roosevelt from Bertha to Smathers Beach Project (250548-4); Authorizing necessary budget transfers or adjustments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 20-183](#)
 [Supplemental Agreement #6](#)
 [Staff Hours and cost estimate](#)
 [Resolution 08-122](#)
 [Resolution 13-293](#)
 [Resolution 15-294](#)
 [Resolution 18-070](#)
 [Resolution 19-124](#)

Passed

Enactment No: Res 20-227

13

*Awarding the bid of D.L. Porter Constructors, Inc. for Cable Hut Stabilization and Repair, in accordance with the terms specified in ITB #21-001, in an amount not to exceed \$317,421.30, inclusive of specified deduct alternates, and 5% owner contingency of \$15,115.30; Authorizing the City Manager to enter into a contract in substantial conformance with the contract documents contained in the bid package upon advice and consent of the City Attorney; Authorizing any necessary budget transfers and amendments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [ITB 21-001 Cable Hut Stabilization and Repair](#)
 [Addendum #1](#)
 [Addendum #2](#)
 [Addendum #2 Additional Information](#)
 [Addendum #3](#)
 [Porter Proposal](#)
 [Barracuda Proposal](#)
 [Sea Tech Proposal](#)
 [Marino Proposal](#)

Passed

Enactment No: Res 20-228

- 14 *Extending the contract completion for the Pump Stations Rehab Phase II, C, E & D Project (SE1504) and Generator Pump Station E (Project SE5031803) for Key Honey Contracting, LLC; Authorizing any necessary budget transfers.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Time Extension Request](#)
 [Notice to Proceed](#)
 [Resolution 19-286](#)
 [Key Honey Contracting Bid](#)
 [Notice of Award](#)

Passed

Enactment No: Res 20-229

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.

- 15 Approving the attached City Manager Goals and Objectives.

Attachments: [Resolution](#)
 [Goals & Objectives](#)

A motion was made by Commissioner Wardlow, seconded by Commissioner Weekley, that the Resolution be Passed with the condition that Commissioner Lopez's items are added to the list of goals and objectives. 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 20-230

16

REQUEST FOR POSTPONEMENT TO DECEMBER 2, 2020 BY APPLICANT:

Quasi-Judicial Hearing: Granting/Denying Appeal of Planning Board Decision Denying Request for Text Amendment of the Land Development Regulations - 1900 North Roosevelt Boulevard (RE# 00051820-000000) and 1910 North Roosevelt Boulevard (RE# 00051840-000000) - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Chapter 108 of the Land Development Regulations, Chapter 108 entitled "Planning and Development", Article VII, entitled "Off-Street Parking and Loading", Division 2 entitled "Regulations For Required Spaces", to Section 108-572 to amend the schedule of off-street parking requirements by use by adding an 18th use entitled Self-Storage with a minimum number of parking space, 1 space per 50 storage units, plus 1 space for employee parking pursuant to Sections 90-520, 108-572, 122-420 (2), 122-1151 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Appeal](#)
[Staff Report](#)
[Planning Package](#)
[Proposed Ordinance](#)
[*Large File* Noticing Package](#)
[Applicant Ltr - Request for Postponement](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Postponed until December 2, 2020. The motion passed by unanimous vote.

17

QUASI-JUDICIAL HEARING:

Approving an Easement Agreement in order to maintain a portion of the front of the house, front and side eaves, and planters that extend approximately 89.68 square feet, more or less onto the Catherine Street right-of-way located within the Historic Residential Commercial Core Duval Street Oceanside (HRCC-1) Zoning District at 427 Catherine Street, Key West, Florida (RE# 00027960-000000); pursuant to Section 2-938 (b)(2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Agreement](#)
 [Package](#)
 [*Large File* Package](#)
 [Keys Energy Comments](#)
 [Floodplain Comments](#)
 [Urban Forester Comments](#)
 [Engineering Comments](#)
 [Utilities Comments](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed with the conditions as outlined in the staff report. 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 20-231

18

PUBLIC HEARING - Pursuant to Section 78-62(e) for additional vehicle for hire licenses.

Attachments: [Memorandum from City Attorney](#)
 [Vehicle for Hire Request](#)
 [Request for Postponement](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Davila, that the Resolution be Postponed to December 2, 2020. The motion carried by the following vote:

No: 2 - Commissioner Wardlow and Commissioner Weekley

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

ORDINANCES - FIRST READING

19

An Ordinance of the City of Key West amending Chapter 10 of the Code of Ordinances, entitled "Animals" by amending Section 10-2, to amend the definitions; by Amending Section 10-4 to clarify that it is unlawful for an owner to allow any animal to run at large on public property; by Amending Section 10-11 to provide that it is unlawful to feed or provide sustenance to feral, stray or wild animals; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
[Letter - SPCA](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Postponed to January 5, 2021. 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

ORDINANCES - SECOND READING (Public Hearing)

20

Proposed to be Postponed:

Future Land Use Map (FLUM) Amendment - 918 Fort Street (RE # 00001630-000801), 727 Fort Street (RE # 00013990-000000), 101 Geraldine Street (RE # 00013970-000000), 709 Fort Street (RE # 00013960-000000), 100 Angela Street (RE # 00013950-000000), 105 Geraldine Street (RE # 00013910-000000), 110 Angela Street (RE # 00013900-000000), 111 Geraldine Street (RE # 00013870-000000), 112 Angela Street (RE # 00013860-000000), 109 Geraldine Street (RE # 00013830-000000), and 114 Angela Street (RE # 00013820-000000).

