



# 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*  
*Cheri Smith, City Clerk*  
*Ronald Ramsingh, City Attorney*

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Tuesday, May 16, 2023

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.

**FOR VISUAL PRESENTATIONS:** Individuals are responsible to share their presentation at the meeting on their laptop through Zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

**You may attend/participate virtually via Zoom by telephoning 1-305-224-1968 Meeting ID: 833 5417 4425 Passcode: 999590 or online at: <https://us02web.zoom.us/j/83354174425> Passcode: 999590**

**CALL MEETING TO ORDER - 5:00 PM**

#### **ROLL CALL**

**Absent** 1 - Commissioner Weekley

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

**PLEDGE OF ALLEGIANCE TO THE FLAG - Todd Stoughton, Assistant City Manager**

**APPROVAL OF AGENDA - Approved as amended unanimously.**

**PROCLAMATIONS**

- 1 Maritime Day  
Received and Filed
- 2 Guidance/Care Center 50th Anniversary  
Received and Filed
- 3 National Emergency Medical Services Week 2023  
Received and Filed

**CITIZEN COMMENTS**

**PRESENTATIONS**

- 4 6 Month Budget Update - Christina Bervaldi, Director of Finance  
Received and Filed

**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 \*May 2, 2023 (Regular)  
Passed
- 6 \*May 9, 2023 (Special)  
Passed

**RESOLUTIONS**

- 7                    \*Authorizing Monroe County School Board to hold the 2023 Key West High School graduation at the Key West Truman Waterfront Coffee Butler Amphitheater on Friday, May 26, 2023 from 7:00 P.M. to 10:00 P.M. Pursuant to terms and conditions set forth by the City Manager.

**Passed**

Enactment No: Res 23-127

- 8                    \*Authorizing the Key West Cultural Preservation Society, Inc. to conduct a Sunset Celebration as a fundraiser on Friday, May 26, 2023, Saturday, May 27, 2023 and Sunday, May 28, 2023, from 6:00 P.M. to 9:30 P.M. during their daily sunset celebrations; Authorizing the Sale and Consumption of Alcoholic Beverages at Mallory Square.

**Passed**

Enactment No: Res 23-128

- 9                    \*Reappointing Rochelle McEntyre to the Citizen Review Board (CRB).

**Withdrawn**

- 10                   \*Authorizing a \$500.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds) to the Key West High School Operation Graduation Program (2023), pursuant to Florida Statutes Section 932.7055.

**Passed**

Enactment No: Res 23-129

- 11                    \*Awarding the bid of CScape Construction, Inc. for Key West Mooring Field Inspection and Ground Tackle Replacement for a contract term of three years in response to Invitation to Bid (ITB) #23-009; Authorizing on inspection and replacement (\$83,936.60) in FY 22/23 and two inspections and replacements in FY 23/24 and subsequent years (\$167,873.20 plus annual CPI adjustments); Authorizing any necessary budget adjustments and amendments; Authorizing the City Manager to execute a contract in conformance with the bid documents, upon consent of the City Attorney.

**Passed**

Enactment No: Res 23-130

- 12                    \*Ranking the responsive and responsible response to the Request for Proposals (RFP) No 23-001 for transit bus advertising services; Authorizing the City Manager to negotiate and execute a contract with the highest ranked firm, Fuel Media Holdings, LLC upon advice and consent of the City Attorney; Authorizing any necessary budget adjustments or transfers.

**Passed**

Enactment No: Res 23-131

- 13                    \*Approving the attached "State of Florida Department of Environmental Protection Standard Grant Agreement" Number VW304 for the purchase of electric transit buses to replace eligible diesel transit buses, in a total amount up to \$300,000.00; Authorizing the City Manager to execute the Agreement, and to approve and execute any subsequent amendments that may adjust the grand 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.

**Passed**

Enactment No: Res 23-132

- 14                   \*Authorizing the procurement of a Roadway Management Technologies Service Agreement from Roadway Management Technologies, LLC Service (RMT), in the amount of \$21,000.00 for the first year of a two-year renewable contract, in the best interests of the City, pursuant to Section 2-7977(4)(b) of the Code of Ordinances; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Passed**

Enactment No: Res 23-133

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

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

- 15                   Proclaiming the Schooner Wolf the new Official Flagship of the City of Key West.

**A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Resolution be Passed as amended, providing that this ceremonial designation does not entitle the Schooner Wolf to any special privileges; the Schooner Western Union shall resume its designation as official flagship, should the vessel become seaworthy in the future. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Weekley

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

Enactment No: Res 23-134

- 16                   Recommend with regard to the Pier B Development Corp. request to the Board of Trustees of the Internal Improvement Trust Fund to modify its existing submerged lands lease; Authorizing the City Clerk to transmit a certified copy of this resolution to designated members of Florida Legislature and Administration.

**A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, to choose option C, adopting a neutral position, that the Resolution be Passed as amended. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Weekley

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

Enactment No: Res 23-135

#### **ORDINANCES – FIRST READING**

17

An Ordinance of the City of Key West, Florida, modifying the membership of the Development Review Committee (DRC) and transferring the responsibility to approve lot splits from the DRC to the Planning Board, by amending Land Development Regulations Chapter 90, entitled “Administration”, Article II, entitled “Boards, Committees, Commissions”, Division 2, entitled “Planning Board”, Section 90-55, entitled “Functions and Powers”; Chapter 108, entitled “Planning and Development”, Article II, entitled “Development plan”, Division 2, entitled “Development Review Committee”, Section 108-61 entitled “Established and membership.” and Section 108-63, entitled “Powers and duties.”; and Chapter 118, entitled "Subdivisions", Article III, entitled “Plats and plans”, Division 2 entitled “Lot split and minor subdivision procedures”, Section 118-169, entitled “Lot splits.”; Providing for severability; Providing for repeal of inconsistent provisions, Providing for an effective date.

**Withdrawn**

- 18 An Ordinance of the City of Key West, Florida, amending Chapter 6 of the Code of Ordinances, entitled "Amusements and Entertainment", Article I-"Street Performers and Street Artists" by amending Section 6-2 to deny the application of an applicant that has been convicted of a felony against person or property within 10 years preceding the date of application; by amending Chapter 6 Article III entitled "Entertainment and Animal-Driven Vehicles; Entertainment Equipment" by amending Section 6-117 to adjust penalties; by amending Section-146 to adjust penalties; by amending Section 6-152 to adjust penalties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:**

**No:** 1 - Commissioner Carey

**Absent:** 1 - Commissioner Weekley

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

#### **ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)**

- 19 An Ordinance of the City of Key West, Florida, amending Chapter 86 of the Land Development Regulations, entitled "General Provisions", Section 86-9 entitled, "Definition of terms."; and Chapter 122 of the Land Development Regulations, entitled "Zoning", Article II entitled "Nonconformities", Section 122-30 entitled, "Abandonment of nonconforming use"; to provide for an amended definition of the term "Abandon"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

**Absent:** 1 - Commissioner Weekley

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

Enactment No: Ord 23-23

**CITY MANAGER'S REPORT**

**20** Department Reports

**CITY ATTORNEY'S REPORT**

**CITY CLERK'S REPORT**

**COMMISSION COMMENTS**

**ADJOURNMENT - 6:57 PM**