An Ordinance by the City Commission to amend The Future Land Use Map Legend from Historic Public / Semi-Public, Historic Commercial, and Historic Residential to Historic Commercial; and to add a new Future Land Use Map Zoning Subdistrict designation of "Historic Neighborhood Commercial Bahama Village Truman Waterfront" (HNC-4) and applying such designation to said properties; Pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code Of Ordinances of the City Of Key West, Florida; Providing for severability; providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary Of State and for an effective date; and Providing for the inclusion into The City Of Key West Comprehensive Plan.

Attachments: [Ordinance](#)
[Staff Report](#)
[Executive Summary](#)
[Planning Board Resolution 2019-85](#)
[Planning Board Resolution 2020-28](#)
[Presentation](#)
[* Large File * Noticing Package](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Postponed to December 2, 2020. 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

21

Proposed to be Postponed:

Official Zoning Map Amendment - 918 Fort Street (RE # 00001630-000801), 727 Fort Street (RE # 00013990-000000), 101 Geraldine Street (RE # 00013970-000000), 709 Fort Street (RE # 00013960-000000), 100 Angela Street (RE # 00013950-000000), 105 Geraldine Street (RE # 00013910-000000), 110 Angela Street (RE # 00013900-000000), 111 Geraldine Street (RE # 00013870-000000), 112 Angela Street (RE # 00013860-000000), 109 Geraldine Street (RE # 00013830-000000), and 114 Angela Street (RE # 00013820-000000).

An Ordinance by the City Commission to amend the Official Zoning Map and the Official Zoning Map Legend to create a new zoning sub-section to be named the Historic Neighborhood Commercial District Bahama Village Truman Waterfront (HNC-4), Pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code Of Ordinances of the City Of Key West, Florida; Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan Future Land Use Map (FLUM) Amendments; providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
[Staff Report](#)
[Executive Summary](#)
[Planning Board Resolution 2019-86](#)
[Planning Board Resolution 2020-29](#)
[Presentation](#)
[Noticing Package](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Davila, that the Ordinance be Postponed to December 2, 2020. 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

22

Proposed to be Postponed:

An Ordinance by the City Commission amending Comprehensive Plan Policy 1-1.1.4, entitled "Affordable Housing and Compact Development Incentives," to add a revised FLUM, amending Comprehensive Plan Table 1-1.1.5, to add an additional subdistrict under Historic and Commercial Future Land Use District, and amending Comprehensive Plan Policy 1-1.1.9, entitled "Allowed Uses in Historic Neighborhood Commercial," to add a fifth corridor and a fourth HNC subdistrict to allow for up to 40 dwelling units per acre; Pursuant to Chapter 90, Article VI, Division 3; Providing for repeal of inconsistent provisions; Providing for an effective date; and Providing for the inclusion in the City of Key West Comprehensive Plan.

Attachments: [Ordinance](#)
[Staff Report](#)
[Executive Summary](#)
[Planning Board Resolution 2019-87](#)
[Planning Board Resolution 2020-30](#)
[Presentation](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Davila, that the Ordinance be Postponed to December 2, 2020. The motion passed by unanimous vote.

23

Proposed to be Postponed:

An Ordinance by the City Commission amending Chapter 122 of the Land Development Regulations, entitled "Zoning," Article IV, entitled "Districts," Division 8 entitled "Historic Neighborhood Commercial Districts," to create a new zoning district entitled the "Historic Neighborhood Commercial District Bahama Village Truman Waterfront" (HNC-4), providing amendments to Section 122-92, entitled "Future Land Use Map Designations and Zoning Districts," Section 122-1111, entitled "Table of Land Use by Districts," Section 122-1112, entitled "Table of Permitted and Conditional Commercial Retail Uses by Districts," and Section 122-1151, entitled "Size and Dimension," Providing for intent, permitted uses, conditional uses, prohibited uses, and dimensional requirements; Providing for residential density of up to 40 units per acre; Pursuant to Chapter 90, Article VI, Division 2; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Ordinance](#)
[Staff Report](#)
[Executive Summary](#)
[Planning Board Resolution 2020-31](#)
[*Large File* Planning Board Resolution 2019-88](#)
[Presentation](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Davila, that the Ordinance be Postponed to December 2, 2020. The motion passed by unanimous vote.

DISCUSSION

24

Affordable Housing Priorities: Scheduling a workshop.

Discussed

25

COVID Update

- Attachments:** [Caroline's](#)
[Fogarty's 10 Nov 20](#)
[Fat Tuesday Fogarty's](#)
[Jack Flats 10 Nov 20](#)
[Waterfront Brewery](#)
[Business Citations](#)

Discussed

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 9:08 P.M.